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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. BARRETT of Nebraska).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 24, 1998.

I hereby designate the Honorable BILL BARRETT to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agrees to the amendment of the House to the bill (S. 927) ''An Act to reauthorize the Sea Grant Program.''

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 21, 1997, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to 5 minutes.

The Chair recognizes the gentleman from Colorado (Mr. SKAGGS) for 5 minutes.

WHETHER CONGRESSIONAL AUTHORIZATION OF FORCE IN THE PERSIAN GULF IN 1991 CONTINUES TO AUTHORIZE FORCE IN 1998

Mr. SKAGGS. Mr. Speaker, I think we were all heartened by the developments over the weekend when the Secretary General of the United Nations was able to put together an agreement with Iraq concerning the current crisis there. It is certainly a promising development, and we all hope and pray that it will be the solution to the crisis.

But given Saddam Hussein's history of broken promises, we all will remain skeptical and will wait to be shown that this time it is for real. It is understandable, therefore, that the President has stated that the United States forces currently deployed in the region will stay there for the foreseeable future, and again, given the history of broken promises, it is entirely possible that we may face again soon the question of the use of military force against Iraq.

So, it is important, even though we have this moment to catch our breath, to remind ourselves of Congress' responsibility in this matter. In my opinion, and I think an opinion widely shared, the initiation of military action that is contemplated in Iraq clearly implicates Congress' responsibilities under the war-making clause of section 8, article 1, of the Constitution.

The President's position, as I understand it, has been that he already has sufficient authority in this matter derived, in a way, from the Persian Gulf War resolution that this Congress passed back in 1991. The administration claims that it is appropriate to see that Persian Gulf War resolution as looking forward to the authorization of force not only to implement then existing Security Council resolutions, which at the time of course dealt with getting Iraq out of Kuwait, but also to contemplate future Security Council resolutions, including the one that after the war set up the United Nations commission and the inspection regime that is now at issue in going after Iraq's weapons of mass destruction.

That Security Council resolution, number 687, of course was adopted after the Persian Gulf War, and unlike the ones that preceded the war, did not expressly contemplate or state that member states of the U.N. could use force, or ''all necessary means,'' to use the proper phraseology, to carry out its purposes.

I do not believe those of us who were here in 1991 for the debate before the Persian Gulf War would say that the text of the resolution passed before the Persian Gulf War, and certainly not the debate that preceded passage of the resolution, support the idea that we were then granting authority for some future military action to force compliance with a weapons of mass destruction inspection regime that did not then exist.

Over the weekend we have heard former Secretary of State Baker remind us all that the issue at the time that we went to war in 1991, the mandate at that time, was to get Iraq out of Kuwait.

I have today released a report, a memorandum, done at my request by the Congressional Research Service on this issue. A copy has been sent to all Members' offices. I believe the analysis of these legal, but very important, considerations done by CRS reinforces the argument that this 105th Congress cannot rely on what the 102nd Congress did, and that we need to face up to our current constitutional responsibilities.

The Constitution requires authority from Congress before this country initiates a major military attack for good reasons, both as a check against any precipitous action by a President, but also to be sure that the American people, acting through their representatives in Congress, have been consulted and do consent.

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Should we face another major military confrontation with Iraq in the coming weeks or months, Congress must fulfill that responsibility and conduct the kind of debate, the thorough debate we did in 1991. I think we all remember that debate as one of Congress' finest moments, in which we were soberly engaged in a meaningful discussion of a critical issue. It helped to unify the country.

We should welcome a debate and a vote again, as the President should. He needs to know that the country is behind him.

It is troubling to look ahead to circumstances that might arise very quickly in the next weeks or months that might not enable us to have the kind of debate and vote that we should. Therefore, I hope my colleagues will unite in requesting that the leadership proceed while we enjoy this reprieve to have the kind of discussion that is warranted under the Constitution.

Mr. Speaker, I include for the RECORD the memorandum from the Congressional Research Service.

The memorandum is as follows:

CONGRESSIONAL RESEARCH SERVICE,
LIBRARY OF CONGRESS,
Washington, DC, February 23, 1998.

To: Honorable David Skaggs.

From: American Law Division.

Subject: Whether 1991 Congressional Authorization of Force in the Persian Gulf Continues to Authorize Force in 1998.

This memorandum is in response to your request that we briefly evaluate an argument that has been presented in the present debate over use of United States military forces in and over Iraq, namely whether Congress can be said to have authorized in its 1991 enactment the use of U.S. military forces to carry out resolutions of the Security Council of the United Nations adopted subsequent to the conflict in 1991 in the Persian Gulf.

We here deal with a specific and limited, though important, question. We do not consider what the Constitution, in its authorization to Congress to declare war, requires of Congress and the Executive Branch in the initiation and carrying out of combat with Iraq. We do not consider what restraints the War Powers Resolution imposes on the President's use of force in and over Iraq in the absence of some affirmative pre-action approval by Congress. We do not consider what effect upon the ability of the United States to act, within its constitutional structure, may be derived from United Nations authorization(s). To be sure, these issues are implicated in the response to the question with which we do treat, but it is possible to assess a resolution of this single question without also attempting to venture answers to the other questions.

Following the invasion of Kuwait and its occupation by Iraq, the Security Council adopted Resolution 660, demanding that Iraq withdraw from Kuwait. After adoption of a series of other Resolutions, the Security Council in 1990 adopted Resolution 678, which is considered the United Nation's authorization for the carrying out of the military actions that took place, by which member states were authorized to use ''all necessary means to uphold and implement resolution 660 (1990) and all subsequent relevant resolutions and to restore international peach and security in the area.''

Although President Bush and his Administration took the public position that no authorization by Congress was necessary, at the last moment the President did seek congressional approval, which was forthcoming by close votes in both the House of Representatives and the Senate. P.L. 102–1, 105 Stat. 3, 50 U.S.C. §1541 note. The Joint Resolution became law January 14, 1991. The pertinent part of the Joint Resolution provided: The President is authorized, subject to subsection (b), to use United States Armed Forces pursuant to United Nations Security Council Resolution 678 (1990) in order to achieve implementation of Security Council Resolutions 660, 661, 662, 664, 665, 666, 667, 679, 670, 674, and 677. §2(a).

After Iraq's military defeat, the Security Council on April 3, 1991, adopted Resolution 687, setting out conditions to which Iraq had to agree in order for a cease fire to come into effect. Among the obligations, Iraq had to accept the neutralization under international supervision of its chemical, biological, and medium- or long-range missile capabilities. Furthermore, the Resolution stated, the matter was to remain before the Council, which would ''take such further steps as may be required for the implementation of the present resolution and to secure peace and security in the area.''

On November 12, 1997, in response to various moves by the Government of Iraq to disavow and to hinder the inspections to which Iraq had agreed as a result of Resolution 687, the Security Council adopted Resolution 1137, condemning Iraq for its actions, demanding adherence to its agreement, and specifically referencing Resolution 687. Resolution 1137 further stated ''the firm intention to take further measures as may be required for the implementation of this resolution.''

One reading of the series of United Nations resolutions from 660 (1990) through 678 (1990) and on to 687 (1990) and 1137 (1997) is that the Security Council has authorized its member states to take enforcement action under Chapter VII of the United Nations Charter against Iraq not only to force Iraq from Kuwait, which has, of course, been achieved, but additionally to require Iraq to comply fully with its obligations to rid itself of its prescribed weapons and to continue to accept UN inspections to assure its compliance with the obligation to destroy the weapons. That is not the only reading, other members of the Security Council being in disagreement with the United States and the United Kingdom on the proper interpretation. Indeed, while Resolution 678 did specifically authorize member states to use ''all necessary means,'' both Resolution 687 and Resolution 1137 appear only to pledge that the Security Council will ''take such further steps'' and ''to take further measures'' without in either Resolution authorizing member states to act.

In any event, the issue is not the correct interpretation of the series of United Nations resolutions; rather, it is what Congress may be understood to have authorized in P.L. 102–1. That is, did Congress authorize only the use of United States military force to drive Iraq from Kuwait? Or, more broadly, did Congress authorize open-endedly the use of United States military forces to achieve whatever goals subsequently adopted Security Council Resolutions may have set out?

Facially, P.L. 102–1 bears little indicia of the broader reading. Its pertinent authorization paragraph, set out above, references the use of force ''pursuant'' to Resolution 678 and the implementation of Resolutions 660–677, which have to do with the unconditional withdrawal of Iraq from Kuwait. As we have noted above, Resolution 678 authorized member states to use ''all necessary means to uphold and implement Resolution 660 (1990) and all subsequent resolutions and to restore international peace and security in the area.'' The phrase ''all subsequent relevant resolutions'' doubtlessly refers to all the Resolutions following 660 and leading up to Resolution 678. While it might be read to include Resolutions adopted subsequently to 678, and the Security Council might interpret it that way as well as its member states, the pertinent point here is what the congressional enactment comprehends.

First, the authorization paragraph specifically references Resolution 678 and expressly states that action pursuant to that Resolution is ''in order to achieve implementation of'' the specifically identified Resolutions from 660 to 677. The express wording of this paragraph appears to target exactly the United Nations goal of ending the Iraqi occupation of Kuwait.

Reference to the purpose clauses, the preamble, of P.L. 102–1, which has no legal force but does declare congressional intention and is relevant to understanding the meaning of the law that Congress has enacted, confirms this reading of the authorization. That is, while the third ''whereas'' clause states the danger to world peace of the existence of Iraq's weapons of mass destruction, the other clauses all relate to the termination of the occupation of Kuwait. It is true that the same ambiguity noted above with respect to the language of Resolution 678 may be discerned in the sixth ''whereas'' clause, because of its referencing of Resolution 678.

Whereas, in the absence of full compliance by Iraq with its resolutions, the United Nations Security Council in Resolution 678 has authorized member states of the United Nations to use all necessary means, after January 15, 1991, to uphold and implement all relevant Security Council resolutions and to restore international peace and security in the area[.]

Thus, the more likely reading of the authorization section of P.L. 102–1 is that Congress specifically authorized the use of United States military forces to drive Iraqi forces from Kuwait. Congress would have taken the reference in Resolution 678 to ''all subsequent relevant resolutions'' to mean those Resolutions that preceded 677, those, that is, referenced by number in 678. Congress further would have understood the reference in Resolution 678 to the use of force ''to restore international peace and security in the Area'' to encompass the restoration of the *status quo ante*, the withdrawal of Iraq from Kuwait. Certainly, there is nothing in the authorization section of P.L. 102–1 that requires or compels a reading that would be in effect an open-ended authorization of the use of United States military forces to achieve any subsequently adopted goals of the United Nations.

Nonetheless, sufficient ambiguity does exist to permit the possible construction of the language of P.L. 102–1 as authorizing United States military force to carry out subsequently-adopted Resolutions setting forth an intention to force Iraq, under threat of military force, to rid itself of prescribed weapons and to permit United Nations inspections to assure that the result has been achieved. It is not clear, as noted above, that the Security Council has adopted any authorization for its member states to use military force to achieve these results, but we pass that question by.

The pertinent question is, given two possible interpretations of congressional meaning, how do we resolve the matter?

Second, one must look at the textual object. Although two meanings are possible, one is more likely to represent the meaning to be ascribed to it by Congress. If, however, after confronting the actual language to be interpreted and finding a likely but not compelled interpretation, how do we then infer or deduce meaning from context and surroundings? One such method, favored by the

courts, including the United States Supreme Court, is under some circumstances to adopt a default means of interpretation. When, for example, the issue arises in the context of a critical or critically important question of constitutional meaning, courts impose a ''clear-statement'' rule under which Congress, or some other entity, will not be understood to have meant to say something having great bearing on its powers or on the Constitution without saying it clearly, perhaps expressly. For example, when the issue is whether by the terms of a statute Congress has waived the sovereign immunity of the United States, the Court will not apply ordinary rules of statutory construction but will require the clearest possible expression of congressional intent; any waiver must be unequivocal. E.g., United States Dept. of Energy v. Ohio, 503 U.S. 607 (1992); Library of Congress v. Shaw, 461 U.S. 273 (1983). Of course, the particular issue with which we deal is highly unlikely to present itself as suitable for judicial resolution, but subsequent Congresses and private parties may resort to such rules of construal.

Congress has been highly protective of its powers in this area, especially of the use of United States military forces abroad, since the great debate in this country with respect to the undeclared war in Indochina, which eventuated in the adoption, over a presidential veto, of the War Powers Resolution. P. L. 93–148, 87 Stat. 555, 50 U.S.C. §§1541–1548. In view of the hesitancy of Congress to act in respect of the Gulf War and of the close votes in both Houses, how likely is it that Congress would have authorized the President to use United States military forces to effectuate a United Nations Resolution or a series of Resolutions that were to be adopted sometime in the future? It is, of course, possible for Congress to authorize something on the basis of an occurrence not yet having resulted. But with respect to the commitment of United States forces abroad? Again, Congress might do so, but ought we to conclude that it did so in 1991 on the basis of contestable language susceptible to more than one interpretation? Might a clear statement of Congress' intent to do so be required before such a construction is adopted?

In short, to conclude that P. L. 102–1 contains authorization for the President to act militarily in 1998 requires the construction of an interpretational edifice buttressed by several assumptions. We must conclude that Congress in 1991 intended to base its authorization of United States military action upon the future promulgation of United Nations policy developed in the context of circumstances unknown or at most highly speculative in 1991. We must conclude that Resolution 687 did authorize member states to act to implement its goals and not merely reserved to the Security Council a future determination of what it might authorize. We must conclude that Resolution 1137 did authorize member states to act to end Iraqi recalcitrance and not merely expressed the aspiration of the Security Council to do something in the future. And we must conclude that Congress in 1991 was so confident of United Nations policy in the future that it would have authorized the future committal of United States military forces to achieve what the Security Council wished to achieve.

We have examined legislation enacted later by Congress in the same year that bears on Operation Desert Storm, in particular P. L. 102–190, 105 Stat. 1290, and P. L. 102–25, 105 Stat. 75, and find nothing bearing on what Congress might have thought it was doing in P. L. 102–1. Certainly, there is nothing in those Acts to be construed as additional authorizations.

In the end, it is for the Congress to determine what the 102d Congress meant in adopting the joint resolution that became P. L. 102–1. How, if Congress' interpretation is different from that of the President, Congress is to give effect to its determination presents another question altogether.

JOHNNY H. KILLIAN,
Senior Specialist, American Constitutional Law.

TRIBUTE TO GOLD MEDAL WINNING U.S. WOMEN'S OLYMPIC HOCKEY TEAM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Minnesota (Mr. RAMSTAD) is recognized during morning hour debates for 5 minutes.

Mr. RAMSTAD. Mr. Speaker, America's two newest sports heroes are the pride of every American. I rise today to pay tribute to a group of talented, hard-working women who have written a new chapter in America's glorious Olympic history, the U.S. women's Olympic hockey team.

Minnesota is the birthplace of hockey in America, Mr. Speaker, and the first ever gold medal in women's Olympic hockey was won by a spirited, never-give-up American team that included two Minnesotans. Jenny Schmidgall of Edina, Minnesota, and Alana Blahoski of St. Paul, Minnesota, along with 21 other members of the U.S. women's team, brought home the gold from the 18th Olympic winter games in Nagano, Japan. The American women's team won all six of its games.

Mr. Speaker, what a marvelous Olympic tournament it was, and what a remarkable team won the gold medal. As a proud Minnesotan and a patriotic American, my heart burst when Jenny Schmidgall was awarded her gold medal and spontaneously blurted out our national anthem. Our hearts as Americans burst in pride when our women's hockey team, every single member, raised their hands to the sky in saying our national anthem with all the strength left in their souls.

Mr. Speaker, after losing to Canada four times in the world championship since 1990, the U.S. women's Olympic hockey team defeated Canada 3 to 1 last week to claim the gold medal. It was the second time the Americans had defeated their fiercest rival in four days. It was also the first U.S. hockey gold medal since the 1980 miracle on ice at Lake Placid.

Mr. Speaker, great joy swept over Minnesota as the U.S. women held hands, waved American flags, and accepted their well-earned gold medals. As her parents, Dwayne and Terri Schmidgall of Edina, would be quick to tell you, Jenny Schmidgall had prepared long and hard for her moment in the land of the rising sun. Jenny graduated from Edina High School, in the heart of our Third Congressional District, this past spring, and will be skating for the University of Minnesota next year.

In fact, that is the reason Jenny's picture did not make the Wheaties box, because she is still an amateur, and NCAA rules are about as arcane as some of the rules around here, and she was not allowed to be pictured.

But anyway, when Jenny skated at Edina's Lewis Park, she was known as little Gretzky. She grew up learning the game at Lewis Park at Edina while following her hockey playing dad onto the ice.

There was magic in the air at the Big Hat arena in Nagano the day of the gold medal game. Jenny's parents got to the game and learned that their seats were not with the rest of the parents down below in the lower bowl but, rather, in the upper deck away from the rest of the parents of the women's team.

But all that changes when Wayne Gretzky, the great one himself, tapped Dwayne Schmidgall on the shoulder, and seeing Schmidgall's Team U.S.A. jackets and asked if she had somebody playing in the game. Gretzky told them, by the way, he hoped their team would win and left when the score was one to nothing in favor of the Americans.

In this first Olympic women's tournament, Jenny Schmidgall scored two goals and had three assists. She also helped set up the first U.S. goal in the gold medal game. As her mother Terri said, holding back tears, and I am quoting now, ''When you know all the hard work that went into this and see them this way, it's really something.''

Mr. Speaker, it is really something. All the women on Team U.S.A. have stories to tell, stories like Jenny Schmidgall's. They all followed others onto the ice at an early age and often met with resistance when they tried to join in the boys' games. But showing great American ethic that makes our nation shine, these women would not take no for an answer. They practiced. They persevered. Last week, they realized their dream. They brought home the gold.

Mr. Speaker, one sign held up above the U.S. team's bench in Nagano said it all: ''U.S. Women, the Real Dream Team.'' Now the women of the 1998 U.S. Olympic ice hockey team are stirring new dreams in the hearts and minds of girls throughout America. They stirred our passion over the past fortnight halfway around the world, and they will live in our hearts forever.

Congratulations to Jenny, to Alana, and to the other 21 members of the U.S. women's ice hockey team as well as your wonderful coaches, managers, trainers, and other officials. You have made America proud.

PUERTO RICO'S CENTENNIAL ANNIVERSARY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) is recognized during morning hour debates for 5 minutes.

Mr. ROMERO-BARCELÓ. Mr. Speaker, 1998 is a centennial year. We think

of centennial years as occasions to celebrate. In 1976, for example, the country joyfully celebrated the bicentennial anniversary of the signing of the Declaration of Independence. On this centennial, we recall that 100 years ago, the United States defeated Spain in the Spanish-American War and, as a result, acquired Puerto Rico as a possession.

It is a bittersweet anniversary for many of the 3.8 million U.S. citizens living in Puerto Rico. Make no mistake. The people of Puerto Rico are proud to be citizens of the United States, and they have affirmed, repeatedly, their desire to be an integral part of this great Nation.

In the poll booth, 95 percent of them have voted continuously for strengthening their rights of U.S. citizenship. And on the battlefield, in every war the country has engaged in during this century, Puerto Ricans have pledged their commitment to the Nation and its democratic ideals with their lives.

There is one regret. Despite a progression from military rule to a federally appointed civil government in 1900, the granting of U.S. citizenship by statute in 1917 and the adoption of a constitution for local self-government in 1952, Puerto Rico continues to be an unincorporated territory of the United States, or as it is called in international forums, a colony.

The residents of Puerto Rico are subject to the authority and plenary powers of Congress under the territory clause of the U.S. Constitution. We may not vote in presidential elections, and we have no voting representation in Congress.

The economic, social, and political affairs of the people of Puerto Rico, in great measure, are controlled and influenced by government which is in no way accountable to them. In 1898, Puerto Rico became a colony of the United States; a century later, it remains a U.S. colony. Puerto Rico has a dubious distinction of being the longest standing colony of over 1 million inhabitants in the whole world.

Only the Congress has the power to end this chapter of colonialism. Only Congress has the authority to create the opportunity for the full exercise of self-determination by the people of Puerto Rico.

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And Congress alone bears the political responsibility and the moral imperative to act.

H.R. 856, the United States-Puerto Rico Political Status Act is status neutral. It does not promote, endorse or advocate one political choice over another. Instead, it seeks to create Constitutionally-sound and Congressionally approved definitions of political status options for the residents of Puerto Rico; it proposes a timetable for referendums on status and it makes provisions, should they prove necessary, for a smooth transition to and the implementation of a new political status.

For nearly five decades, the Commonwealth status has been misrepresented to the voters of Puerto Rico. In 1950, when the Congress passed the Puerto Rico Federal Relations Act, which authorized the people of Puerto Rico to draw up a constitution and reorganize a local self-government, the intent was to establish a provisional government until the issue of status was resolved. But when Commonwealth was ''sold'' to our people, it was billed as a bilateral pact that could only be altered by mutual consent, implying that the new status conferred political and economic autonomy and sovereignty to the island.

The United States Government became a party to this misrepresentation in 1953 when it notified the United Nations that it would no longer submit reports regarding the status of Puerto Rico because the island had achieved a ''full measure'' of self-government under the new ''constitutional arrangement.''

Unfortunately, the misinformation campaign continues unabated. Since the creation of the so-called Commonwealth, Puerto Ricans have voted in two referendums on status. But in the most recent of these, the 1993 plebiscite, the definition of Commonwealth on the ballot ''contained proposals to profoundly change, rather than continue the current Commonwealth of Puerto Rico government structure,'' observed the gentleman from Alaska (Mr. YOUNG) and several other colleagues in a 1996 letter to the President of the Senate and to the Speaker of the House of the Commonwealth of Puerto Rico.

What is more, as our colleagues explained, ''Certain elements of the Commonwealth option, including permanent union with the United States and guaranteed U.S. citizenship, can only be achieved by full integration into the U.S. leading to statehood. Other elements of the Commonwealth option on the ballot, including a government-to-government bilateral pact, which cannot be altered, either are not possible or could only be partially accomplished through treaty arrangements based on separate sovereignty.''

To perpetuate this farce, this rhetorical slight of hand that disguises Puerto Rico's true status as a colony, defrauds the U.S. citizens of Puerto Rico of their right to self-determination. It leaves them disenfranchised, in a state of political limbo.

Mr. Speaker, we are 8 years into the decade that the United Nations General Assembly has dedicated to the eradication of colonialism, and we act as if we were frozen in time. Does this country and does this Congress really want to celebrate 100 years of colonialism? This centennial gives us no joy. In order for all to celebrate, Congress must act. It is time to pass H.R. 856.

THE YEAR 2000 CENSUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997 the gentleman from Florida (Mr. MILLER) is recognized during morning hour debates for 5 minutes.

Mr. MILLER of Florida. Mr. Speaker, I want to continue the conversation I began a few weeks ago about the 2000 Census. As I have said, I believe we need to work together to ensure that we have the best, most honest Census possible. But I believe we are a long way from realizing that type of Census.

As everyone involved in the decennial Census knows by now, I have concerns that we are headed for a failed Census. Today, I want to discuss what I believe are the serious mistakes the Clinton Administration has made to date, and what I believe they need to do to start correcting them in time to save the 2000 Census.

The biggest mistake, indeed a colossal mistake, was made right from the start. They decided to ignore Congress. They thought they could just go ahead and design any methodology they wanted and just say to Congress: This is what we are going to do, and you just pay for it. That is not how our system works on any issue.

Mr. Speaker, we expect the Decennial Census to cost almost $4 billion. In other words, we spend real money on the Census. As a general rule, Congress does not give the executive branch $4 billion and say, hey, do whatever you want with it, you know best.

Under our system, Congress controls the purse strings. So when the administration wants to spend tax dollars, they come to Congress and justify what they want to do. This gives Congress the ability to shape how the money is spent.

Congress plays an even larger role in the conduct of the Census. We do this for one basic reason: the Constitution mandates that it is the Congress' responsibility to direct the manner in which the Census is taken. Let me quote from the Constitution itself: Quote: ''The actual enumeration shall be made within every subsequent term of 10 years, in such a manner as they, meaning the Congress, shall direct by law.'' End quote. In other words, the Constitution places the responsibility for the Census on the Congress, not the executive branch.

For reasons I do not fully yet understand, the Clinton Administration used the ''Hillary Health Care Model'' for designing the 2000 Census. They decided to design a complicated, untested Census plan that was created by ''experts.'' And since the idea was sanctioned by well-meaning experts, they just figured there was no reason to explain it or to sell it to average Americans and certainly no reason to work with the Congress.

Mr. Speaker, remember the secret health care task force that designed the original Health Security Act? They were all well-meaning, hard-working individuals with great educations and they designed the ultimate graduate school seminar project. The plan was over 1,000 pages long. They had thought

of every possible problem. And when the American people raised concerns, they just said do not worry, we know best. When Congress asked questions, the President threatened vetoes. Well, the Clinton health care plan collapsed.

Unfortunately, they are headed down the same path on the Census. They used some legitimate problems in the 1990 Census as an excuse to totally redesign a 200-year method for taking the Census. But because they used experts, in this case statisticians, to design this unprecedented method, they decided they did not need approval from Congress. How could Congress have any legitimate concerns after all, because the Census Bureau used ''expert panels'' to create this new concept?

Well, ''expert panels'' weren't elected by the people. Professional statisticians are not constitutionally responsible for directing the Census. Academics do not have the responsibility for deciding how taxpayers' dollars are spent. That is Congress' job.

By the way, I have a Ph.D. in marketing and statistics, so I understand the theory behind what they are trying to pull off. I believe, however, that the Clinton Administration dropped the ball in informing the Congress, working with the Congress, and seeking approval from Congress.

This serious miscalculation has placed the 2000 Census in danger and the institution of the Federal Government most impacted by a failed Census is the United States House of Representatives. Every State legislature, every city council, every school board needs a successful Census to legitimately represent the people. Let me repeat that. Every State legislature, every city council, every school board needs a successful Census to legitimately represent the people.

If the administration fails in the implementation of their academic theory, all representative bodies in this country will be thrown in turmoil and uncertainty.

The majority in Congress have made it very clear that we do not approve of the administration's current plan. What we want, or more precisely what we intend to pay for, is a traditional Census that is transparent and fair. We understand the problems of the 1990 Census and we want them fixed. We do not believe, however, that we need to throw out the baby with the bath water.

To date, I am not satisfied they have gotten the message downtown. In November, Congress passed and the President signed legislation to continue on an actual enumeration. They have not gotten the message.

Mr. Speaker, let me quote from the legislation—''that funds appropriated under this act . . . shall be used by the Bureau of the Census to plan, test and become prepared to implement the 2000 decennial census, without using statistical methods. . . .''

It seems pretty clear that the law requires them to prepare for a traditional Census. I don't believe that's what they are doing. They're budget submission hides behind legalisms and technicalities and says, ''The Administration has not included additional funding for nonsampling census activities because that funding is not required by the agreement.''

To me, that is yet another slap in the face to the Congress. They seem to have this attitude that Congress' opinion doesn't matter.

The 2000 Census is in deep trouble at this moment. The Commerce Department's own Inspector General has said that. I stand ready to work with the Administration. We want and we need a successful Census in 2000. But the attitude downtown needs to turnaround. They need to understand that we have a role to play—a very major role to play—in the planning, preparation and implementation of the 2000 Census.

POST OFFICE COMMUNITY PARTNERSHIP ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997 the gentleman from Oregon (Mr. BLUMENAUER) is recognized during morning hour debates for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, oftentimes, the Federal Government is called to spend billions of dollars to try and repair communities after they fall apart. It is far better for the Federal Government and its agencies to lead by example, and one of the ways that we can lead by example is best illustrated by the impact that the United States Postal Service has on our communities.

Post Offices are the heart and soul of America's small towns, drawing people to main streets and preserving the core of these communities. Despite this vital role, the Postal Service continues to move post offices to the outskirts of town, leaving devastated communities in their wake.

This is happening across the country, not just in my community in Oregon. I have heard similar stories from Washington, Montana, Colorado, Ohio, Louisiana, New York, and everywhere in between. Small downtowns across the country are being stranded despite the protest of town residents.

Mr. Speaker, it is absurd that the Postal Service gives its customers more say in which Elvis stamp to issue than where the post offices are located. Residents of Christianburg, Virginia, know this story all too well. They used to gather at a post office in the center of town to collect their mail and talk about the events of the day. Today, their main post office has moved 3 miles from downtown leaving only a small contact station in its wake. The gathering place for the community has become this window in a grocery store next to the motor oil and the fuel filters.

Fortunately, Christianburg residents refused to take this affront as the final word. Residents of the town, supported by the city council and their Chamber of Commerce, fought back and finally after a 2-year battle, it appears as though the Postal Service has conceded that a ''communications breakdown'' occurred and they are apparently ready to reverse this decision.

Our Nation's governors know that these post office relocations are directly contributing to the decline of their towns and reducing the access of the elderly and disabled to post office services. The governors have now asked for our help. They have asked Congress to eliminate the loophole that is keeping citizens from having a voice in these post office relocation decisions.

They have also asked that we require the Postal Service to comply with the same local zoning and building codes that apply to State and local governments. Governors made this request because they know firsthand the problems caused when the Postal Service claims immunity from the same laws that private citizens, businesses and local governments abide by.

Mr. Speaker, I agree with the governors and have introduced H.R. 1231, which would meet their goals. The Post Office Communities Partnership Act strengthens the voice of local citizens in decisions to relocate or rebuild postal facilities. It would give at least 60 days notice before renovating or relocating. It would require the Postal Service to consider a number of additional factors, including the community sentiment, the extent to which the post office is a part of a core downtown, and the effect a new facility may have on a community. And it must comply with all local zoning, planning and land use regulations.

The bill is fair. It does not place unnecessary burdens on the Postal Service. For the first time they would be treated as a responsible member of the community and not above local laws.

Mr. DOYLE. Mr. Speaker, I am pleased to have the opportunity today to join with my distinguished colleagues to speak about H.R. 1231, the Post Office Relocation Act. In particular, I want to express my appreciation to Representative BLUMENAUER for organizing this forum and to recognize his efforts in fashioning thoughtful legislation that directly responds to the postal needs and concerns of constituents in every community in our country.

Regardless of where one may reside, the services that the U.S. Post Office provides are deeply rooted in the essence of community and by extension connote a sense of identity. Thus, rural and urban residents understandably react unfavorably when their mail delivery or local post office is altered in some way. A community's reaction is unduly compounded when they have a sense that their concerns and needs were not considered as part of the decision-making process.

In just the last year, I have been approached by several communities in the 18th Congressional District of Pennsylvania that are faced with some type of difficulty regarding postal services. While the circumstances of these cases are quite different, the level of frustration they have experienced with respect to their ability to interject individual thoughts and opinions has been the same.

The residents of Whitaker, Pennsylvania—in my district—have had to deal with having the

operating hours of their local post office reduced to 10AM to 2PM. I don't care where you live, four hours of service is utterly inadequate. In a community nearby to Whitaker, the small, close-knit community of Jefferson Boro is currently being served by four different post offices. Can you imagine four different post offices delivering mail to one community of just over 3,000 households? In yet another part of my district, Rural Ridge has been trying to reach consensus with the U.S. Postal Service on what type of delivery best meets the needs of their community.

While the particulars of these cases are disparate, they all point to the need for greater participation on the part of affected individuals and communities in the decisions arrived at by the U.S. Postal Service. The Post Office Relocation Act is responsive to this need and lays out a reasonable structure through which substantive discourse will occur and collaborative decisions will be reached.

At the risk of being repetitive, I will not outline every provision of the bill. I do however, want to briefly highlight some parts that I think embody the common sense approach taken by Representative BLUMENAUER's legislation. As a starting point, H.R. 1231 would require the U.S. Postal Service to give residents a 60 day notice before the renovation, relocation, closing, or consolidation of their post office. This notice can either be hand delivered or delivered by mail. In addition, a notice of such action must be published in one or more newspapers of general circulation within the zip codes served.

The Post Office Relocation Act does not stop with this good beginning, but also incorporates an allowance for any person affected to offer an alternative proposal and the requirement for hearings to be conducted. Finally, this bill revises the factors that are considered to include the sentiment of the community, whether postal officials negotiated with persons served, and the adequacy of the existing post office.

The Post Office Relocation Act will most assuredly add to the great amount of respect that we all hold for the U.S. Postal Service. I am hopeful that this discussion will lead to more members adding their support to this bill which currently has 49 cosponsors. I also want to offer my strongest encouragement to the Chairman of the Subcommittee on Postal Service to examine this most necessary bill as soon as possible.

Again, I want to recognize Representative BLUMENAUER for introducing H.R. 1231, the Post Office Relocation Act. I appreciate having this chance to express my support for the bill.

Mr. BLUMENAUER. Mr. Speaker, I am pleased to yield to the gentleman from Maine (Mr. BALDACCI).

Mr. BALDACCI. Mr. Speaker, I am pleased to stand in support of H.R. 1231, the Post Office Relocation Act. I am a proud cosponsor of this legislation and urge its passage.

Rural areas like my district especially feel the pinch when the post office announces the move of a local office. Post offices in such rural areas are the social and information centers in the town, and are usually located in the heart of the business district. Downtown areas in rural America are often fragile and many local businesses depend on the foot and car traffic which post offices attract.

One town in particular, Castine, is a small coastal town that is the home of the Maine Maritime Academy, faced a similar dilemma. Castine's post office, one of the oldest continually operating post offices in the country, was built in 1814 and has changed very little over time. Probably to the Postal Service it looks like a dilapidated, inefficient place to conduct business. But to the citizens of Castine, it was a treasured facility, an historic sight, and the heart and soul of the community.

It was Castine's bicentennial year and the townspeople were faced with losing a part of what makes their community so unique.

The Postal Service decided that Castine's office should be relocated out of the heart of downtown Castine, but the citizens had other ideas and many of them thought they could create the space needed to ensure quality mail service and they should not be shy about sharing them with the post office. And as a result of this outcry from the public and attention from national news organizations, the Postal Service reconsidered their proposal.

Mr. Speaker, this is good legislation. I appreciate being able to support the legislation.

UNFAIRNESS IN TAX CODE: MARRIAGE TAX PENALTY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997 the gentleman from Illinois (Mr. WELLER) is recognized during morning hour debates for 5 minutes.

Mr. WELLER. Mr. Speaker, it is my privilege to be here before the House to discuss an issue that is so important to the people of the district that I represent. I have the privilege of representing one of America's most diverse districts, representing the south side of Chicago, the south suburbs in Cook and Will counties, bedroom communities like Morris, or the small town I live in, as well as a lot of cornfields and farm towns. Whether I am at the union hall, or the local VFW or the business and professional women's club or the local grain elevator, there is a common series of questions that my constituents ask time and time again:

Do Americans feel that it is fair that our tax code imposes a higher tax penalty on marriage? Do Americans feel that it is fair that 21 million married working couples with two incomes pay on average $1,400 more in higher taxes just because they are married than an identical couple with two incomes that lives together outside of marriage?

□ 1300

Do Americans feel that it is right, that it is fair, that our Tax Code actually punishes marriage and provides an incentive for divorce? In fact, really, for many married couples, the only way they can avoid paying the marriage tax penalty is to file the paperwork for divorce.

My colleagues, the marriage tax penalty not only is unfair; it is wrong that our Tax Code punishes society's most basic institution: the institution of marriage. It punishes 21 million married working couples, on average, of $1,400.

Let me give Members an example of a south suburban couple, a couple I have the privilege of representing in the south suburbs of Chicago. This particular couple, we have a machinist. He works at the local Caterpillar manufacturing plant where they make heavy equipment like bulldozers and cranes and earth movers. This particular machinist makes $30,500 a year.

Now if he is single, after the standard deduction and personal exemptions, this particular machinist is in the 15 percent tax bracket. Now say he and his girlfriend decide to get married, and his girlfriend is a tenured schoolteacher in the Joliet public schools. Say she is making an identical income of $30,500. Now, if she stays single, she would also be in the 15 percent tax bracket.

But because this machinist at the local Joliet Caterpillar plant and this tenured schoolteacher at the local Joliet public schools decide to get married, just because they get married, they, of course, file jointly on their income taxes; and in that case, with this couple, this machinist from Joliet and the schoolteacher from Joliet, since they are married and file jointly, their combined income of $61,000 produces the average marriage tax penalty of almost $1,400.

Is that right that this south suburb couple, this working couple with two incomes, should pay higher taxes just because they are married?

When we think about it, $1,400 may be a drop in the bucket here in Washington, D.C. We do have a 1.7 trillion dollar budget. But for this working couple in Joliet, $1,400 is one year's tuition at Joliet Junior College, it is 3 months' worth of day care at a local child care center and several months' worth of car payments, and it is also a significant portion of a downpayment on a home.

Mr. GEKAS. Mr. Speaker, will the gentleman yield?

Mr. WELLER. I yield to the gentleman from Pennsylvania.

Mr. GEKAS. Mr. Speaker, I commend the gentleman for bringing to the attention of the Members this very vital issue.

At home, I have been saying that the surplus that we seem to be generating, part of that in tax cuts should go to alleviate this problem. So it fits well with the need to bring about some tax justice.

I thank the gentleman very much for bringing it to the attention of the House.

Mr. WELLER. Mr. Speaker, reclaiming my time, I thank the gentleman from Pennsylvania, who I believe is a cosponsor of our legislation.

It is so important we look for ways to allow middle-class working families to keep more of what they earn. As we

look at the Tax Code we want to make the Tax Code fairer; and, clearly, eliminating the marriage tax penalty should be a number-one, must-do priority.

I am proud that 235 Members of this House are cosponsoring the Marriage Tax Elimination Act, which many have also said should be called the Working Women's Tax Relief Act, because in so many cases it is the woman's income which is taxed away with the marriage tax penalty.

The Marriage Tax Elimination Act is fairly simple legislation. It allows a married working couple with two incomes to have the choice, the power of choice to choose whether to file as two singles or to file jointly, as many married couples do today; and, of course, we give them that choice. The benefit of having that choice is not only as a married couple they get the benefit from the lower rates but, in this case, this machinist from Joliet and this tenured schoolteacher from Joliet would have the opportunity to avoid the marriage tax penalty.

My colleagues, this should be a bipartisan priority. Let us all work together.

HOUSE MUST VOTE ON CAMPAIGN FINANCE REFORM DESPITE SENATE ACTION

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Under the Speaker's announced policy of January 21, 1997, the gentleman from California (Mr. MILLER) is recognized during morning hour debates for 5 minutes.

Mr. MILLER of California. Mr. Speaker, if all things go according to plan, in several hours the Republican leadership in the United States Senate will succeed in killing campaign finance reform in that body. This will be a tragedy of enormous proportions.

Regardless of what action the Senate takes, however, the House must be allowed to vote on campaign finance reform this spring. This Speaker has pledged that we will. Currently, it is still on the schedule.

I hope that defeat in the Senate will not mean that that will lessen the appetite for our leadership to bring this to the floor. The House should be allowed to debate, to offer amendments and to have a free and open discussion of how we reform the system that finances our elections.

Campaign finance reform is crucial not only to the democratic process in this House but it is crucial to all Americans. Because it is the lack of campaign finance reform that continues to allow vast amounts of money from industries to come into the Congress, to distort the outcomes of the democratic process and America's consumers to pay at the marketplace. They pay in higher pharmaceutical prices and drug prices because of campaign contributions in the extensions of patents. They pay higher cable rates because of campaign contributions. They see that the effort to reform HMOs, managed care practices in this country that the public finds unacceptable, are now being thwarted by a concerted campaign effort by the National Association of Manufacturers.

Time and again we see that public resources are sold cheaply because of campaign contributions by the affected industry, by the oil and gas industry, by the mineral industry, by the grazing industry, by the broadcast industry. Time and again Americans find that their tax rates are increased. They find that the costs they pay in the marketplace are increased because of the influence of these large, large contributions to the politicians in the United States Congress.

The time has come to have an open debate and to pass campaign finance reform. If we do not, we will find that the consumers of this country, the taxpayers of this country, will continue to be the losers in this system. But, also important, we will continue to see the erosions and the underpinnings of our very democratic principles and our democratic institutions as the vast waves of soft money overwhelm what the decisions of local voters are in districts, the vast waves of soft money that very often are anonymous and that dictate the outcome of and influence the outcome of these elections.

The time has come for the Congress to be square with the American people. Not rig the outcome, as is being done in the Senate, but to have a debate where competing plans can be offered to the House.

Two weeks ago, 100 Democrats wrote Speaker GINGRICH to demand he honor the pledge to hold a bipartisan vote this spring. Earlier, 30 Republicans wrote to the Speaker calling for him to schedule a vote; 187 Democrats have signed a discharge petition calling for a fair and open vote on competing proposals on the House floor.

This should not be a structured debate so we only get one alternative. There are many good ideas on both sides of the aisle, and we ought to spend time. It is not as though this Congress is working hard. The French have been debating whether they should vote and work on a 35-hour workweek. This Congress has been working on a 35-hour month. So there is plenty of time to have this debate, to have it open, to let people participate and let them vote on these competing efforts to bring about campaign finance reform.

If we do not, we will go into another election where, at the end of that cycle, we will see a recurrence of the campaign scandals by both parties, by individual campaigns and by organizing committees. The American public deserves better than that. The time has come now to start to set out the parameters of that debate, and I look forward to statements by the Speaker and the majority leader as to how the debate will be handled in the coming months.

BANKRUPTCY REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Pennsylvania (Mr. GEKAS) is recognized during morning hour debates for 5 minutes.

Mr. GEKAS. Mr. Speaker, very shortly now we will be engaged in one of the most serious debates of the forthcoming remainder of the session, and that is on bankruptcy reform.

I see that the gentleman from Virginia (Mr. MORAN) is in the well here with me. He is one of the cosponsors, along with several others, of a bona fide bankruptcy reform measure that in this coming month of March will see four to five hearings, gaining testimony from every sector of our society, on the needs of the public and of the financial community, of the credit establishments and of the people who need a fresh start and really can use the bankruptcy laws to their advantage. And the best portions of all of those will be part of the hearings that we plan to hold.

How has this come about? The last time that the Congress acted on an overwhelming set of proposals for bankruptcy was 1978. Since that time, we have had ups and downs in the financial health of our society, but in the last year, even with an economy that seems to be ever moving upward, we had 1,300,000 bankruptcy filings. That is an outrageous number and one that has worried financial houses and institutions, lending institutions, and people from every walk of life for a variety of reasons.

How can it be that, with the economy continuing to draw strength, at the same time the curve of the economy goes up so does the curve of bankruptcy? There is something terribly wrong.

We have endeavored to put together a bill that would in some way try to restore the way Americans do business, a sense of accountability and personal responsibility in how they deal with their finances.

It appears that because of the statutes of 1978 it becomes a matter of financial planning many times for people to go bankrupt, a matter of convenience, a matter of how they can get out of a situation and keep all the materials, materials they have garnered over the years and still go bankrupt. So we have to fine tune it to bring this accountability.

What we do generally in this bill that we are proposing is to say that when a person really needs a fresh start and we acknowledge that that is the fact, that some people become so overwhelmed by debt, so incapable of meeting the emergency strains on their pocketbook and other factors, that they have no recourse but to go bankrupt. And we acknowledge that, and we conform to that, and we make it easy for people to do that. But we also then take the extra step to say that when an individual is or an entity is contemplating

bankruptcy and there is a demonstrable ability to repay some of the debt, even if not all of it, even if only a small proportion of it, that that moral obligation is in the forefront, they should be given the opportunity and, yea, they should be mandated to repay some of that debt.

So we have a formula that would go into place; and when we determine that after all the bills are lined up and a person's ability to pay is gauged, if we determine that, indeed, some, maybe 20 percent, of the total outstanding bills could be paid in 5 years, over a period of 5 years, then that individual should go into what we call Chapter 13 in order to enter into a plan whereby they can begin to repay some of the debt that they have built up over the years.

Now, many will blame the rash of credit cards that seem to be floating around and that, therefore, we ought to have credit companies withhold those credit cards so that the people will not be overcharging and overdebting themselves. But we do not know if that is the answer or not. We will be looking into that. Is there a predator creditor in the picture? If so, we have to make sure that that does not happen.

But, by and large, it is still a question of personal responsibility. If I am given five or six credit cards, does that mean I have to use all of them, exhaust the limitations of all of them and knowingly put myself into debt? And, if I do, should I then be excused from paying the debt because of the temptation of having four or five plastics in front of me?

These are the questions that we have to pose and we have to answer as judiciously as possible in the forthcoming weeks. The way we have planned this is to end this debate.

ELDER ABUSE IN THE UNITED STATES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentlewoman from California (Ms. SANCHEZ) is recognized during morning hour debates for 5 minutes.

Ms. SANCHEZ. Mr. Speaker, over the past few weeks there have been several news reports about one of the most rapidly growing crimes in our communities. In fact, the Los Angeles Times and the Orange County Register have both reported a rise in physical and financial abuse against senior citizens.

As our population continues to grow older, we must be prepared to face the reality of these horrible crimes. As leaders in our communities, we must be prepared to deal with this growing problem of elder abuse.

□ 1315

All too often seniors are taken advantage of in their own homes. Many perpetrators see senior citizens as easy targets who are both vulnerable and oftentimes unable to defend themselves. It is our responsibility to help protect our elders from these criminals and to ensure that they feel safe within their own homes. I have been working closely with the local agencies, law enforcement agencies and the FBI to develop legislation that will effectively protect senior citizens from abuse.

H.R. 3181 does this. H.R. 3181, the Older and Disabled Americans Criminal Protection Act, authorizes shared housing agencies to run background checks on potential caretakers. Shared housing agencies give seniors the opportunity to remain within their own homes by matching them with a caretaker who cares for them in lieu of rent. Unfortunately, shared housing agencies do not have the proper tools to help ensure the safety of these senior citizens. H.R. 3181 gives shared housing agencies the proper mechanism to run State and FBI background checks on potential caretakers before placing them in the home of a senior citizen. The local police departments in my district along with the FBI have commended H.R. 3181 as a proactive effort to prevent crime. They recognize the growing problem of elder abuse and realize that my bill attacks these crimes by lessening the chance that they will ever occur. As people grow older, remaining in their homes should increase their level of comfort and security, not threaten it. I urge all of my colleagues to join me in this effort to protect our loved ones and to battle the growing problem of elder abuse. It is our responsibility to give our communities the proper tools to battle crime. Cosponsor H.R. 3181 and protect our senior citizens.

SOCIAL SECURITY

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Under the Speaker's announced policy of January 21, 1997, the gentleman from Michigan (Mr. SMITH) is recognized during morning hour debates for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, I am going to talk for a few minutes about putting Social Security first. The challenge is, what the President can do and what Congress might do to give a higher priority for saving Social Security.

For review, this is a pie chart of Federal Government spending for this year. As we see, one of the largest pieces of the pie is Social Security that takes 22 percent of the total Federal budget. Social Security right now, sends out $660,000 a minute in Social Security benefit payments. But by 2030, we are going to be spending almost $6 million a minute for Social Security benefit payments. An 866% increase.

That represents part of the problem. The fact that there are relatively fewer workers paying their Social Security taxes to finance these increasing benefits represents the other part of the problem. It is probably one of the most challenging problems facing Congress and the White House. Yet politicians in Washington have avoided dealing with this very important issue because of the potential political demagoguery. We have to deal with the hard facts of how we are going to make Social Security continue for those that are now retired, for those that are going to retire in the near future, as well as our kids and our grandkids.

Let me just give my colleagues a quick review. In 1935, the Social Security system was devised and passed into law. It has always been a pay-as-you-go program. In other words, existing workers pay in their taxes and those taxes are immediately sent out in benefit payments to existing retirees. So it is sort of a Ponzi game, sort of like a chain letter. Early retirees made out very well. Taxes started out as 1.5 percent of the first $3500 of payroll. Now it is 12.4 percent for the employee and the employer's share for the first $65,000. Over the year we have continued to increase taxes on workers. In fact these taxes have been increased 36 times since 1971.

This next chart shows the dilemma for Social Security. The red part represents how much in debt Social Security is going to be in the future. If nothing is done, eventually Congress must provide an additional $400 billion a year to cover promised benefit payments. This little blue blob on the top left is the short-term surplus that is in the Social Security trust fund. Congress supposedly fixed Social Security in 1983. What they did is substantially increase taxes on workers. But this fix was short-lived. By 2011 there will again be a cash shortage. Dorcas Hardy, a former Social Security Administrator, is estimating that we are going to run short of money as early as 2005. But even in the scenario of 2011, what does Congress do to come up with the money to meet their obligations of paying back the $600 billion borrowed from the trust fund. Well, Congress can cut spending someplace else, they can increase taxes like they have been doing for the last 40 years every time Social Security was a little shy. They can borrow more money from the public and disrupt some of the downward pressures on interest rates that we have achieved so far.

I think it is important, and just for a minute, allow me to say that we do not have a balanced budget. We are not going to have a balanced budget this year, next year, any year for the next 5 years of the President's budget, because every year all the surplus coming into the Social Security trust fund is used to balance the budget. So every year, the national debt increases between $120 billion and $170 billion. Every year. That is how much more the national debt is going to increase. I think it is interesting to note that one of the dilemmas of this Congress is the fact that now 15 percent of the budget is required to pay interest on the debt. So if we can pay some of that debt back and start paying down that debt, we reduce interest cost. Let me just briefly run through these charts.

Because we have increased taxes so often on workers, this chart shows how many years you are going to have to live after you retire in order to get the money back you and your employer put in. If you retire after the year 2006, you have to live 26 years after you retire just to break even. It is a serious problem. We need to deal with it.

ON THE INTRODUCTION OF LEGISLATION TO ALLEVIATE THE INFORMATION TECHNOLOGY WORKER SHORTAGE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Virginia (Mr. MORAN) is recognized during morning hour debates for 5 minutes.

Mr. MORAN of Virginia. Mr. Speaker, tomorrow I will introduce a package of 5 bills to help our economy address the critical shortage in information technology workers. We are fortunate to live and work in a time of economic growth and expansion. Unemployment is low and production is up. But we cannot take these good times for granted. We have to continue to take those measures necessary to sustain our thriving economy.

One of the hazards that could derail our economic engine is a growing shortage of skilled workers. Too many firms across the country are facing serious difficulties in hiring workers with needed skills. This shortage, which has been estimated to be as high as 190,000 employees nationwide, is especially restricting the growth and development of our Nation's information technology industry, which is the vanguard of our national economic boom. This shortage of skilled workers is costing our economy over $10 billion a year in lost revenue.

But high tech firms are not the only ones suffering from this workforce shortage. When asked about the main barriers to expansion and competitiveness, companies across the country in many different industries point to the difficulty of getting skilled workers.

While the current low unemployment rate contributes to this problem, its roots are more fundamental. In the new economy, skill requirements are going up in many industries, even so-called low-tech industries. More than half of the new jobs created require some education beyond high school. The percentage of workers who use computers at work has risen from 25 percent to 46 percent, nearly half, in the last 10 years. States such as Colorado, Maryland, Rhode Island, Washington have all recently released reports highlighting the pressing need of employers for skilled workers.

Standard supply and demand economics will not address this shortfall. Most firms, but particularly small and medium-sized enterprises, have limited capacity to engage in significant and sustained workforce development efforts. Managers and owners of most firms are simply too busy running their business to develop training systems. Firms lack information on the type of training they need and where to get it. And, unless their competitors are willing to invest in training as well, such an investment will increase the relative cost of their products above that of their competitors.

So there is a natural inclination not to be the first ones to invest in training. And so when confronted with a shortage of skilled workers, most firms try to hire workers from other companies. Competition for skilled employees is so high that companies are offering irresistible packages, including signing bonuses, long-term bonuses, finder's fees, to lure trained employees away from firms who have invested the time and money to train them. Just across the Potomac River, SRA Technologies, a fine firm, a technology firm in my district, offers a $10,000 bounty to employees for every trained worker who signs on as a result of their recommendation. But we are not increasing the supply sufficiently, which is the real long-term solution to this problem.

As the United States enters its unprecedented seventh year of growth, attributed in part to the dynamic expansion of the technology industry, Congress must move to remove barriers to technology industry expansion. My legislation addresses the worker shortage and the need to provide additional training through a number of approaches.

The first bill creates Regional Skills Alliances. Modeled after the successful Manufacturing Extension Program, this bill would provide Federal support to encourage companies to participate in consortia which would address their industry's specific skill needs. The Federal involvement in this program amounts to one-third of the cost. Every dollar in Federal support will be matched by a dollar in State and local government support and a dollar in direct industry support, so that the competitive pressure not to be the one to take the initiative on training is relieved.

The second provision allows the Secretary of Labor to establish Regional Private Industry Councils. PICs play a constructive role in addressing the workforce needs within a State. But these organizations are State organizations and not formed to address problems that may cross State lines. To remedy that situation, my legislation would allow the Secretary of Labor to certify and fund regional PICs that address regional problems. They would be funded directly by the Secretary of Labor to ensure that they do not detract from existing State programs.

The third bill would offer employers who train employees for information technology jobs a tax credit for 50 percent of the training costs up to $2,500 per year per employee.

The fourth bill would ensure that the Federal Government's investment in training is well spent by allowing these Private Industry Councils to reward bonuses to training providers with a high percentage of placement. This will help establish a more outcome-based system to ensure that training providers emphasize placing their students in jobs. My bill would amend JTPA to allow funds to be used for bonuses for the most successful training providers.

It would also allow high technology professionals to more easily immigrate to the United States so that we are not exporting jobs abroad but are paying American workers at home. It is a good and necessary package of legislation. I urge my colleagues' support for it.

TAX REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from California (Mr. RIGGS) is recognized during morning hour debates for 5 minutes.

Mr. RIGGS. Mr. Speaker, I rise today to suggest that we can increase take-home pay and improve retirement security in America by leading our country to a new level of freedom and opportunity for every American worker and taxpayer. I am not talking about raising the minimum wage. I am talking about reducing taxes further, especially on working-class Americans, those who are on modest incomes, those who have fixed incomes because they are wage earners and salaried workers. The first step in reducing taxes, as the gentleman from Illinois (Mr. WELLER), who preceded me here in the well, suggested, is to eliminate the marriage penalty in the Tax Code. Then we should go on to pass the Middle Class Tax Relief Act and the Taxpayer Choice Act, both introduced by the gentleman from South Dakota (Mr. THUNE), which would have the effect of raising the income levels for the 28 percent tax bracket. That would put more working Americans in the lowest tax bracket, the 15 percent tax bracket, and for those who are already in the 15 percent tax bracket, we would increase the personal exemption. The effect again, more take-home pay for working-class Americans.

Let me be clear about one thing. I think I speak for almost all House Republicans when I say this. If the President has money for more social spending, then we have money for tax cuts. But also let me be clear about one other thing. That is we cannot have, we should not have, tax relief without real tax reform. We have to stop the IRS collection abuses. The best way to do that is to end the IRS as we know it. That is why I and many House Republicans have signed a pledge, a written pledge, and we have cosponsored legislation to sunset the Tax Code by the year 2001. This is a death sentence for the Tax Code and we hope would move the country in the direction of a fairer, a flatter, a simpler Tax Code and a tax system, one that is hopefully based on a single rate of taxation. But we do not have to wait until the year 2001. What

we could do right now is let taxpayers choose between paying a flat tax and the current system. You heard me right; they could simply, come tax day, choose whether to report their income and pay a flat tax on that income or to stay in the present system. We do not have to wait to 2001. That is the Washington way of studying things to death; it is called paralysis by analysis back here in Washington.

We could also and should also let taxpayers have the choice of investing a portion of their payroll taxes, their FICA contributions, into a directed IRA, an individual retirement account, so that they can earn a better return on their money than Social Security. To do that though we have to, as Mr. SMITH just has suggested here, we have to take the Social Security Trust Fund off budget once and for all. We have to let the trust fund stay in, the surplus rather, stay in the Social Security, let the surplus stay in the Social Security Trust Fund so that it will continue to accrue and compound interest.

We can do this. We can give workers a choice now again between a flat tax and the current system, between being able and having to put all their payroll taxes in Social Security or at least being able to put a portion in a directed IRA so that they can earn a better return than Social Security. The net effect is higher take-home pay, better retirement security and more freedom and opportunity for every American.

With that, Mr. Speaker, I yield to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Speaker, I am honored to represent the citizens of central Florida's 7th Congressional District. Our area and other central Florida communities were in the path of devastating tornadoes yesterday.

Mr. Speaker, while our residences, our businesses and our communities can and will be replaced, the lives of an unprecedented number of wonderful human beings has been lost forever. I would like to extend my heartfelt sympathy to the families and friends who have lost loved ones in this terrible natural disaster.

The people of my district are strong, determined, faith and family-oriented. They will rebuild, they will heal their wounds, but they will never forget that night or those lost.

Yesterday, I had the opportunity to again see the wonderful people of my district in central Florida come together. I saw volunteers, law enforcement, emergency management personnel, utility workers, Red Cross representatives, private contractors, State and local and Federal officials and employees working together.

Mr. Speaker, I salute and pay tribute to the fine citizens of my State and district, and I want to take this opportunity to say thank you to my colleagues and others who have made expressions of concern and support during this difficult time.

RECESS

The SPEAKER pro tempore. (Mr. BARRETT of Nebraska). Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2 p.m.

Accordingly (at 1 o'clock and 34 minutes p.m.), the House stood in recess until 2 p.m.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 o'clock p.m.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We know, O gracious God, that in our lives and in our world we experience the contrasts of life. There are threats of war and promises of peace. There are moments of laughter and times of tears. There are seasons of love and occasions of disdain. There are instances of trust and others of suspicion. And yet, with all these feelings and attitudes, we have Your abiding word and Your reconciling peace.

As we walk through the uneven paths of our existence, may we rejoice and be glad that underneath are Your everlasting arms supporting us and making us whole. For these and all Your blessings, O God, we offer this prayer of thanksgiving. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Ohio (Mr. TRAFICANT) come forward and lead the House in the Pledge of Allegiance.

Mr. TRAFICANT 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.

SALUTING ILLINOIS BROADCASTERS AND BROADCASTERS ACROSS THE NATION

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, broadcasters across this Nation have a single mandate from the Federal Government, to serve the public interest in the communities where they operate. I am pleased that the Illinois broadcasters in my State do such an excellent job both on and off the air.

A recent survey conducted by the Illinois Broadcasters Association indicates that the average TV station in my State contributes over half a million dollars annually in air time for public service announcements and over 80,000 per radio station.

These stations are an integral part of small town USA and even create a sense of community in large cities. Local stations provide the news we depend on, the weather warnings we count on, and the public affairs programs which give viewers and listeners the opportunity to hear from their elected officials.

I salute the Illinois broadcasters in my district and the broadcasters across the Nation that do such a fine job day in and day out. America's system of free, over-the-air broadcasting has been on the job since the 1920s and still serves us well almost 80 years later. It is one thing we can all count on in the next millennium.

WE NEED ALLIED SUPPORT IN IRAQ

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, the American people are saying if military action is needed in Iraq, America should not do it alone, and the American people are right. The days of sending American soldiers overseas with a rifle on their shoulder and a credit card in their pocket just does not cut it anymore, Mr. Speaker, especially when many of our so-called allies sit on the sidelines and shout Yankee go home to boot.

Kofi Annan is to be commended for his efforts. It sounds good. But in any event, I think the wise words of Ronald Reagan apply here: Trust but verify; trust but verify.

But I will not, Mr. Speaker, support military action unless our allies are on the battlefield with us. We represent Uncle Sam; we do not represent Uncle Sucker.

PROTECTING SOCIAL SECURITY

(Mr. ROGAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGAN. Mr. Speaker, I was among hundreds of Republicans last month who stood and applauded President Clinton when he spoke in this Chamber I applauded because I thought he said that we should use any budget surplus to save ''Social Security first.'' That is why so many of us vigorously applauded a position we thought he was taking. However, I have gone back and looked at his speech. What he actually said was we should ''reserve'' every penny of the surplus until we ''save'' Social Security.

What does that mean? We find out from the President's budget recently

submitted that it does not mean reserving the surplus for Social Security Trust Fund, because in the budget he presented, there is $100 billion in new taxes, $100 billion in new spending, but nothing about putting the surplus into Social Security. In fact, his senior economic advisers later have said they don't know what ''reserving'' it means.

Mr. Speaker, Mark Twain said everybody talks about the weather, but nobody does anything about it. This administration talks a good game about Social Security, but he hasn't done anything about it in his budget proposal. It would be nice if the President treated Social Security better than Mark Twain treated the weather.

IRS REFORM IS LONG OVERDUE

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, Rush Limbaugh, in an interview with the very distinguished gentleman from Ohio (Mr. TRAFICANT) asked why would Bill Clinton defend the IRS?

Let us think about that. Why would Bill Clinton defend the IRS? If my colleagues recall when the President was confronted with hearings this past month which exposed the incredible abuse of power that seems to be a way of doing business over at the IRS, his first reaction almost instinctively was to defend the IRS.

His first reaction was to say that things are really not that bad, and he criticized the Republican reform plan. Of course, that was until he saw the polls that the American people were having none of it, that they have known for years that the IRS suffers from heavy-handed tactics, sloppiness and lack of accountability.

This last point is the key point. Any agency or bureaucrat that lacks accountability will, over time, abuse its power. The Republican IRS reform proposal would inject real accountability into the IRS, and make the audit process accountable to an outside review body for the first time ever. It is long overdue.

SULLIVAN AWARD TO PEYTON MANNING, QUARTERBACK AT THE UNIVERSITY OF TENNESSEE

(Mr. DUNCAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN. Mr. Speaker, in the last 4 years, Peyton Manning, quarterback for the University of Tennessee, has earned a reputation not only as one of the finest college athletes in the country, but also as an individual of exceptional integrity and character.

Tomorrow, the Amateur Athletic Union will present the Sullivan Award to Peyton Manning, recognizing him as the most outstanding amateur athlete in the country. This prestigious award recognizes not only athletic ability, but also exceptional leadership, moral character and sportsmanship.

In his time as starting quarterback at University of Tennessee, Peyton Manning has become the SEC's all time leading passer and has broken a total of 42 NCAA SEC and Tennessee records.

However, Peyton Manning's accomplishments go far beyond the football field. He graduated near the top of his class in only 3 years, and he is well known for his leadership and service to his school and the community.

Last spring, Peyton Manning passed up the opportunity to make millions of dollars by turning pro, instead choosing to stay at the University of Tennessee to continue his education and finish his fourth year of college eligibility. Peyton Manning certainly deserves the Sullivan Award, and I commend the Amateur Athletic Union on their selection of Peyton Manning as their athlete of the year. No one is more deserving of this award.

PRIORITIZING SPENDING AND FOCUSING ON DEFENDING OUR BORDERS

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, it is often said that those who do not learn from the past are doomed to repeat it. Today, this Nation stands on the edge and the threshold of runaway drug use and rising violence against all Americans. So how do our liberal colleagues plan to counter this most dangerous trend? Well, my colleagues can guess it, $120 billion in new taxes and more Washington-knows-best, unworkable big government programs. They are proposing that we make the Federal social bureaucracies larger and more invasive into the lives of American people.

To them I say, enough is enough. What does it say about our government when the IRS employs five times as many as the FBI and 14 times as many people as the DEA? When did policing the American taxpayer become more important than policing America's drug dealers and criminal thugs?

Now more than ever we must practice fiscal discipline and common sense by reprioritizing spending and focusing our government on defending the borders of this Nation and the safety of the American citizens.

OPPOSING THE USDA'S ORGANIC LABEL STANDARD

(Mr. METCALF asked and was given permission to address the House for 1 minute.)

Mr. METCALF. Mr. Speaker, 8 years ago it became apparent that producers of organic foods were having a marketing problem. The public was confused about what organic meant. The label ''organic food'' was being cheapened by the public confusion.

So, in 1990 the Congress passed a law to correct this problem, organic Foods Production Act, a single set of criteria by which food products could be labeled as organic. However, what the USDA is proposing is both overreaching and inadequate.

For example, the USDA proposal would allow irradiated foods. Further, the proposal would permit genetically engineered ingredients. It would permit vegetable ingredients where the plants had been fertilized with municipal wastes.

I think we need to send this agency, our U.S. Department of Agriculture, out to talk with consumers. They need to find out what organic means to the consumer now, and it does not mean radiated, engineered or sludge-fertilized food.

□ 1415

I am emphatically opposed to these proposed standards.

CUBAN DISREGARD FOR INTERNATIONAL STANDARDS

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute.)

Ms. ROS-LEHTINEN. Mr. Speaker, today, February 24, marks the anniversary of a tragic case of the Cuban regime's blatant disregard for international legal and moral standards.

Two years ago today, three U.S. citizens and a U.S. resident exiled in the United States died at the hands of the Cuban Air Force. The Cuban regime did not care that these were civilian planes. The regime in Cuba did not care that they were flying over international waters. The illegal Cuban government did not care that these four men were keeping a vigilance in search of Cubans risking their lives in these treacherous waters. The corrupt dictator, Fidel Castro, did not care then, nor does he care now.

What many are not aware of is that the violations in this case did not end with the shootdown of these four brave men. The grandniece of one of the victims was still in Cuba. This 11-year-old girl was suffering from Reye's syndrome. Her ailments were affecting her sight, and the pain to her fragile body was intolerable. But as the niece and the granddaughter of individuals who had fled Castro's claws, she was denied basic medical attention.

When a visiting doctor began tending to her suffering, the Cuban regime detained him and threatened his family. Castro did not care about the pain of the defenseless child, and the regime did not care, nor does it care now, about basic human rights.

ORDERING SELECTED RESERVE OF ARMED FORCES TO ACTIVE DUTY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105–217)

The SPEAKER pro tempore laid before the House the following message

from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on National Security and ordered to be printed:

To the Congress of the United States:

Pursuant to title 10, United States Code, section 12304, I have authorized the Secretary of Defense, and the Secretary of Transportation with respect to the Coast Guard, when it is not operating as a Service within the Department of the Navy, to order to active duty Selected Reserve units and individuals not assigned to units to augment the Active components in support of operations in and around Southwest Asia.

A copy of the Executive order implementing this action is attached.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *February 24, 1998.*

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Democratic leader:

CONGRESS OF THE UNITED STATES,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, February 23, 1998.

Hon. NEWT GINGRICH,
Speaker of the House,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to Section 202(b)(3), Public Law 103–227, I hereby appoint the following Member to the National Education Goals Panel:

Mr. Martinez, CA.

Yours very truly,

RICHARD A. GEPHARDT.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Democratic leader:

CONGRESS OF THE UNITED STATES,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, February 12, 1998.

Hon. NEWT GINGRICH,
Speaker of the House,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 203(b)(1) of Public Law 105–134, I hereby appoint the following individual to the Amtrak Reform Council:

Mr. S. Lee Kling, Villa Ridge, MO.

Yours very truly,

RICHARD A. GEPHARDT.

APPOINTMENT OF MEMBERS AT CEREMONIES IN OBSERVANCE OF GEORGE WASHINGTON'S BIRTHDAY.

The SPEAKER pro tempore. Pursuant to the order of the House on Thursday, February 12, 1998, the Chair announces the Speaker's appointment of the following Members of the House to represent the House of Representatives at wreath-laying ceremonies at the Washington Monument for the observance of George Washington's birthday held on Monday, February 23, 1998:

Mr. DAVIS of Virginia.

Mr. HOYER of Maryland.

COMMUNICATION FROM STAFF MEMBER OF THE HONORABLE KENNY HULSHOF, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Scott Callicott, Office Director of the Hon. KENNY HULSHOF, Member of Congress:

CONGRESS OF THE UNITED STATES,
Washington, DC, February 12, 1998.

Hon. NEWT GINGRICH,
Speaker,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule L (50) of the Rules of the House of Representatives, that I have been served with a subpoena (for testimony) issued by the Circuit Court for Marion County, Missouri in the case of *State* v. *Kolb.*

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

SCOTT CALLICOTT,
Office Director.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHAW). Pursuant to the provisions of clause 5, rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 4 of rule XV. Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules, but not before 5 p.m. today.

NATO SPECIAL IMMIGRANT AMENDMENTS OF 1998

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 429) to amend the Immigration and Nationality Act to provide for special immigrant status for NATO civilian employees in the same manner as for employees of international organizations, as amended.

The Clerk read as follows:

H.R. 429

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 ''NATO Special Immigrant Amendments of 1998''.

SEC. 2. SPECIAL IMMIGRANT STATUS FOR CERTAIN NATO CIVILIAN EMPLOYEES.

(a) IN GENERAL.—Section 101(a)(27) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)) is amended—

(1) by striking ''or'' at the end of subparagraph (J),

(2) by striking the period at the end of subparagraph (K) and inserting ''; or'', and

(3) by adding at the end the following new subparagraph:

''(L) an immigrant who would be described in clause (i), (ii), (iii), or (iv) of subparagraph (I) if any reference in such a clause—

''(i) to an international organization described in paragraph (15)(G)(i) were treated as a reference to the North Atlantic Treaty Organization (NATO);

''(ii) to a nonimmigrant under paragraph (15)(G)(iv) were treated as a reference to a nonimmigrant classifiable under NATO–6 (as a member of a civilian component accompanying a force entering in accordance with the provisions of the NATO Status-of-Forces Agreement, a member of a civilian component attached to or employed by an Allied Headquarters under the 'Protocol on the Status of International Military Headquarters' set up pursuant to the North Atlantic Treaty, or as a dependent); and

''(iii) to the Immigration Technical Corrections Act of 1988 or to the Immigration and Nationality Technical Corrections Act of 1994 were a reference to the NATO Special Immigrant Amendments of 1997.''.

(b) CONFORMING NONIMMIGRANT STATUS FOR CERTAIN PARENTS OF SPECIAL IMMIGRANT CHILDREN.—Section 101(a)(15)(N) of such Act (8 U.S.C. 1101(a)(15)(N)) is amended—

(1) by inserting ''(or under analogous authority under paragraph (27)(L))'' after ''(27)(I)(i)'', and

(2) by inserting ''(or under analogous authority under paragraph (27)(L))'' after ''(27)(I)''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from North Carolina (Mr. WATT) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. SMITH).

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 429, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2429, the NATO Special Immigrant Amendments of 1998, was introduced by our colleague, the gentleman from Virginia (Mr. PICKETT). The bill would allow aliens who are civilian employees of the North Atlantic Treaty Organization and have worked for many years in the United States to retire here with their families as special immigrants. The number of special immigrant visas available each year, currently about 10,000, would not be increased.

Currently aliens who have been longtime employees in the United States of numerous international organizations are eligible to retire here as special immigrants. NATO employees are also deserving, and should be granted this same privilege.

The North Atlantic Treaty Organization kept the peace in Europe for four decades, saving untold American lives. We should now bestow this small honor on its employees as well.

According to testimony received at the hearing of the Subcommittee on Immigration Claims held on H.R. 429, the total number of people who would benefit from this bill is about 130.

Also at the hearing, Paul Virtue of the Immigration and Naturalization Service stated, ''We do not oppose this proposal and do not foresee any budgetary or resource impact on the Service if this bill should be enacted.''

Mr. Speaker, I urge my colleagues to vote in favor of H.R. 429.

Mr. Speaker, I reserve the balance of my time.

Mr. WATT of North Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this bill. It is not a controversial bill. H.R. 429 would grant special immigrant status to retired civilian NATO employees who served in the headquarters of the Protocol on the Status of International Military in Norfolk, Virginia. Special immigrants and their families are entitled to permanent resident status in the United States now. H.R. 429 would immediately impact 60 families and only approximately 132 individuals.

We certainly have no quarrel with NATO civilian employees who have lived in the United States for extended periods of time exercising this privilege, or extending this right to them or this privilege to them. However, we do believe there should be some degree of reciprocity for Americans who are working for NATO abroad who would like to retire with their families in Belgium or Germany, for example, if they should elect to do that, and that has not been addressed in any way.

That is not a knock against the bill; the bill is fine. It would have been nice if we could have put something in there or if the other countries could address that issue to demonstrate some degree of reciprocity.

The final point I would like to make though is that while we believe that the NATO personnel and their families who remain in the United States after retirement certainly should be extended this prerogative, many of the requirements are equally applicable to some other circumstances, and I would like to spend a minute or two just laying those out for my colleagues, because we need to address some of these issues and make sure that our immigration policy continues to be consistent and the rationale for our immigration policy continues to be consistent.

Supporters of H.R. 429 have asserted that NATO personnel should be allowed to remain permanently in the United States for four reasons.

Number one, they say their children came to the United States at elementary school age and have never experienced a lifestyle in their country of origin. That is correct.

Number two, they say their children possess educational qualifications and experiences that are unique to the United States and that are unlikely to be fully recognized if they return to their native countries. That is also correct.

Number three, they say that current law requires children of NATO employees to return to their native country upon graduating from high school or college, thereby breaking up families. That, too, is correct, and a good argument in support of this bill.

Finally, they say that NATO employees should be able to retire into the communities that have become their home after years of service to NATO in the United States. That, too, is correct.

All four of those arguments are good arguments in support of this bill. But they are also good arguments for addressing the issues that relate to Haitians who have been in this country under the same or similar circumstances and to which the same arguments would be equally applicable.

So I hope as we pass this piece of legislation, we take time to understand the rationale for passing this legislation, and apply that same rationale to other people for whom these four arguments would be applicable, such as the Haitians, the Hmongs, and some other folks who have come to this country at our invitation and with our blessing and have exactly the same arguments in favor of extending citizenship to them on a permanent basis.

Mr. Speaker, I yield five minutes to the gentleman from Virginia (Mr. PICKETT), the sponsor of this bill.

Mr. PICKETT. Mr. Speaker, I thank the gentleman for yielding me this time, and thank the committee for their dispatch of this legislation.

Mr. Speaker, I am very proud to say that the Supreme Allied Command Atlantic is in my Congressional District, and H.R. 429 was introduced so that non-U.S. NATO civilian employees would be treated the same as civilian employees of all other international organizations located in the United States.

Mr. Speaker, there are only approximately 60 non-U.S. employees employed by NATO in southeastern Virginia, and these civilians are divided between the Allied Command Atlantic Communications Logistic Depot, ACLANT, in Yorktown, and the headquarters of the Supreme Allied Commander Atlantic, SACLANT, in Norfolk.

The civilians and their dependents, a total of about 132 people, are from eight NATO nations: Belgium, Canada, Denmark, Germany, the Netherlands, Norway, Turkey, and the United Kingdom. They are issued a NATO–6 visa, and most are employed on contracts of indefinite duration.

Under the terms of their visa, they are considered nonresident aliens and can only remain in the United States as long as they continue to be employed at ACLANT or SACLANT. The dependent children of these civilians are not allowed to retain the NATO–6 visa after attaining the age of 21. However, those children who are full-time students may retain their visa until age 23.

The dilemma facing a number of these families is that their children come to the United States at elementary school age and never experience the lifestyle of their country of origin. They acquire educational qualifications and experiences that are unique to the United States.

□ 1430

Under present legislation, when these children graduate from high school or college, the family is forced to break apart because the children, having attained the age of 21, must leave the United States. A similar situation faces a NATO employee upon retirement. The civilian and his or her spouse are unable to retire into a community that has become their home after their years of service to NATO in the United States. I would add here that these people do reside in the community in my district, and make very, very fine community citizens.

Until 1990, the problem confronted employees of all international organizations located in the United States. Amendments to the U.S. Immigration and Nationality Act passed in 1990 and 1997 resolved this situation to a large degree for G–4 visa employees of international organizations and their dependents. These amendments provide G–4 visa holders with the opportunity to obtain special immigrant status for adults if they have lived in the United States for 15 years, and for children if they have lived in this country for 7 years, based upon certain other conditions.

The provisions of these amendments apply to non-U.S. civilians employed by all international organizations located in the United States except for NATO. Presently there is no executive order that defines NATO as an international organization in the United States, and due to their NATO status, additional legislation is required to enable 1992 civilians to benefit from the privilege accorded to G–4 visa holders. These are employees such as those of the United Nations.

The SACLANT administration has consulted the Secretary of Defense, Foreign Military Rights Affairs, the State Department, and the Immigration and Naturalization Service. It has been concluded by them that this issue can best be resolved by legislation to further amend the Immigration and Nationality Act to provide for special immigrant status for NATO employee civilians in the same manner as for employees of international organizations. H.R. 429 has been introduced for this purpose.

This initiative is fully endorsed by NATO headquarters and is urgently needed to redress what is regarded as a very unfair situation for employees working for the collective security of all NATO nations. I request that you give favorable consideration to the privilege of special immigrant status which is enjoyed by those employed by all other international organizations in the United States.

I might add, again, that this is a very small group of people we are speaking

of. All of them are highly educated and highly trained. They work in very sensitive positions for NATO and their present status is, I believe, an oversight that should be corrected.

Mr. WATT of North Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would just reiterate to my colleagues that this is not a controversial bill. It serves a very worthy purpose, and the fact that I have talked about some things that the bill could cover and should cover should not overshadow the good aspects of the bill. I hope that the House will have the courage to address some of those issues, but that is not a negative about this bill. This bill should be supported.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I just want to say to my friend, the gentleman from North Carolina, that I appreciate his effort to expand the four criteria that he listed to include other groups like the Haitians and the Hmongs that he mentioned. But unfortunately, that is not a valid application of those criteria.

I say this because there are at least two major distinctions. One is in the case of the NATO employees, who were specifically admitted to work for NATO and indirectly for the United States, and that is not the case with these other groups that were mentioned.

Secondly, the NATO employees have to have been in the United States for an aggregate of 15 years. Again, that would distinguish the NATO employees from members of the other groups that were mentioned by the gentleman from North Carolina.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SHAW). The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 429, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

EXAMINATION PARITY AND YEAR 2000 READINESS FOR FINANCIAL INSTITUTIONS ACT

Mr. LEACH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3116) to address the year 2000 computer problems with regard to financial institutions, to extend examination parity to the Director of the Office of Thrift Supervision and the National Credit Union Administration, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3116

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 ''Examination Parity and Year 2000 Readiness for Financial Institutions Act''.

SEC. 2. YEAR 2000 READINESS FOR FINANCIAL INSTITUTIONS.

(a) FINDINGS.—The Congress finds that—

(1) the Year 2000 computer problem poses a serious challenge to the American economy, including the Nation's banking and financial services industries;

(2) thousands of banks, savings associations, and credit unions rely heavily on internal information technology and computer systems, as well as outside service providers, for mission-critical functions, such as check clearing, direct deposit, accounting, automated teller machine networks, credit card processing, and data exchanges with domestic and international borrowers, customers, and other financial institutions; and

(3) Federal financial regulatory agencies must have sufficient examination authority to ensure that the safety and soundness of the Nation's financial institutions will not be at risk.

(b) DEFINITIONS.—For purposes of this section—

(1) the terms ''depository institution'' and ''Federal banking agency'' have the same meanings as in section 3 of the Federal Deposit Insurance Act;

(2) the term ''Federal home loan bank'' has the same meaning as in section 2 of the Federal Home Loan Bank Act;

(3) the term ''Federal reserve bank'' means a reserve bank established under the Federal Reserve Act;

(4) the term ''insured credit union'' has the same meaning as in section 101 of the Federal Credit Union Act; and

(5) the term ''Year 2000 computer problem'' means, with respect to information technology, any problem which prevents such technology from accurately processing, calculating, comparing, or sequencing date or time data—

(A) from, into, or between—

(i) the 20th and 21st centuries; or

(ii) the years 1999 and 2000; or

(B) with regard to leap year calculations.

(c) SEMINARS AND MODEL APPROACHES TO YEAR 2000 COMPUTER PROBLEM.—

(1) SEMINARS.—

(A) IN GENERAL.—Each Federal banking agency and the National Credit Union Administration Board shall offer seminars to all depository institutions and insured credit unions under the jurisdiction of such agency on the implication of the Year 2000 computer problem for—

(i) the safe and sound operations of such depository institutions and credit unions; and

(ii) transactions with other financial institutions, including Federal reserve banks and Federal home loan banks.

(B) CONTENT AND SCHEDULE.—The content and schedule of seminars offered pursuant to subparagraph (A) shall be determined by each Federal banking agency and the National Credit Union Administration Board taking into account the resources and examination priorities of such agency.

(2) MODEL APPROACHES.—

(A) IN GENERAL.—Each Federal banking agency and the National Credit Union Administration Board shall make available to each depository institution and insured credit union under the jurisdiction of such agency model approaches to common Year 2000 computer problems, such as model approaches with regard to project management, vendor contracts, testing regimes, and business continuity planning.

(B) VARIETY OF APPROACHES.—In developing model approaches to the Year 2000 computer problem pursuant to subparagraph (A), each Federal banking agency and the National Credit Union Administration Board shall take into account the need to develop a variety of approaches to correspond to the variety of depository institutions or credit unions within the jurisdiction of the agency.

(3) COOPERATION.—In carrying out this section, the Federal banking agencies and the National Credit Union Administration Board may cooperate and coordinate their activities with each other, the Financial Institutions Examination Council, and appropriate organizations representing depository institutions and credit unions.

SEC. 3. REGULATION AND EXAMINATION OF SERVICE PROVIDERS.

(a) REGULATION AND EXAMINATION OF SAVINGS ASSOCIATION SERVICE COMPANIES.—

(1) AMENDMENT TO HOME OWNERS' LOAN ACT.—Section 5(d) of the Home Owners' Loan Act (12 U.S.C. 1464(d)) is amended by adding at the end the following:

''(7) REGULATION AND EXAMINATION OF SAVINGS ASSOCIATION SERVICE COMPANIES, SUBSIDIARIES, AND SERVICE PROVIDERS.—

''(A) GENERAL EXAMINATION AND REGULATORY AUTHORITY.—A service company or subsidiary that is owned in whole or in part by a savings association shall be subject to examination and regulation by the Director to the same extent as that savings association.

''(B) EXAMINATION BY OTHER BANKING AGENCIES.—The Director may authorize any other Federal banking agency that supervises any other owner of part of the service company or subsidiary to perform an examination described in subparagraph (A).

''(C) APPLICABILITY OF SECTION 8 OF THE FEDERAL DEPOSIT INSURANCE ACT.—A service company or subsidiary that is owned in whole or in part by a saving association shall be subject to the provisions of section 8 of the Federal Deposit Insurance Act as if the service company or subsidiary were an insured depository institution. In any such case, the Director shall be deemed to be the appropriate Federal banking agency, pursuant to section 3(q) of the Federal Deposit Insurance Act.

''(D) SERVICE PERFORMED BY CONTRACT OR OTHERWISE.—Notwithstanding subparagraph (A), if a savings association, a subsidiary thereof, or any savings and loan affiliate or entity, as identified by section 8(b)(9) of the Federal Deposit Insurance Act, that is regularly examined or subject to examination by the Director, causes to be performed for itself, by contract or otherwise, any service authorized under this Act or, in the case of a State savings association, any applicable State law, whether on or off its premises—

''(i) such performance shall be subject to regulation and examination by the Director to the same extent as if such services were being performed by the savings association on its own premises; and

''(ii) the savings association shall notify the Director of the existence of the service relationship not later than 30 days after the earlier of—

''(I) the date on which the contract is entered into; or

''(II) the date on which the performance of the service is initiated.

''(E) ADMINISTRATION BY THE DIRECTOR.—The Director may issue such regulations and orders, including those issued pursuant to section 8 of the Federal Deposit Insurance Act, as may be necessary to enable the Director to administer and carry out this paragraph and to prevent evasion of this paragraph.

''(8) DEFINITIONS.—For purposes of this section—

''(A) the term 'service company' means—

''(i) any corporation—

''(I) that is organized to perform services authorized by this Act or, in the case of a corporation owned in part by a State savings association, authorized by applicable State law; and

''(II) all of the capital stock of which is owned by 1 or more insured savings associations; and

''(ii) any limited liability company—

''(I) that is organized to perform services authorized by this Act or, in the case of a company, 1 of the members of which is a State savings association, authorized by applicable State law; and

''(II) all of the members of which are 1 or more insured savings associations;

''(B) the term 'limited liability company' means any company, partnership, trust, or similar business entity organized under the law of a State (as defined in section 3 of the Federal Deposit Insurance Act) that provides that a member or manager of such company is not personally liable for a debt, obligation, or liability of the company solely by reason of being, or acting as, a member or manager of such company; and

''(C) the terms 'State savings association' and 'subsidiary' have the same meanings as in section 3 of the Federal Deposit Insurance Act.''.

(2) CONFORMING AMENDMENTS TO SECTION 8 OF THE FEDERAL DEPOSIT INSURANCE ACT.—Section 8 of the Federal Deposit Insurance Act (12 U.S.C. 1818) is amended—

(A) in subsection (b)(9), by striking ''to any service corporation of a savings association and to any subsidiary of such service corporation'';

(B) in subsection (e)(7)(A)(ii), by striking ''(b)(8)'' and inserting ''(b)(9)''; and

(C) in subsection (j)(2), by striking ''(b)(8)'' and inserting ''(b)(9)''.

(b) REGULATION AND EXAMINATION OF SERVICE PROVIDERS FOR CREDIT UNIONS.—Title II of the Federal Credit Union Act (12 U.S.C. 1781 et seq.) is amended by inserting after section 206 the following new section:

''SEC. 206A. REGULATION AND EXAMINATION OF CREDIT UNION ORGANIZATIONS AND SERVICE PROVIDERS.

''(a) REGULATION AND EXAMINATION OF CREDIT UNION ORGANIZATIONS.—

''(1) GENERAL EXAMINATION AND REGULATORY AUTHORITY.—A credit union organization shall be subject to examination and regulation by the Board to the same extent as that insured credit union.

''(2) EXAMINATION BY OTHER BANKING AGENCIES.—The Board may authorize to make an examination of a credit union organization in accordance with paragraph (1)—

''(A) any Federal regulator agency that supervises any activity of a credit union organization; or

''(B) any Federal banking agency that supervises any other person who maintains an ownership interest in a credit union organization.

''(b) APPLICABILITY OF SECTION 206.—A credit union organization shall be subject to the provisions of section 206 as if the credit union organization were an insured credit union.

''(c) SERVICE PERFORMED BY CONTRACT OR OTHERWISE.—Notwithstanding subsection (a), if an insured credit union or a credit union organization that is regularly examined or subject to examination by the Board, causes to be performed for itself, by contract or otherwise, any service authorized under this Act, or in the case of a State credit union, any applicable State law, whether on or off its premises—

''(1) such performance shall be subject to regulation and examination by the Board to the same extent as if such services were being performed by the insured credit union or credit union organization itself on its own premises; and

''(2) the insured credit union or credit union organization shall notify the Board of the existence of the service relationship not later than 30 days after the earlier of—

''(A) the date on which the contract is entered into; or

''(B) the date on which the performance of the service is initiated.

''(d) ADMINISTRATION BY THE BOARD.—The Board may issue such regulations and orders as may be necessary to enable the Board to administer and carry out this section and to prevent evasion of this section.

''(e) DEFINITIONS.—For purposes of this section—

''(1) the term 'credit union organization' means any entity that—

''(A) is not a credit union;

''(B) is an entity in which an insured credit union may lawfully hold an ownership interest or investment; and

''(C) is owned in whole or in part by an insured credit union; and

''(2) the term 'Federal banking agency' has the same meaning as in section 3 of the Federal Deposit Insurance Act.

''(f) EXPIRATION OF AUTHORITY.—This section and all powers and authority of the Board under this section shall cease to be effective as of December 31, 2001.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Iowa (Mr. LEACH) and the gentleman from New York (Mr. LAFALCE) each will control 20 minutes.

The Chair recognizes the gentleman from Iowa (Mr. LEACH).

Mr. LEACH. Mr. Speaker, I yield myself such time as I may consume.

(Mr. LEACH asked and was given permission to revise and extend his remarks.)

Mr. LEACH. Mr. Speaker, I rise in support of H.R. 3116, the Examination Parity and Year 2000 Readiness for Financial Institutions Act. This bill is a product of hearings which the Committee on Banking and Financial Services held in November and February to examine the potential impact of the year 2000 computer problem on the Nation's financial institutions. It was reported from committee on February 5 on a voice vote with broad bipartisan support, and I want to express my appreciation to the minority for their cooperation, particularly the gentleman from New York (Mr. LAFALCE), and assistance in facilitating timely action on this bill.

For those of our colleagues who may not yet be aware of this issue, the year 2000 problem, or Y2K problem, as it is sometimes called, arises from the fact that most computers represent the year with only two digits. Hence, 1998 is simply recorded as ''98.'' Unfortunately, that means when the clock rolls over to January 1, 2000, many computers may incorrectly assume that 00 means 1900 rather than 2000. As a result, computers may reject data entries, calculate erroneous results, or simply shut down.

As inconsequential as this issue may appear, it is clear from testimony presented at the committee's hearing that the year 2000 problem poses a serious challenge to the banking sector and to the economy as a whole. Thousands of financial institutions in the United States rely on computers for such functions as check clearing, direct deposit, accounting, automated teller machines, ATM networks, credit card processing, and electronic data exchanges with external parties.

Even passenger security systems, vaults, phone systems, elevators, and other building systems could malfunction if embedded data-sensitive microchips failed to process the year 2000 date change.

Most of the effort to address the year 2000 problem does not require new legislation. The bill before us today is designed to deal with a couple of discrete aspects of the problem as it relates to financial institutions.

First, H.R. 3116 requires Federal financial regulatory agencies to hold seminars for financial institutions on the implications of the problem for safe and sound operations, and to provide model approaches for solving common problems. The bill gives the agency broad latitude to work together and with outside industry organizations to accomplish these objectives.

Second, H.R. 3116 extends to the Office of Thrift Supervision and the National Credit Union Administration the authority to examine the operations of service corporations or other entities that perform services under contracts for thrifts and credit unions, thereby giving these two financial regulatory agencies statute parity with the other three, the Fed, the OCC, and the FDIC, which already have such authority.

Mr. Speaker, I urge my colleagues to vote aye on this important measure, and I would like to thank in particular the staff for all of their work for what appears to be a very esoteric but surprisingly sophisticated issue.

Mr. Speaker, I reserve the balance of my time.

Mr. LAFALCE. Mr. Speaker, I yield myself such time as I may consume.

(Mr. LAFALCE asked and was given permission to revise and extend his remarks.)

Mr. LaFALCE. Mr. Speaker, I join with my friend and colleague, the distinguished chairman of the Committee on Banking and Financial Services, in urging the House to suspend the rules and approve H.R. 3116, the Examination Parity and Year 2000 Readiness for Financial Institutions Act.

It is imperative that Congress give greater focus to the potential ramifications of what is being called the year 2000 or Y2K problem. We have a series of date-related programming problems that can adversely affect computer operations, beginning, really, as early as January of 1999. If not corrected, these problems could create serious disruptions throughout our economy.

Credit cards could read as expired, insurance policies could get lost, checks could bounce, phone lines could crash, and entire computer systems could fail under the weight of nonsensical dates.

The potential implications for the United States and, indeed, the global economy are virtually mind-boggling.

But even if these problems can be averted, the economic costs of resolving the problems will still be enormous.

The cover story in this week's Business Week estimates that correcting year 2000 problems could cost the economy roughly $119 billion in lost economic output, simply between now and the year 2001. This would cut roughly half a percentage point off economic growth in 2000 and early 2001, roughly equal to the estimated economic damage anticipated from the financial crisis in Asia.

The year 2000 problem is particularly serious for financial institutions and their regulations. The failure of computers to distinguish between the year 2000 and the year 1900 or the risk they will misread dates as commonly used symbols for ''die dates'' in financial accounting could result in loan schedules being miscalculated, debts being cancelled, payments and bank statements being delayed, electronic funds transfers being lost, 100-year interest charges and late payment fees being imposed on consumers, and a virtually limitless variety of other problems.

Some analysts warn and believe that the entire financial system could shut down New Year's Day 2000. Fortunately, the Federal Reserve Board, other bank regulators, and the Nation's larger banks have taken the year 2000 problem quite seriously for several years and have spent considerable sums to develop and test potential solutions.

But the same has not always been true of smaller banks, thrift institutions, and credit unions. These institutions sometimes lag behind in year 2000 compliance, in part because they do not fully comprehend the potential disruptions that would occur and also, to a certain extent, because they lack the resources to commit to developing solutions.

Smaller institutions are further hampered by the fact that they typically outsource most data processing, check clearance, credit card, and other computer dependent operations, to outside service providers and assume that these companies will handle the year 2000 problems.

Unfortunately, these companies often face problems of their own in resolving year 2000 problems. Any failures to make appropriate adjustments in these computer networks will easily be compounded throughout the entire financial system.

As of now, the Comptroller of the Currency, and only the Comptroller, has the authority to examine the operations of affiliated service corporations and outside vendors that perform services for banks to monitor compliance in resolving year 2000 problems.

Clearly, this authority must be expanded on a uniform basis to permit comparable examination of year 2000 compliance by service providers to thrift institutions and credit unions.

H.R. 3116 addresses these problems in several ways. First, it directs the Federal bank, thrift, and credit union regulatory agencies to offer seminars to financial institutions on the implications of the year 2000 computer problem on safe and sound operations.

Second, it requires each agency to make available to financial institutions model approaches for addressing year 2000 computer and data processing problems.

And, third, the bill provides the necessary authority to the Office of Thrift Supervision and the National Credit Union Administration to examine the operations of affiliated service corporations and outside vendors that provide services under contract to thrifts and credit unions.

□ 1445

This will provide both agencies with comparable authority to the bank regulatory agencies for monitoring the Year 2000 compliance.

Mr. Speaker, I again applaud the gentleman from Iowa (Mr. LEACH) chairman of the committee, and the staff, both the majority and the minority, for working on this bill. It is extremely timely and important legislation. It is necessary to assure the safety and soundness of our financial system. I strongly urge its adoption.

Mr. Speaker, I reserve the balance of my time.

Mr. LEACH. Mr. Speaker, I yield 5 minutes to the distinguished gentlewoman from New Jersey (Mrs. ROUKEMA) chairman of the Subcommittee on Financial Institutions and Consumer Credit.

(Mrs. ROUKEMA asked and was given permission to revise and extend her remarks.)

Mrs. ROUKEMA. Mr. Speaker, I do not believe I will take the whole 5 minutes, but I do want to rise in strong support of H.R. 3116. I am an original cosponsor and believe this is a very far-reaching bill and we are giving adequate time to address the problem of Y2K, as it has come to be none, and we need this advance planning time.

Certainly, we will be addressing the readiness question in this legislation, as well as providing parity and examination authority among the Federal banking agencies and the National Credit Union Administration.

The gentleman from Iowa (Mr. LEACH) has very well, along with the gentleman from New York (Mr. LAFALCE) our ranking member, explained the Y2K problem. And in a nutshell I would simply say that it is the ability of a financial institution's computers to recognize data in their own computer base as well as databases from other systems. And I will not go into the full and complete explanation that Chairman LEACH has made, except that I would also say, however, that as has been noted that financial institutions are spending millions of dollars and man-hours trying to fix their systems presently, and what we are doing here today, both for the Y2K problem, as well as the parity question for examination authority, is hopefully negating those problems and we will be saving both the industry and the consumers untold billions of dollars both in unnecessary disruptions and inconveniences and a lot of legal questions that could arise.

So, Mr. Speaker, I do rise in complete support of this bill. I think we should note that particularly that in dealing with the parity authority for the Federal regulators, as well as the NCUA and the OTC, that what we are doing here is providing services to savings associations and credit unions to help them fulfill their part of the safety and soundness mandate of the banking institutions.

Again, I urge full support of the legislation and I thank the gentleman from Iowa for his leadership.

Mr. LEACH. Mr. Speaker, I yield 5 minutes to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Speaker, I thank the gentleman for yielding the time to me, and I rise to commend the gentleman from Iowa (Mr. LEACH) and the gentleman from New York (Mr. LAFALCE) the ranking member, and the sponsors of this legislation on the Committee on Banking and Financial Services on their effort to ensure that our Nation's financial institutions are adequately addressing the Year 2000 computer problem.

It has been said that almost 70 percent of all the network computers around the world are connected to banking and financial institutions. If that is so, then the Year 2000 computer problem, left unattended, could not only detrimentally affect every depositor and creditor in that computer-dependent industry, but also could potentially cripple international commerce. It is clear that our Nation's financial institutions must move expeditiously to ensure that they will not be at risk at the beginning of the new millennium.

H.R. 3116, the Examination Parity and Year 2000 Readiness for Financial Institutions Act, will help them achieve that goal. By requiring the industry to provide seminars for financial institutions on the implications of the Year 2000 problem for safe and sound operations, as well as developing model approaches for solving common year 2000 problems in such areas as vendor contracts, the bill takes an important first step to better assure American customers and depositors that their local banks and credit unions will be safe and open for business when the Year 2000 rolls around.

Mr. Speaker, as you know, we in Congress have been working diligently over the past 2 years to raise the Nation's awareness and to push our Federal Government, as well as State and local governments, and private industry, for immediate corrective action. We have done this through legislation and an ongoing series of current congressional hearings and attentive oversight, even with the national Republican radio address.

As chair of the House Committee on Science's Subcommittee on Technology, we have held six hearings on the Year 2000 problem, many in conjunction with the Committee on Government Reform and Oversight's Subcommittee on Operations, chaired by the gentleman from California (Mr. HORN).

In legislation, we required the creation of a national Federal strategy on the Year 2000 problem. Federal quarterly reporting requirements and a statutory prohibition on the Federal purchase of any information technology which is not Year 2000 compliant.

I am also very pleased that the President has finally joined with Congress to help ensure that our Nation will address the Year 2000 problem in a timely and effective manner. The President's recent Executive order establishing a Year 2000 Conversion Council, chaired by John Koskinen, to make correcting the problem the highest priority attention for both the public and private sector, is vital to our Nation's ability to correct the problem by the unrelenting deadline. This is an important step if we are to avert catastrophic failure of government and industry computer systems. We have been calling for leadership from our Nation's chief executive for over a year. The President is at last giving this issue the attention it deserves.

And while I am anxious to work with Mr. Koskinen and the national Year 2000 Council on future efforts, today I intend to support this necessary measure to ensure the American people that not only is their money safe, but they will have reasonable timely access to it in the Year 2000 and beyond.

So, Mr. Speaker, I urge all of my colleagues to join me in passing H.R. 3116. I also want to again congratulate Chairman LEACH and Ranking Member LAFALCE for their leadership, and I look forward to working with them as Congress moves to enact other Year 2000 solutions.

Mr. LAFALCE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. LEACH. Mr. Speaker, I yield myself such time as I may consume just to conclude by saying this issue is extraordinarily important for consumers. It is important for America's competitive position abroad. To become Year 2000 compliant will involve a multi-billion dollar cost to the economy and success or failure will affect the competitive position of many types of private sector organizations at home and abroad.

I am particularly concerned at home with the competitive position of various vendors to financial institutions, some of which are on top of the problem, some of which are less so. Abroad, we could literally see a run to American financial institutions who are on top of the problem, in contrast with foreign competitors. Europe is intertwined with a series of problems related to European Community. In Asia there is a series of very different kinds of problems. Neither in the world is putting as much attention as the United States is. So as there are challenges, there are also potential opportunities for those institutions who are on top of this particular subject matter.

Mr. Speaker, let me just conclude by saying that also from a job sense, we are going to see perhaps the greatest shortage of software engineers and technicians in the history of the country in almost any industry. And it is important for individuals not only in the financial services sector, but in other types of critical industries, to be very sensitive to these issues. Obviously, relating to airlines which is one most in the public mind, but there are many others as well.

In any regard, this is a very, very modest bill that the Congress is putting forth. Behind the bill is also the sense that involved is an education process of which the Congress is a part. And while this bill will not be an answer to anything, it is intended to precipitate serious attention to the issue.

Mr. Speaker, with that, I have no further requests for time. I would like to thank particularly the gentleman from New York (Mr. LAFALCE) and the gentlewoman from New Jersey (Mrs. ROUKEMA), as well as the gentlewoman from Maryland (Mrs. MORELLA) for her thoughtful attention.

Mr. PAUL. Mr. Speaker, this Legislation, H.R. 3116, will not solve the Year 2000 problem. Giving some financial regulators "statutory parity" with other regulators will not solve the problem. Everyone will have to take responsibility to secure that their own systems will be Year 2000-compliant. We must hope that the government will be as diligent in its compliance with the so-called Millennium Bug problem as it want the private sector to be.

The General Accounting Office (GAO) has reported unfavorably on the FDIC's readiness. Before the Subcommittee on Financial Services and Technology, Committee on Banking, Housing and Urban Affairs, US Senate, Jack L. Brock, Jr., Director, Governmentwide and Defense Information Systems, testified on February 10, 1998 (Year 2000 Computing Crisis: Federal Deposit Insurance Corporation's Efforts to Ensure Bank's Systems Are Year 2000 Compliant) that the Federal Deposit Insurance Corporation (FDIC) has not met its own "y2k-compliant" standards. According to GAO, the FDIC has not yet completed the assessment phase of the remediation process, despite its own standard that banks under the agency's supervision should have completed this phase by the end of the third quarter of 1997.

The bill requires the regulators to provide information (seminars, etc.), make available to financial institutions model approaches to address the Year 2000 problem, and to give the regulators examination authority to examine third party service provides under contract to federally-insured institutions.

James Mills, of NAFCU, testified before the House Committee on Banking and Financial Services, "Historically, the role of providing education and training is one best performed by the private sector, namely trade associations and industry-related organizations . . . Rather than require federal agencies to offer seminars, perhaps any legislative efforts should require federal agencies to participate in such programs or make it advisable and permissible to participate." NAFCU believes that the focus of H.R. 3116 should be strictly limited to ensuring compliance. In its present form, H.R. 3116 contains a broad and permanent expansion of NCUA's examination and regulatory authority . . . Legitimate questions may be raised as to whether, absent the year 2000 issue, NCUA, as a federal financial regulatory agency, should have the authority not just to examine but to actually regulate private business enterprises incorporated under the laws of various states. The authority given to NCUA in H.R. 3116, is not limited to the examination and regulation of credit unions, but would allow NCUA to examine and regulate third-party businesses, vendors and outside providers. Do the members of the Committee intend to give NCUA authority to regulate private entities?"

Ellen Seidman, Director OTS, added, "Clearly, the primary responsibility and liability for Year 2000 compliance rests with the regulated institutions themselves, including those that rely on service providers . . . Some service providers, however, have been resistant to these contractual provisions and, as a result, thrifts have been hindered in their ability to contract for services."

This bill raises legal liability questions that may actually thwart a financial institution's ability to address the y2k problem more effectively. Introducing legislation on the y2k issue would only give more people more incentive to sue companies which are not compliant. How does the bill define "year 2000 compliance"? It isn't clear. Such ambiguity only causes further problems. The real problem with y2k isn't the computers, its the people. More legislation will only compound the problem.

Year 2000 issues with computers cause numerous headaches but by no means unsolvable problems. Solutions exist, and since we do exist in a relatively free market, we should allow it to work.

Mr. LEACH. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SHAW). The question is on the motion offered by the gentleman from Iowa (Mr. LEACH) that the House suspend the rules and pass the bill, H.R. 3116, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. LEACH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to include in the RECORD additional statements and to revise and extend their remarks on H.R. 3116, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION REAUTHORIZATION ACT OF 1998

Mr. SMITH of Oregon. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 365) regarding the bill S. 1150, the Agricultural Research, Extension, and Education Reauthorization Act of 1998.

The Clerk read as follows:

H. RES. 365

Resolved, That, upon the adoption of this resolution, the House shall be considered to have—

(1) taken from the Speaker's table the bill S. 1150, to ensure that federally funded agricultural research, extension, and education address high-priority concerns with national or multistate significance, to reform, extend, and eliminate certain agricultural research programs, and for other purposes;

(2) struck out all after the enacting clause of the bill S. 1150 and inserted in lieu thereof an amendment consisting of the text of the bill H.R. 2534, to reform, extend, and repeal certain agricultural research, extension, and education programs, and for other purposes, as passed by the House;

(3) passed the bill S. 1150 as amended; and

(4) insisted on the House amendment and requested a conference with the Senate thereon.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. SMITH) and the gentleman from Texas (Mr. STENHOLM) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon (Mr. SMITH).

Mr. SMITH of Oregon. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Resolution 365. This resolution, upon adoption, will delete all of the Senate language within S. 1150, including that which has been the cause of concern of many Members, and insert in its place the language of H.R. 2534, which was passed by the House last November.

Passage of the resolution is merely a necessary procedural step which allows the House to declare itself in disagreement with the Senate and to request a conference on the House-passed language.

Mr. Speaker, so there is no confusion, I know my colleagues had concern with the Senate language. The objective here in H.R. 365 is simply to reauthorize the Foreign Agricultural Research Extension and Education Programs within the Department of Agriculture. The funding provisions which came under scrutiny in the Senate version are not, I repeat, are not in this bill or the language in this resolution.

The language identical to 365 passed the Committee on Agriculture by a unanimous vote on Wednesday, October 29, and the full House on November 8 by a vote of 291 to 125. It is the first comprehensive overhaul of agricultural research programs since 1977. It encompasses over $14 billion in 5 years.

The last two decades have brought sweeping changes to agricultural trade, production, and the government's approach to agriculture culminating in the reforms accomplished in the Federal Agriculture Improvement and Reform Act of 1996, commonly referred to as the Freedom to Farm Bill.

In the Committee on Agriculture, we have adapted to these changes by focusing on American agriculture's competitiveness around the globe, working to eliminate barriers to American farm products and to open international markets.

Mr. Speaker, every farmer I know would prefer a market to a subsidy, and it is on that principle and in that knowledge that Congress, 2 years ago, began getting government out of the farmers' business. But that is not to say that government does not still have a role. It clearly does, and agricultural research is an enormous part of it.

Today, agricultural research is more important than ever in transitioning to a market economy and securing new markets for American farm products overseas and ensuring that we continue to produce the world's highest quality food and fiber at competitive prices. The core bill, H.R. 365 lives up to this challenge in addition to reauthorizing numerous agricultural research programs through the year 2002.

□ 1500

The bill includes reform provisions to ensure peer and merit review of all USDA research programs, greater accountability in the development of Federal research priorities, and greater dependence on cost sharing through requirements for matching funds. I urge my colleagues to support the resolution so that we may move forward with this issue.

Mr. Speaker, I reserve the balance of my time.

Mr. STENHOLM. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 365, a resolution which contains four provisions that upon their adoption will provide the following:

One, it will take Senate bill 1150 from the Speaker's table; two, it will strike all after the enacting clause and insert the text of H.R. 2534 as passed by the House and ably described by the gentleman from Oregon (Mr. SMITH); three, it will pass Senate bill 1150 as amended by H.R. 2534 and insist on the House amendment and request a conference with the Senate.

I would like to make it perfectly clear that this resolution merely allows us to go to conference with the Senate. That is all.

H.R. 2534 passed the House on November the 8th, 1997, by a vote of 291 to 125 and is the result of a bipartisan effort. H.R. 2534 provides for a straightforward reauthorization and reform of current USDA agricultural research programs. H.R. 2534 does not contain any of the savings and reallocation measures associated with Senate bill 1150.

Confusion and concern over this issue prevented our going to conference on this bill at the end of the first session, the 105th Congress. I recognize that there are concerns about provisions in the Senate bill. For this reason I urge Members to permit us to go to conference so we can begin to work through these differences. The sooner we begin working on a suitable conference report, the more time we will have to carefully consider these concerns while ensuring that support for vital agricultural research programs is not unnecessarily delayed.

Again, I strongly urge passage of this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Oregon. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. LIVINGSTON).

(Mr. LIVINGSTON asked and was given permission to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Speaker, I thank the gentleman for yielding me this time; and I rise in support of the resolution.

I would like to take the opportunity to congratulate the Committee on Agriculture on this bill. Agricultural research is the heart of a system of agriculture which allows less than 2 million American farmers and ranchers to feed 260 million Americans and hundreds of millions of more people overseas.

This bill reflects great credit on the distinguished chairman of the committee, my good friend, the gentleman from Oregon (Mr. SMITH), and all of his colleagues, particularly my two good friends, the gentleman from Texas (Mr. COMBEST) and the distinguished ranking member, the gentleman from Texas (Mr. STENHOLM).

I do wish to raise a serious concern about the bill that has come out of the other body. That bill, creates more than $1 billion in new mandatory spending that I believe contradicts all the hard work that has been done in cutting the budget here in this House in the last 3 years.

In particular, section 301 of the Senate bill creates a new $780 million mandatory spending program for research; and I would point out that we already are spending annually about $1.6 billion in the two major agriculture research programs in the discretionary account.

Section 226 of the Senate bill adds $300 million to an existing mandatory program called ''The Fund for Rural America.'' About half of the annual $100 million of spending in that program goes to research which, as I have already pointed out, already gets substantial discretionary funding.

The other half of the annual $100 million goes to rural development activities. I would like to remind all my colleagues that, in the current fiscal year, we are supporting a program level of more than $6 billion in rural development through discretionary funding.

Again, I think the House bill is a good bill; and I commend the gentleman from Oregon (Mr. SMITH) and

the authorizing committee for their work. I believe, however, that in conference the conferees must eliminate the costly and unnecessary mandatory programs in the Senate bill in order for the conference report to have sufficient support to pass.

Mr. STENHOLM. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I thank the gentleman from Texas for yielding me this time.

Let me simply say that I have mixed feelings about this bill. I certainly have no objection to the bill as it is leaving the House. I think the House bill is a responsible bill. But as both gentlemen know who are managing the bill, I have three major concerns with the Senate bill with which this bill will be conferenced.

As the gentleman from Louisiana just indicated, first of all, that Senate bill creates new mandatory spending for agriculture research. While I certainly support an expansion of agriculture research, I strongly oppose making ag research an entitlement program. Research is inherently a discretionary function of the budget, whether it is cancer research or energy research or agriculture research, and there is no reason to elevate agricultural research to a different standard.

I would also say that creating new mandatory programs in the ag research area will not add to a net gain in spending for the agricultural research community because, if a new mandatory program is created, you can bet your last dollar that when the 302 allocations are made in the appropriations process, that that new mandatory research will be taken into account and discretionary research will be reduced accordingly by the majority party when they establish their 302 allocations. So there will be, in the practical world, no net gain for ag research.

My second objection is that the source of the savings in the mandatory spending is the food stamp program. And while I certainly agree that States should not be able to double bill the Federal Government for food stamp administrative costs, there are other pressing needs in the food stamp arena that ought to be met, including restoring food stamp benefits to legal refugees, including the Hmong veterans who fought side-by-side with American troops during the Vietnam war.

Thirdly, even if full savings were not needed to restore food stamp benefits to immigrants or refugees, there are other mandatory spending issues that the authorizing committee ought to be addressing, in my view, rather than raiding the jurisdiction of the Committee on Appropriations.

I would point out that spending $200 million a year for sales commissions in the crop insurance program means that there will be less discretionary money spent for important agricultural research programs, and I think that the authorizing committee ought to fix that problem before they set up new mandatory spending programs.

So I would simply say to Members who have asked me about whether they should vote for this bill or not, I have no problem voting for this resolution at this time. But I hope that Members who talk about holding spending caps will, if this bill comes back from conference with new mandatory spending, I hope they will be prepared to vote against that conference report and deep-six it, as it will justifiably deserve to be deep-sixed, if it adopts the approach taken by the Senate.

Mr. SMITH of Oregon. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. BARRETT), chairman of the Subcommittee on General Farm Commodities of the Committee on Agriculture.

Mr. BARRETT of Nebraska. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in full support of the Agricultural Research, Extension and Education Reauthorization bill.

I think it is a very well-reasoned and responsible bill that will make sure that vital agriculture and related research will, in fact, continue through the year 2002, including reform provisions which ensure peer and merit review of agricultural research. It also includes provisions which will provide for input into the priority setting process by those who benefit from agricultural research.

I think it is important for us to remember that the bill has already been passed. It is important for us to know that this is a clean resolution that will simply substitute our language for the other body's language and will simply allow us to go to conference on this issue.

Strong agricultural research programs have certainly enabled our farmers and ranchers to produce the highest quality food and fiber in the world at competitive prices. This resolution simply reauthorizes our agricultural research. It updates and modernizes our research program so that American farmers will, in fact, maintain their competitive edge in an increasingly global marketplace.

As the current Asian crisis is teaching us, our ability to ensure a stable export market is tenuous at best. Therefore, we need to continually work at expending our ag markets in every region of the world. This requires, among other things, the ability to be on the cutting edge of agricultural research, to provide agricultural products that these markets demand.

In addition, for my very agricultural district in Nebraska, this reauthorization is, in fact, critical. Among the many provisions of the bill that are key to Nebraska agriculture are provisions for research on wheat scab, precision agriculture, ethanol, animal waste and management, and methyl bromide.

The reauthorization provides a new direction in ag research. I think it is reform at its best, and I encourage all Members to vote ''yes'' on the resolution.

Mr. STENHOLM. Mr. Speaker, I yield 2 minutes to the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Speaker, I thank the gentleman for yielding me this time. I appreciate this opportunity.

I am in strong support of H.R. 2534 as written by the House and, has been stated already, it has been passed by the House. This piece of legislation needs to go forward to conference.

The problem is not with this bill. The problem is with S. 1150, the Senate version of agriculture research, which uses a considerable amount of saving from the food stamp administration for other purposes in the majority, other than responding to the needs of the hungry and for which food stamp monies are authorized for. Therefore, the conference needs to proceed very carefully.

While this legislation contains very important items, many of those I support, such as authorization of the use of research in extension grants to study the impact of pfiesteria and other microorganisms that pose threats to human and animal health upon our waterways; increasing the priority of finding alternative resources to methyl bromide; animal waste management; and significantly increasing the funding for historically black colleges and universities for research.

All of these, indeed, I support. And this bill, again as stated, is a wonderful bill; and it is much needed in the agricultural community.

I am gravely concerned and I urge the conferees as they go forward to please consider the needs of the hungry and that the food stamp savings will be there; that they should, in fact, go for those purposes.

Mr. Speaker, I urge my colleagues to vote for this, but I also urge the conferees to understand what my reservation would be, and I look forward to seeing how the conference turns out.

Mr. SMITH of Oregon. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. EWING), who is chairman of the Subcommittee on Risk Management and Specialty Crops.

(Mr. EWING asked and was given permission to revise and extend his remarks.)

Mr. EWING. Mr. Speaker, I support the legislation before us; and the conference committee, I hope, will take note of what is said here today as they do their deliberations on this legislation.

First of all, this is the first comprehensive overhaul of the agricultural research program in 20 years. This legislation is a crucial step toward meeting an increasing demand for world food and, yes, the commitment which we made to our farmers when we passed the Freedom to Farm Act: the Federal Government's responsibility for research.

The bill improves the ability and capacity of participants in the U.S. food and agricultural sector to meet consumer needs for high-quality, safe, nutritious, affordable and convenient food.

H.R. 2534 will help those participants compete in a global market and produce products in an environmentally sound manner. The legislation is vital in ensuring the United States remains at the forefront of producing the world's highest quality food and fiber at competitive prices.

This bill creates an exciting new food genome research initiative which is fundamental in developing new and improved uses.

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It also establishes an animal waste management research initiative, which is very important across the country as we have many, many controversies in America and in Illinois over waste from animal facilities. Mr. Speaker, this is really a piece of legislation whose time has come. I am very pleased to have the opportunity to support it.

Mr. STENHOLM. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. BECERRA).

Mr. BECERRA. I thank the gentleman for yielding me the time. Mr. Speaker, I come here with some reservations about this bill, but with some confidence. This bill as it will leave this House and go to conference will not contain a provision which when it comes back from conference I guarantee you it will have, and that is a provision that will take, it is not clear how much, it is somewhere between perhaps $1 billion to $2 billion, from the food stamp program, which are considered administrative savings, and those moneys will be used for which programs we do not know. But the concern that a number of us have is that if we are going to take money out of food stamps, and we took a whole lot of money out of food stamps two years ago when we passed the welfare reform law, that we should put the money back into services for the hundreds of thousands of families, including mostly families with children that were now as a result of this bill denied access to food stamps.

As I said before, I have reservations but I have confidence from speaking to many of my colleagues that a serious effort will be made to address this concern if in fact we have moneys that comes out of the food stamp account. I trust that the members of the Committee on Agriculture will remember that the moneys in these savings should go into those programs from where the money came. If that is done, then certainly when this bill comes back after conference, all of us could say that we could support the programs.

I support those ag programs, the ag research programs that are there. If it were a straight bill on agriculture research, it would have my vote. But I express my reservation at this stage because it is unclear to me where we will head. But as I said before, I do have confidence, especially because of my colleagues the gentleman from Texas (Mr. STENHOLM) and the gentleman from California (Mr. DOOLEY), that an effort will be made to ensure that if we take money from food stamps, it will be used to help the thousands of families who are in great need of providing nutrition to their children. With some reservations I say this is a bill that we should see go to conference, and with confidence I do say that I believe at the end we will all be able to vote for it.

Mr. SMITH of Oregon. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. WALSH), a former member of the Committee on Agriculture, now on the powerful Committee on Appropriations.

(Mr. WALSH asked and was given permission to revise and extend his remarks.)

Mr. WALSH. Mr. Speaker, I rise in reluctant opposition to this very good bill. I would congratulate the gentleman from Oregon (Mr. SMITH) and all the members of the Committee on Agriculture for putting together a very responsible bill. My concern, Mr. Speaker, is that the Senate bill takes $1.2 billion in savings from the food stamp administrative savings and then creates two new mandatory programs, one for ag research, which I support but we are already spending $1.6 billion on it, and another for rural development, a program we are spending $6 billion on. The House did the right thing. The Senate has not. My concern is if this goes to conference, the temptation will be too great to spend that money on other programs that do not, quite frankly, need the funds. But the fact is, Mr. Speaker, over 900,000 legal immigrants, including over 150,000 children, have lost food stamp benefits. I think most of us would agree that that is wrong and that these funds need to be put back into the program to help to feed those people. In addition, there are many elderly and disabled persons who have lost food stamp benefits and I think we need to correct that wrong, too.

Mr. Speaker, I would again reluctantly oppose the bill, ask that we return it to the committee and allow them to put some language into the bill that directs the committee bill to provide for language that would keep those funds within the food stamps program. For that reason, Mr. Speaker, I oppose the bill.

Mr. STENHOLM. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. LEVIN).

(Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. Mr. Speaker, I know that the gentleman from Oregon (Mr. SMITH) faces a difficult conference, as does the gentleman from Texas (Mr. STENHOLM) and their colleagues. I am here simply to express my fervent hope that in conference they will take a look at the President's proposal on food stamps for legal immigrants. We are talking about in no way undoing welfare reform. I worked for and voted for the ultimate product. This is about hungry kids and this is about hungry elderly people, many of them refugees. The cuts in food stamps were very, very large and no one is suggesting at this point the restoration of most of them. But the President's proposal focuses on those most vulnerable, kids, most of them citizens themselves. Their parents are not yet. And the elderly, many of them, as I said, refugees and asylees. So I am here simply to say as they deal with the complexities, please do not forget these very vulnerable people who are here in our midst legally.

Mr. SMITH of Oregon. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. COMBEST), chairman of the Subcommittee on Forestry, Resource Conservation, and Research, whose subcommittee drew this bill.

Mr. COMBEST. Mr. Speaker, I rise today in support of this resolution. I would like to thank the gentleman from Oregon (Mr. SMITH), the gentleman from Texas (Mr. STENHOLM) and the gentleman from California (Mr. DOOLEY) for their hard work and cooperation in bringing this bill to the floor. As chairman of the subcommittee with jurisdiction over agricultural research programs, I presided over a series of hearings last summer and through the fall to prepare for this bill. We worked diligently to improve upon the current research, education and extension structure by increasing coordination, communications and competition among the public and private sectors and across State lines. This bill represents a significant step toward that goal.

Mr. Speaker, I think it is important for our colleagues who may be watching or for their staffs who may be watching to make for certain that they understand what this is. The House has passed this bill. All we are simply trying to do is to go to conference. We had the gentleman from Louisiana (Mr. LIVINGSTON), the chairman of the Committee on Appropriations. We had the gentleman from Wisconsin (Mr. OBEY), the ranking member of the Committee on Appropriations. We had the gentleman from New York (Mr. WALSH), a subcommittee chairman of appropriations, who the one common thing throughout their statements was what a great bill this was.

Mr. Speaker, we did not make any changes in the food stamp program in this bill. I agree with the gentleman from Wisconsin (Mr. OBEY). We need to fix the crop insurance program. Nothing about crop insurance is in this bill. I agree with the gentlewoman from North Carolina (Mrs. CLAYTON), who is a member of our committee about her concerns on food stamps. Nothing in this bill has anything to do with food

stamps. The gentleman from Michigan (Mr. LEVIN), the gentleman from California (Mr. BECERRA), all expressed their concerns about what the Senate has done. We cannot even talk to the Senate if we do not get this bill out of here under this resolution and go to conference.

So I want to make for certain that people understand, everybody loves this bill. But if the gentleman from New York (Mr. WALSH) is correct in his efforts, as he said reluctantly, to defeat the bill, nothing he is trying to do in regards to the money for food stamps is done. I want to make for sure that we understand where we are and I want to make for sure that Members understand that all we are doing is going to conference on a bill that has passed the House and all of the concern that has been raised on the floor today is about the Senate bill. We have got to go to conference before we can even begin to cure the problems. Let us not get caught up in these other things that are of legitimate concern to us as well in a bill that has nothing to do with it and keep from American agriculture the opportunity to move forward with a research bill that has not been reauthorized in, I believe, 15 years, and is vitally important to the future of agriculture and to all of our producers and to all of those people involved in it. All we are doing today is trying to go to conference.

Mr. STENHOLM. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. HALL).

Mr. HALL of Ohio. Mr. Speaker, I want to thank the distinguished gentleman from Texas (Mr. STENHOLM) for yielding me this time.

Mr. Speaker, many of us are talking about the debate that we had last year, actually in November. At the time there were serious concerns, not with the House bill itself but with major funding decisions at stake in the conference committee. Those same concerns remain, and I would repeat them. Unlike the House bill, the Senate bill creates over $1.2 billion in new mandatory spending, offset by administrative savings from the food stamp program. Programs to be funded with those savings, however worthy, should not take precedence over feeding hungry people. The food stamp program has already been drastically cut, and it is only fair that a substantial share of any food stamp savings should be reinvested in addressing the critical food and nutrition needs, in particular restoring food stamp benefits to vulnerable groups of legal immigrants, including the elderly, the handicapped and families with children.

We did not have an opportunity to offer a motion to instruct conferees on this important concern. So if we pass this resolution, we will send this bill to conference with no firm assurance that a fair share of food stamp savings will be reinvested in feeding the hungry.

Mr. Speaker, I would urge my colleagues to pass this resolution, but send a very strong signal to conferees that many of us will work to defeat a conference agreement that does not invest at least half the Senate bill's food stamp savings in feeding hungry people, specifically vulnerable groups of legal immigrants and refugees facing hunger and hardships as a result of losing food stamps.

Mr. STENHOLM. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. SERRANO).

Mr. SERRANO. Mr. Speaker, first of all, I am confident that both the gentleman from Oregon (Mr. SMITH) and the gentleman from Texas (Mr. STENHOLM) have heard enough comments and concerns today so that they will go into that conference doing what needs to be done on behalf of people who are hungry and who are in need of the food stamp program. I would like to echo the comments made by other Members here today, the fact that this is a very difficult situation. On one hand, we want to be supportive of agricultural research. On the other hand, we know that so much good can come of the food stamp program, more so than we have had up to now, especially in the area of legal immigrants. And so my role today here is again to echo what the gentleman from Ohio (Mr. HALL) said before. I will do nothing to stop this resolution from leaving the House. I will be supportive of its passage, in the hope that we come back with a conference report that I will not have to oppose, a conference report that will take into consideration the balance that is needed in this issue.

Mr. STENHOLM. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DOOLEY).

Mr. DOOLEY of California. Mr. Speaker, I rise in strong support of sending this bill to conference. I think that many of us have heard the comments of many of the Members who have raised some concerns, not about the House bill but about the Senate bill. I think all of us who played a major role in crafting the bill that was passed, the ag research bill that was passed by the House, were motivated by some primary objectives. One is we have to ensure that the taxpayer dollars which are invested in agriculture research are going to obtain the maximum benefit to all of our society, all members of our economy. I think the bill that we passed made some major improvements to ensure that we will be getting the best return on behalf of the taxpayers. I would also state that many of us are sympathetic and sensitive to the issues in terms of how we will allocate any dollars that might have been saved in the food and nutrition side of this bill.

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But I would also point out that when we look at the major advocates in this country who spend so much time in trying to ensure that the needs of some of the most impoverished of our country will be met are supporting this bill going to conference.

We can look at the Center on Budget and Policy Priorities, who are asking this Congress to vote, yes, to send the bill to conference, the National Council of La Raza, the Food Research and Action Committee, and the Sustainable Agriculture Coalition. We have a broad coalition of people, advocates on behalf of food stamp recipients and advocates on behalf of making the most appropriate investment of research dollars to benefit the ag industry are saying let us send this bill to conference in order that we can develop the compromises and the resolution with the Senate version so that we can bring it back so that we can have a bill that is going to be in the best interests not only of the agriculture sector through increased investments in ag research, but also on the interests of ensuring that we are going to help the most impoverished in our country.

Mr. STENHOLM. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just want to commend the gentleman from Texas (Mr. COMBEST), the gentleman from California (Mr. DOOLEY) for their work in the subcommittee, and the gentleman from Oregon (Mr. SMITH) for his work in bringing us here today, and I urge my colleagues to support this resolution. Let us go to conference and try to work out these issues in the best way that we possibly can for all concerned.

Mr. Speaker, I yield back the balance of my time.

Mr. SMITH of Oregon. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I want to thank the gentleman from Texas (Mr. STENHOLM) and the gentleman from California (Mr. DOOLEY) especially who have been side by side with us in a very cooperative fashion putting together a research program that has not been reauthorized since 1977. So it is time, I think, that we did act and we are acting.

Frankly, Mr. Speaker, we are not guilty of raiding the Committee on Appropriations. We are not guilty of starving children. We are not guilty of making all of these horrible choices. We are guilty of bringing our colleagues a straightforward bill that addresses research in America. And I remind those Members, and we have heard them all, that if there are concerns that they have should this bill survive conference, there would be many chances for them to be heard on this floor. This is not their last opportunity to express their thoughts.

So in the meantime, please help us pass this bill, and let us move forward with research for American agriculture.

Mr. LEWIS of Kentucky. Mr. Speaker, I rise today in support of this resolution, which will move the agriculture research reauthorization bill one step closer to enactment. This resolution strikes the Senate language and moves the House bill to conference.

I would like to thank Chairman SMITH, Chairman COMBEST, ranking member DOOLEY, and

the committee staff for their hard work on this important bill. I am particularly pleased that this bill includes the essential part of legislation I authored: The Precision Agriculture Research, Education, and Information Dissemination Act.

Several new technologies make up precision agriculture. These include global positioning satellites, digital field mapping, grid soil sampling, and the list continues to grow as technologies develop.

If our farmers are to remain the most productive and most efficient growers and producers in the world, precision technology must be made available to them. This technology is just as revolutionary as moving from the horse to the tractor, or from plow to conservation tillage.

Let's not deny our farmers the opportunity to remain the best in the world. Today's vote is just another step in bringing our farmers into the 21st century.

Mr. BISHOP. Mr. Speaker, I rise today to express my support for the House Resolution 365, which would order the House to go to conference with the Senate on the Agricultural Research bill.

The House version of the research bill, HR 2534, which I supported and voted for last year, was a good bill. When we acted on that bill, it did not contain the $1.25 billion food stamp administrative savings contained in the Senate version of the bill.

The issue of how these savings should be divvied up, between nutrition program needs, agricultural research, rural development and crop insurance is the only outstanding issue holding up a good bill from becoming law.

I urge the House to proceed to conference with the Senate and on this bill, in order to settle the differences over this matter. I trust that the goals of all parties can be addressed in conference, and the traditional strong alliance between the agricultural and nutrition programs can be rekindled.

Mr. Speaker, I recently saw first hand the importance of agricultural research at the dedication of the National Environmentally Sound Production Agriculture Laboratory (NESPAL).

This new facility is an exciting addition to the other outstanding research and educational facilities located across southwest Georgia. It is important to our state and, in fact, to the whole country. This is one more reason why that area of Georgia is recognized as a center of cutting-edge agricultural research—the kind of research we must have if we are to meet the awesome challenges in the years ahead.

NESPAL is a shining example of how business, the academic community, and government are working together to achieve the level of scientific research and development needed to sustain agricultural leadership in an increasingly-competitive world.

The Georgia Research Alliance, made up of agribusiness and agricultural and environmental sciences researchers and educators, provided the non-federal funds to match USDA's $3.6 million grant, as well as key leadership support, that gave Georgia the edge in the competition for this facility. This is a great thing for Georgia—but it is just one of many things the Alliance has done to boost research and development in Georgia, including raising $50 million a year to help create new programs and enhance existing ones at Georgia's research universities. The Alliance has played a major part in building the foundation that has made Georgia the number one state in high-tech growth.

Agriculture faces challenges of historic magnitude in the years ahead. For one thing, there will be many more people to feed in the world, and much less arable land to grow the food and fiber they will need. Over the next 50 years, the world's population is expected to jump from the current figure of between 5 and 6 billion people to more than 9 billion—not quite double the current population, but close to it. The land available for planting is already decreasing at an alarming rate as developing countries expand and provide housing for growing populations. As farm land disappears, people throughout the world will continue to destroy timber resources and even rain forests as they try to find the last acre on which they can plant. Without adequate scientific advances, these conditions pose an extremely-dire threat to the world's environmental well-being.

Another factor is the rise in the standard of living which is occurring throughout much of the world, including Southeast Asia and China, where food consumption is already sharply increasing. As income rises, so does the demand for food and fiber—in terms of both quantity and quality.

To meet these demands, the United States will be called upon to increase production three-fold over the next 50 years. If our country is prepared to meet this demand, we have the potential to provide an unprecedented level of prosperity for our farmers and our agricultural economy in general. This is both a responsibility and an opportunity. It is also something that will not be attained easily.

A corn producer, for example, will have to increase per-acre yields from 130 bushels to more than 300 bushels to meet this projected demand. This seems like an insurmountable goal. But current research indicates it can be done. Research projects that are underway in several states are routinely producing yields of 200 bushels an acre—and occasionally yields of more than 300 bushels.

U.S. farmers could not have tripled the country's corn production over the past 60 years, as they have done, if it has not been for the research done by both the public and the private sectors. This is an impressive achievement. But we know it isn't the end of the story. Current research suggests that we have the potential to make even more dramatic gains. We are not there yet—but we can, in fact, develop new and improved ways to meet the needs that are projected for the years ahead.

Without a sufficient investment in research, we will almost surely fail. But, as long as we keep our diverse research efforts going strong, I have no doubt our farmers and agri-businesses will have the tools they need to seize the exhilarating new opportunities that are opening before them as the new century approaches. Thanks to visionary citizens like those in the Alliance, we are headed in the right direction.

One of the things we need to do to fulfill our agricultural potential in an environmentally-progressive way, I believe, is to make greater use of farm materials in the production of industrial goods.

We're talking about making non-food products out of renewable, earth-friendly commodities grown on the farm rather than depletable, environmentally troublesome resources like petroleum.

The number of trailblazing farm utilization companies that are emerging all over the country is rapidly growing—companies that transform soybeans into ink, canola into hydraulic fluid; cotton gin waste into cleansers; beets into a heart transplant medication; corn and potatoes into lubricants, paint and plastic products ranging from packing material to disposable diapers.

Most people know about ethanol, the motor fuel made mostly from corn, which as captured 7 percent of the petroleum market over the past 20 years. But many people are not as aware of the fact that plastic was originally developed from vegetable starches when discovered in the late 1800's. After the turn of the century, it was found that plastic made from petroleum had a big advantage in both quality and cost—and by the end of World War II petro-based plastic had taken over the entire market.

Now, veggie-based plastic is making a comeback. It still costs less to make plastic from petroleum. But research has narrowed the gap, and the demand for the biodegradable kind is increasing. In just the past 15 years, the amount of plastic produced in the U.S. from vegetables has climbed from virtually nothing to more than 100 million pounds a year. While this is just a drop in the bucket compared to the 60 billion pounds of petroplastic produced every year, it represents a secure foothold in the market—a foothold that's growing every year.

Cotton is another example of the country's shift back to farm materials. Cotton production went into a tailspin in the 1950's, when synthetic fabrics that require less ironing took over the market. This changed when researchers developed wrinkle-resistant cotton and cotton-blend fabrics—triggering a new boom for cotton in Georgia and much of the South.

Not coincidentally, I understand some portions of the NESPAL building's floor is covered by linoleum—a farm-based product made from linseed oil.

Two farm utilization companies can be found in the Second Congressional District of Georgia—BioPlus, Incorporated of Ashburn and Scientific Ag Industries of Blakely. Both of these companies are using peanut hulls as their basic resource—buying the hulls for just a few dollars a ton and transforming them into products like cat litter, cleansing absorbents, and activated carbon used in air and water filters that sell for $120 or more a ton.

They are marketing the breakthroughs that came from our research universities, from government, and from their own research efforts. While both are still relatively small companies, with 30 employees or less, their potential for spurring commercial growth in rural areas, while helping improve the environment, is tremendous.

BioPlus and Scientific Ag are improving the environment by diverting many thousands of tons of peanut hulls from landfills. They are also providing a new source of income for farmers and shellers, And, as they become commercially successful, other industrial investors are sure to follow their lead—creating a chain-reaction of new industrial development. BioPlus is already a success. After operating in the red for about eight years, the company turned the corner two years ago and is now earning a nice annual profit. The firm

got substantial start-up advice and assistance from the University of Georgia. More recently, it received federal venture capital to finance the expansion that helped break into the black. Most of all, it did intensive research on its own—acquiring four patents while substantially improving its product and making it more desirable and profitable.

Scientific Ag is the 2-year-old creation of a group of Georgia Tech researchers, who plan to put about as much emphasis on doing research on new industrial uses for farm materials as they do in selling the peanut hull-based activated carbon they have perfected and are producing for sale. This new firm, which has also relied on the country's whole spectrum of research programs, is just now getting to the production stage, and I believe its future is also very promising.

These companies are fairly representative of this whole movement. They are the end result of the partnership between the public and private sectors—that wide range of research programs that are collectively providing the scientific advances and the business assistance that make our farmers and manufacturers competitive in the world.

This is a partnership we must nurture and build upon. It would be catastrophic if we ever let our research infrastructure break down. Inadequate research would be a disaster for our economic future just as it would be for our national defense. If we failed to maintain a lead in military weaponry, you know what would happen—the country's influence would be weakened and our national interests would become more vulnerable throughout the world. If we failed to maintain our economic lead, our position in the world would also be weakened—as would as our standard of living.

Overall, this Ag Research Reauthorization bill strengthens the role of government in ag research—not just in terms of authorizing funds, but by ensuring that the inseparable bond between the public and private sectors involved in ag research is reinforced in the funding formulas themselves.

When we preserve this partnership, we are preserving something that is historic. Early in the nation's history, the federal government got involved in agriculture by collecting seeds from throughout much of the world and distributing them to farmers so they could experiment with new crops. This activity was managed by the Patent Office, which began to expand its farm research role in the 1840's by publishing new discoveries by our farmers for use by other farmers. In 1887, the Hatch Act greatly expanded the federal government's agricultural research activities by setting up the first experiment stations at a number of colleges in the 13 states.

Out of this beginning grew the collaboration that now exists. The private sector is the biggest part of this partnership. But the public contribution is not far behind. According to the National Research Council, private expenditures account for about 57 percent of our agricultural research and government about 43 percent. We need both.

The Georgia Research Alliance does a great job of promoting a sound, responsible, innovative, highly-diversified research infrastructure, and I commend them for what you are doing to enhance the quality of life for everyone. They are certainly doing its part to maintain this partnership, and it is up to us in Congress to make sure the federal government continues to contribute its share.

Government must stand shoulder-to-shoulder with the business and educational communities to produce the healthiest and most abundant food and fiber supply in the world; achieve our potential in agricultural exports and restore the balance of trade; reduce our dependence on oil imports; protect the environment; and keep the country economically secure for our generation and for generations to come.

Mr. Speaker, I encourage my colleagues to join me in sending this bill to conference.

Mr. SMITH of Oregon. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SHAW). The question is on the motion offered by the gentleman from Oregon (Mr. SMITH) that the House suspend the rules and agree to the resolution, H. Res. 365.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SMITH of Oregon. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 365, the resolution just agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

RE-REFERRAL OF EXECUTIVE COMMUNICATION 6736 TO COMMITTEE ON COMMERCE

Mr. SMITH of Oregon. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture be discharged from the consideration of Executive Communication 6736, an Environmental Protection Agency rule on State Implementation Plans under the Clean Air Act, and that Executive Communication 6736 be re-referred to the Committee on Commerce.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair intends to postpone appointment of conferees on S. 1150 until after 5 p.m. today in order to preserve the motion to instruct the conferees.

HOWARD C. NIELSON POST OFFICE BUILDING

Mr. MCHUGH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3120) to designate the United States Post Office located at 95 West 100 South Street in Provo, Utah as the ''Howard C. Nielson Post Office Building,'' as amended.

The Clerk read as follows:

H.R. 3120

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The United States Post Office located at 95 West #100 South in Provo, Utah, shall be known and designated as the ''Howard C. Nielson Post Office Building''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States Post Office referred to in section 1 shall be deemed to be a reference to the ''Howard C. Nielson Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. MCHUGH) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. MCHUGH).

Mr. MCHUGH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the legislation before us was introduced on January 28, 1998, by the gentleman from Utah (Mr. CANNON) and cosponsored by all Members of the House delegation from the State of Utah pursuant to the policy of the Committee on Government Reform and Oversight. This legislation was before the committee on February 12, at which time it was amended to reflect the correct address of the facility. The address of the postal facility in the original bill read 95 West 100 South Street. The committee unanimously passed the bill with an amendment correcting the address to read 95 West Number 100 South.

The amended bill designates the U.S. Post Office located at that location as the Howard C. Nielson Post Office Building.

Mr. Speaker, we have a number of representatives who have cosponsored this bill. I know they will take the opportunity to expound upon Mr. Nielson's great history and his service to this country so, therefore, I would simply note that, as has happened in many occasions in the past, this recipient, I think, reflects very favorably on the kind of individual that we have historically honored with the designation of the United States Postal Service.

Mr. Speaker, I yield 3 minutes to the gentleman from Utah (Mr. CANNON) who has been the prime motivator and mover of this legislation for comments that he might have.

Mr. CANNON. Mr. Speaker, when my office and I considered honoring one of the great Americans who has had an impact not only on my own district, but at the national level, our thoughts turned almost immediately to Howard Nielson.

I approached several of Howard's former colleagues including the gentleman from Virginia (Mr. BLILEY) and the gentleman from Michigan (Mr. DINGELL) the chairman and the ranking member of the Committee on Commerce, on which Howard sat. They wholeheartedly supported this tribute and recalled fond memories.

Elected in 1983 to this great body to be the first to represent my district, the Third District of Utah, after reapportionment, Howard is probably best known as a relentless public servant, a brilliant man who legislates honesty and integrity.

A native of Utah, Howard Curtis Nielson was born on September 12, 1924, in the city of Richfield in Sevier County, Utah. In 1947, after attending Richfield High School, he graduated with a Bachelor of Science from the University of Utah in Salt Lake City. He went on to receive a Master of Science from the University of Oregon at Eugene, and an MBA and Ph.D. from Stanford University in Palo Alto, California.

Howard served in the United States Air Force during World War II. Then, after graduating from the University of Oregon in 1949, Howard accepted a position as a statistician with C&H Sugar. From 1951 until 1957, he worked as an economist at the Stanford Research Institute and then obtained a professorship at Brigham Young University where he taught statistics, economics and business management from 1957 to 1976.

In 1960, Howard became active in politics and after spending 6 years as a district GOP committeeman in Provo, Utah, he was elected to the State House.

Quickly earning a reputation as a man who knew how to read the fine legislative print, Howard became Majority Leader in 1971, and 2 years later was elected Speaker. In this capacity Howard fought hard to see that a State budget surplus was used for tax relief rather than new programs.

When the speakership came to an end, Howard retired from the legislature, but remained active in State politics serving as a party chairman in Utah County from 1979 to 1981.

So, with this background, when Howard was elected to the U.S. House of Representatives, his first assignment was on the Energy and Commerce Committee.

In the 99th Congress, he also secured a position on the Government Operations Committee, and by 1986, was ranking member of the Government Activities and Transportation Subcommittee of this committee.

Most notably, Howard was active throughout these committee assignments on several issues ranging from the deregulation of broadcast, telephone and the natural gas industries, to the commercial interests of the motion picture industry.

Howard was also integral in spotlighting the problem of waste dumping by Amtrak and by focusing on the health consequences he urged the railroad to take corrective measures. At the completion of his fourth term in Congress, Howard decided not to run again. Instead, he and his wife, Julia, moved first to Sidney, Australia, for 18 months and then to Budapest, Hungary, for 2 years where they served as missionaries for the Church of Jesus Christ of Latter-Day Saints.

I am proud to be joined today not only by several of Howard's colleagues here on the floor, but with all of Congress in expressing our gratitude. Those of us who have had the opportunity and privilege of serving with Howard Nielson know him as an honorable man, a good friend, and in the words of Doris Wilson, a friend and former staffer, Howard was a model of what the Founding Fathers envisioned legislators to be.

Both sides of the aisle respected his integrity and willingness to make the tough decisions with fairness to everybody. Today, Howard continues this dedication to his community serving as a member of the Utah State Senate.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I am pleased to join my colleagues in bringing before the House legislation naming United States Post Offices after a number of fine individuals. All of these measures have met the Committee on Government Reform and Oversight cosponsorship requirement and enjoy the support of their respective State congregation national delegations. I am proud that my colleagues have sought to honor such a diverse and distinguished group of people and urge swift adoption of these bills.

Before I yield time, I would like to acknowledge the efforts of the gentleman from New York (Mr. MCHUGH) and his staff, particularly Robert Taub, the new staff director, and the committee counsel for their hard work in moving these measures forward.

I join the gentleman from New York (Mr. MCHUGH) in support of H.R. 3120, legislation introduced by the gentleman from Utah (Mr. CANNON) which designates the United States Post Office located at 95 West 100 South Street in Provo, Utah, as the Howard C. Nielson Post Office Building.

A former Member of Congress elected in 1991 to represent the Third District of Utah, Representative Nielson served on the former Committee on Government Operations during the 99th Congress and on the former House Committee on Energy and Commerce. It must be noted that Representative Nielson, after spending 6 years as a district Republican committeeman in Provo, Utah, became a member of the Utah State House where he was elected Speaker. After serving in Congress and later as a missionary, Representative Nielson has returned to the Utah State legislature. Naming a post office in his hometown is a very fine and fitting tribute to a man who is, once again, representing his neighbors, friends and constituents

Mr. Speaker, I yield such time as he might consume to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

Mr. FALEOMAVAEGA. Mr. Speaker, I do want to thank the gentleman from New York and the sponsor of this bill, the gentleman from Utah, my good friend (Mr. CANNON). I rise today in strong support of H.R. 3120, a bill to designate the United States Post Office in Provo, Utah, as the Howard C. Nielson Post Office. By the time I made it to the House as an elected Member, Congressman Nielson had already established himself as an active member of this body.

His rise to the position as the representative from Utah of the Third Congressional District did not come as a surprise to those who knew him. Prior to coming to Congress, Howard Nielson was elected as Majority Leader of the Utah House, and 2 years later elected to the position of Speaker of the State House of Representatives, and it was from that position that he was elected to the Congress.

As a ranking member of the Government Activities and Transportation Committee, Congressman Nielson played an important role in the National Debate on Transportation, which was going on during that time. And as important to me, Mr. Speaker, his interest in improving the health of our country's American Indians. I want to commend him for his efforts.

To his credit, Mr. Speaker, he continues to serve the public, currently as a member of the Utah State legislature, and I can think of no more fitting tribute to him than to name the United States Post Office in Provo, Utah, after him. I commend, again, my good friend from Utah (Mr. CANNON) for proposing this bill and I urge my colleagues to support this legislation.

□ 1545

Mr. MCHUGH. Mr. Speaker, I yield four minutes to the gentleman from Utah (Mr. HANSEN).

(Mr. HANSEN asked and was given permission to revise and extend his remarks.)

Mr. HANSEN. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, in 1972, I ran for the state legislature, and at the time a gentleman from Provo, Utah, came up to see me to tell me he was running for Speaker of the House. His name was Howard Curtis Nielson. I voted for the gentleman and he became Speaker of the House, and it was a great two years with him.

I was impressed with how well he understood the legislation, how he read the bills, how his knowledge of figures and understanding was awesome. He could come into our caucuses or on the floor, he could come up with figures faster than anyone I ever met, but then I found out he was Dr. Nielson, Professor of Statistics at the BYU, and I could understand that.

As my colleague from Utah talked about, Howard Nielson is a well-educated man, bachelors, masters, doctorate degree. Around here, whenever you wanted to know something on the floor about a bill, you would see Howard Nielson and ask him. He could give you chapter and verse, both sides of the argument, and he was a real resource, and I always noticed a lot of people huddling around him because he had

such a great understanding of what was going on.

I ran for Congress in 1980, and in 1982 Howard Nielson elected to run for Congress, as Utah was reapportioned and we got a third Congressional seat. Howard was successful and served for eight years here. He served on the Committee on Commerce and a few other committees, and was well-known on both sides of the aisle as a man of fairness and integrity and a man who would be helpful to every Member.

He had some funny things happen to him while he was here, as we all do. He loved taking dome tours, and on one occasion he was taking a bunch of BYU students up to the dome, and the place where the door opens and goes up to the roof and goes up, he was the last in line.

Surprisingly enough, the door was open. He walked out on to the top of the Capitol, and the wind blew it shut, and no one knew that he was not with the group. So he started yelling at the police down below, and everyone thought somebody was suicidal up there and was going to jump off the roof of the Capitol. But Howard was written up in all of the papers in America on that little adventure, and, to this day, he still enjoys telling that story.

Howard, after leaving this body at his own volition after eight years, served a mission for the Church of Jesus Christ of Latter Day Saints. In fact he served two missions. And, like Howard, you would expect, he also learned two additional languages, which is one of the things about Utah, there are more bilingual and trilingual people in Utah than anyplace in America, and now Howard joins that group.

I expected he would retire, but Howard is very healthy and very active and has a great mind, and Howard elected to again get back into politics, and ran successfully as a state senator in the State of Utah.

I think it is only fitting and I compliment my colleague from the third district, the gentleman from Utah (Mr. CANNON) for introducing legislation that would give some recognition to a person who truly believes in public service.

If I may wax a little Ecclesiastical, in the Scriptures it says the greatest of all will be the servant of all. In this instance, Howard Nielson, all of his life, as an educator, as a church leader, as a political man, has been a servant of many people; never aspiring to anything for himself, but in helping other people.

So with this humble man, with a great family of seven children and well over 25 grandchildren, it will now be emblazoned in stone that it is the Howard C. Nielson Post Office.

Let me point out one of his sons, Curtis, worked for me for a while, and last year Curtis graduated number one from Chicago law school, which is a real tribute to the Nielsons and to Curtis.

Mr. DAVIS of Illinois. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MCHUGH. Mr. Speaker, I yield myself such time as I may consume.

(Mr. MCHUGH asked and was given permission to revise and extend his remarks.)

Mr. MCHUGH. Mr. Speaker, before I yield back, I would just briefly state that I want to express my appreciation to the gentleman from Illinois (Mr. DAVIS) and all the committee staff members on both the minority and majority side for their efforts. What we heard today is descriptive of really an extraordinary man. I would ask all of my colleagues to support this measure and give a very justified honor to a very special person.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MCHUGH) that the House suspend the rules and pass the bill, H.R. 3120, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: ''A bill to designate the United States Post Office located at 95 West #100 South in Provo, Utah, as the 'Howard C. Nielson Post Office Building'.''

A motion to reconsider was laid on the table.

Mr. COOK. Mr. Speaker, I am pleased to support H.R. 3120, a bill to name the U.S. Post Office in Provo, Utah after my friend Howard C. Nielson. Howard has been active in Provo and Utah politics since 1960. A longtime resident of Provo, he worked his way up from District Voting Chairman to Speaker of the Utah State Legislature. By vocation, a statistician, Howard used his aptitude for numbers to fight for tax relief for Utah citizens during his tenure in the legislature during the 1960s and 1970s. He was well-known for his ability to understand and explain complicated economic and budget documents.

Howard was elected to the U.S. House of Representatives in 1982, where he served four terms. He continued his practice of providing unbiased economic analyses to members on both sides of the aisle. He was always happy to help anyone understand the budgetary and economic legislation that came before Congress. During his time in the House he fought for the Trade Readjustment Act legislation which helped retrain workers who lost their jobs as a result of overseas trade deficits. He highlighted the problem of waste dumping by Amtrak, fought for Indian health care and worked on the deregulation of the broadcast, telephone and natural gas industries.

But, Howard has not confined his efforts to politics. As a professor at Brigham Young University and Dean of the Statistics Department, he has passed along his love of numbers to his students. He is much sought after by think tanks like the Ford Foundation and has worked in places like Lebanon doing economic development studies.

An active member of the Church of Jesus Christ of Latter-day Saints, Howard and his wife have served as missionaries to Australia and Hungary. He is a family man and the proud father of seven children.

It is fitting, therefore, that the U.S. Post Office in Provo, should be named in his honor.

GENERAL LEAVE

Mr. MCHUGH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3120.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

KARL BERNAL POST OFFICE BUILDING

Mr. MCHUGH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2766) to designate the United States Post Office located at 215 East Jackson Street in Painsville, Ohio, as the ''Karl Bernal Post Office Building''.

The Clerk read as follows:

H.R. 2766

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The United States Post Office located at 215 East Jackson Street in Painesville, Ohio, as the ''Karl Bernal Post Office Building''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States Post Office referred to in section 1 shall be deemed to be a reference to the ''Karl Bernal Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. MCHUGH) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. MCHUGH).

(Mr. MCHUGH asked and was given permission to revise and extend his remarks.)

Mr. MCHUGH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2766 was introduced on October 29, 1997, by the gentleman from Ohio (Mr. LATOURETTE), and it is cosponsored by the entire House delegation of the State of Ohio, as required under committee policy. The legislation was unanimously voted out of the committee on February 12, 1998, by a voice vote.

H.R. 2766 honors Mr. Karl Bernal, a civic and community leader in Painesville, Ohio. Mr. Bernal was a life member of the National Association for the Advancement of Colored People.

Mr. Speaker, I will submit for the record a complete statement on the achievements of this very special individual. I know the gentleman from Ohio (Mr. LATOURETTE) and I presume others will want to make further comments upon that.

I think it is worth noting that the Ohio House of Representatives and the Ohio Senate have recognized Mr. Bernal's volunteer work and his work in mental health services.

The gentleman died at the age of 76 after a full life of service to his community. It is worthy of note that the people of Lake County considered Mr. Bernal more than a leader amongst the black community. His obituary stated, ''It would be more accurate to portray him as possibly the most influential person in all the county, without consigning him to a subdivision based on race or other limiting factors.''

Mr. Speaker, I think it is entirely fitting that we designate the Post Office at 215 East Jack Street in Painsville, Ohio, as the Karl Bernal Post Office Building, to honor a man who dedicated his life to his community.

Mr. Speaker, H.R. 2766 was introduced on October 29, 1997 by the gentleman from Ohio, Mr. LATOURETTE, and it is cosponsored by the entire House Delegation of the State of Ohio pursuant to the policy of the Committee on Government Reform and Oversight. The legislation was unanimously voted out by the Committee on February 12, 1998 by voice vote.

H.R. 2766 honors Karl Bernal, a civic and community leader in Painesville, Ohio. Mr. Bernal was a life member of the National Association for the Advancement of Colored People (NAACP). He was probably best known for his two terms as president of the Lake County Branch of the NAACP. Mr. Bernal was founder of the Lake County NAACP Scholarship Program and was a fundraiser for numerous other organizations. He attended the St. James Episcopal Church for many years. He was a member of the Painesville Area Chamber of Commerce and received its Outstanding Citizen of the Year award in 1989. Additionally, he received the distinguished service award of the Lake County Mental Health Board, distinguished service award of Lakeland Community College, the United Way of Lake County's Good Neighbor Award, the United Way of Lake County's Good Neighbor Award, among many other honors. The Ohio House of Representatives and the Ohio Senate recognized Mr. Bernal's volunteer work and for his work in mental health services.

Mr. Bernal died at the age of 76 after a full life of service to his community. People of Lake County consider Mr. Bernal more than a leader among the black community; his obituary stated that "[I]t would be more accurate to portray him as possibly the most influential person in all the country without consigning him to a subdivision based on race or other limiting factors."

Mr. Speaker, it is fitting to designate the post office at 215 East Jackson Street, Painesville, Ohio as the "Karl Bernal Post Office Building" to honor a man who dedicated his life to this community.

Mr. Speaker, I strongly urge our colleagues to support this measure.

Mr. MCHUGH. Mr. Speaker, I yield three minutes to the gentleman from Ohio (Mr. LATOURETTE), who has been the driving force on this particular piece of legislation.

(Mr. LATOURETTE asked and was given permission to revise and extend his remarks.)

Mr. LATOURETTE. Mr. Speaker, I thank the gentleman from New York (Chairman MCHUGH), and also the ranking member of our subcommittee, the gentleman from Pennsylvania (Mr. FATTAH), and his able stand-in, the gentleman from Illinois (Mr. DAVIS), and the chairman of our full committee, the gentleman from Indiana (Mr. BURTON), and also our ranking member, the gentleman from California (Mr. WAXMAN), for allowing this bill to come forward to the floor in such a timely fashion.

Mr. Speaker, as the gentleman from New York (Mr. MCHUGH) stated, Karl Bernal did so much for the community in which I live, and it is more than fitting that his legacy be permanent with the addition of the Karl Bernal Post Office.

Karl Bernal was not one who simply paid lip service to a cause, but rather one who embraced so many causes and did not let go until he had affected some positive change. He was a giant in Lake County, Ohio, and with his passing last May, he is an individual who is sorely missed.

He was active in the Lake County Salvation Army, the United Way, where he was awarded with the Lake County's Good Neighbor Award. He was named the Painesville Chamber of Commerce Outstanding Citizen of the Year in 1989 and the recipient of the Distinguished Service Award from the Lake County Mental Health Board. He received a Distinguished Service Award from Lakeland Community College, and he was also given the Outstanding Pacesetter Award from the Ohio NAACP, and, probably most important to him, he was elected as a member of the Lake County Senior Citizen Hall of Fame.

I only had the pleasure of knowing Mr. Bernal during the last 20 years of his life. As the gentleman from New York (Mr. MCHUGH) stated, he died when he was 76, but his was a rich life, and, through his life, he made the community that I have the honor of representing richer for all of our citizens, and, for that reason, I respectfully ask all of our colleagues to support the naming of this Post Office in his memory, the Karl Bernal Post Office in Painesville, Ohio.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I join the gentleman from New York (Chairman MCHUGH), in support of H.R. 2766, legislation introduced by our colleague, the gentleman from Ohio (Mr. LATOURETTE) designating the United States Post Office located at 215 East Jackson Street in Painesville, Ohio, as the Karl Bernal Post Office Building.

Mr. Bernal, as already noted, although deceased, was in the words of the News Herald Newspaper, truly one of a kind. His notion of civic responsibility was to totally immerse himself in organizations, projects, ventures and good deeds designed to make life better for others.

Mr. Karl Bernal was the recipient of numerous awards attesting to his dedication to his family and community. He received the Distinguished Service Award of the Lake County Mental Health Board, the Outstanding Pacesetter Award of the Ohio NAACP, the Distinguished Citizen Award of the Painesville Chamber of Commerce, and recognition from the Ohio House and Senate for his volunteer efforts.

By all accounts, designating the East Jackson Post Office in honor of Mr. Karl Bernal is indeed only a small token of the appreciation that we can bestow for his efforts to make life better for people throughout his community and throughout the State of Ohio.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MCHUGH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, with a final thank you to the gentleman from Illinois (Mr. DAVIS) and his staff, and also to the gentleman from Ohio (Mr. LATOURETTE), who is not just a sponsor of this bill, but is also a valued member of the Postal Subcommittee, I would urge all my colleagues to support this very worthy designation of an extraordinary man.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MCHUGH) that the House suspend the rules and pass the bill, H.R. 2766.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MCHUGH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2766.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

BLAINE H. EATON POST OFFICE BUILDING

Mr. MCHUGH. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 916) to designate the United States Post Office building located at 750 Highway 28 East in Taylorsville, Mississippi, as the ''Blaine H. Eaton Post Office Building''.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF BLAINE H. EATON POST OFFICE BUILDING.

The United States Post Office building located at 750 Highway 28 East in Taylorsville,

Mississippi, shall be known and designated as the ''Blaine H. Eaton Post Office Building''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States Post Office building referred to in section 1 shall be deemed to be a reference to the ''Blaine H. Eaton Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. MCHUGH) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. MCHUGH).

□ 1600

Mr. MCHUGH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the legislation before us, S. 916, was introduced by the senior Senator from Mississippi, Senator COCHRAN on June 17, 1997, and cosponsored by the junior Senator from Mississippi, the majority leader, Senator LOTT.

On October 9 the measure was called up by unanimous consent, discharging the Senate Committee on Government Affairs. It was considered in the Senate without amendment and passed the same day. The legislation designates the United States Post Office located at 750 Highway 28 East in Taylorsville, Mississippi, be known as the ''Blaine H. Eaton Post Office Building''.

Mr. Speaker, Mr. Eaton started his professional career as a farmer and cotton buyer from Anderson-Clayton Company. He was executive secretary to U.S. Senator James Eastland before joining the U.S. Navy from 1944 to 1946. After returning from World War II he was elected to the Mississippi State House of Representatives, where he served for 12 years. The bills he passed in Mississippi, such as the farm-to-market legislation, are still benefiting the people of that State today.

He left public office in 1958 and became the manager of the Southern Pine Electric Power Association. He was recognized for his outstanding service by the National Rural Electric Cooperative Association and was presented with the Clyde T. Ellis Award for distinguished service and outstanding leadership.

Mr. Eaton retired from his professional career in 1982, but remained active in community service. He taught Sunday school classes for 25 years at the First Baptist Church of Taylorsville, where he was a member until his death in 1995.

Mr. Speaker, here, too, I think we see a very fitting individual, fully deserving of having a United States Post Office Building dedicated to his name. This is a man who, like so many others, represents the values, represents the kind of personal qualifications that all of Americans can look toward with a great deal of honor and a great deal of respect.

I would certainly urge all of my colleagues to join in supporting the entire State delegation, including Mr. Pickering, who is not able to be with us on the floor today, but I can tell you, Mr. Speaker, was very, very instrumental in ensuring full and fast consideration of this bill in the House, and he would urge its passage as well.

Mr. Speaker, the legislation before us, S. 916, was introduced by the Senior Senator from Mississippi (Senator COCHRAN) on June 17, 1997 and cosponsored by the Junior Senator from Mississippi (Senator LOTT). On October 9, 1997, the measure was called up by unanimous consent discharging the Senate Committee on Government Affairs. It was considered in the Senate without amendment and passed the same day. This legislation designates the United States Post Office Building located at 750 Highway 28 East in Taylorsville, Mississippi be known as the ''Blaine H. Eaton Post Office Building''.

S. 916 honors Blaine H. Eaton, a native of Smith County, Mississippi. He attended Jones Junior College in the 1930's and was named Alumni of the Year in 1984. He also attended the University of Mississippi and George Washington Law School.

Mr. Blaine Eaton started his professional career as a farmer and cotton buyer for Anderson-Clayton Co. He was executive secretary to U.S. Senator James O. Eastland before joining the U.S. Navy from 1944 to 1946. After returning from World War II he was elected to the Mississippi State House of Representatives where he served 12 years. The bills he passed in Mississippi, such as the Farm-to-Market legislation, are still benefiting the people of Mississippi today. He left public office in 1958 and became the manager of the Southern Pine Electric Power Association. He was recognized for his outstanding service by the National Rural Electric Cooperative Association and was presented the Clyde T. Ellis Award for distinguished service and outstanding leadership.

Mr. Eaton retired from his professional career in 1982 but remained active in community service. He taught Sunday School classes for 25 years at the First Baptist Church of Taylorsville where he was a member until his death in 1995.

Mr. Speaker, it is a fitting tribute to Blaine H. Eaton to have the U.S. Post Office Building located at 750 Highway 28 East in Taylorsville, Mississippi, named after this extraordinary Mississippian.

Mr. Speaker, I urge our colleagues to support S. 916.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am very pleased to join with the gentleman from New York (Chairman MCHUGH) in support of Senate bill 916, legislation introduced by Senator THAD COCHRAN from Mississippi which names a United States Post Office building in Taylorsville, Mississippi, as the ''Blaine H. Eaton Post Office Building''.

Mr. Eaton, as we have already heard, although deceased, had a very illustrious career. He served in the Navy, the Mississippi State House of Representatives, worked for the Southern Pine Electric Power Association, and was active in many civic organizations, including his church. I think his neighbors and friends continue to remember his long legacy of community service, and S. 916 commemorates Mr. Eaton's public service and dedication to his community, State, and country. Therefore, I am pleased to join in support of this legislation.

Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. PICKERING. Mr. Speaker, thank you for the opportunity to speak on behalf of legislation designating the U.S. Post Office facility located in Taylorsville, Mississippi, as the ''Blaine H. Eaton Post Office Building.''

A native of Smith County, Mississippi, Mr. Eaton attended Jones Junior College from 1932–1934 and was named ''Alumni of the Year in 1984.'' He also attended the University of Mississippi and George Washington Law School.

He began his professional career as a farmer and cotton buyer from Anderson-Clayton Company and in 1942, he became the first executive secretary to former U.S. Senator James O. Eastland (D–MS). Mr Eaton served our Nation in the U.S. Navy from 1944 to 1946. Upon returning home from world War II, he was elected to serve in the Mississippi House of Representatives, and he effectively served the people of Smith County for 12 years. His leadership as chairman of the Highway and Highway Finance Committee resulted in the successful passage of the ''Farm-to-Market'' legislation that is still benefiting Mississippi today as the ''State Aid Road Program.'' After leaving public office in 1958, Mr. Eaton became the manager of the Southern Pine Electric Power Association. His outstanding service and accomplishments were recognized by the National Rural Electric Cooperative Association with the ''Clyde T. Ellis Award'' for distinguished service and outstanding leadership.

Although retiring from his professional career in 1982, Mr. Eaton remained active in community service and enriched the lives of many by volunteering his time and leadership abilities to such organizations as the Lions Club International, the Hiram Masonic Lodge, the Southeast Mississippi Livestock Association, and the Economic Development Foundation. He was also a loyal member of the First Baptist Church of Taylorsville where he taught Sunday School classes for 25 years.

With the death of Blaine Eaton in 1995, our State lost one of its finest citizens. Designating the Taylorsville Post Office as the ''Blaine H. Eaton Post Office Building'' will commemorate the public service of their extraordinary Mississippian who dedicated his life to the betterment of the community and State he loved so much.

Mr. MCHUGH. Mr. Speaker, with a final urging of all our colleagues to support this legislation and give a very fitting tribute to a very fitting person, I would urge its passage.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SHAW). The question is on the motion offered by the gentleman from New York (Mr. MCHUGH) that the House suspend the rules and pass the Senate bill, S. 916.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MCHUGH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 916, the Senate bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

EUGENE J. MCCARTHY POST OFFICE BUILDING

Mr. MCHUGH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2836) to designate the building of the United States Postal Service located at 180 East Kellogg Boulevard in Saint Paul, Minnesota, as the ''Eugene J. McCarthy Post Office Building''.

The Clerk read as follows:

H.R. 2836

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

(a) IN GENERAL.—The building of the United States Postal Service located at 180 East Kellogg Boulevard in Saint Paul, Minnesota, shall be known and designated as the ''Eugene J. McCarthy Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in subsection (a) shall be deemed to be a reference to the ''Eugene J. McCarthy Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. MCHUGH) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. MCHUGH).

Mr. MCHUGH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bill, H.R. 2836, was introduced by the gentleman from Minnesota (Mr. VENTO) on November 6, 1997, and was favorably voted on a voice vote by the Committee on Government Reform and Oversight on February 12. The legislation is cosponsored by the entire House delegation of the State of Minnesota, pursuant to committee policy.

As the Clerk read, Mr. Speaker, this legislation designates the building of the United States Postal Service located at 180 East Kellogg Boulevard in St. Paul, Minnesota as the ''Eugene J. McCarthy Post Office Building''.

Obviously, as we have seen here today, Mr. Speaker, we are accustomed to honor individuals who are fully worthy but often don't have the kind of national reputation for achievement that the subject matter of H.R. 2836 does. Mr. McCarthy has had a long and storied career in government and politics, one that I am sure the gentleman from Minnesota (Mr. VENTO) and others will share with us.

I can only say that clearly this gentleman, who is still in his 81st year and residing here in the Washington area, continues to care about this country and to contribute in very special ways. So I would clearly urge the passage of this bill, and extend my appreciation to the gentleman from Minnesota (Mr. VENTO) and the other members of the entire Minnesota delegation for their work on behalf of this very worthy piece of legislation.

Mr. Speaker. H.R. 2836 was introduced by Representative VENTO on November 6, 1997 and was favorably voted on by voice vote by the Committee on Government Reform and Oversight on February 12. The legislation is cosponsored by the entire House Delegation of the State of Minnesota pursuant to Committee policy.

The legislation designates the building of the United States Postal Service located at 180 East Kellogg Boulevard in Saint Paul, Minnesota, as the ''Eugene J. McCarthy Post Office Building.''

H.R. 2836 honors Eugene J. McCarthy who served as both a U.S. Representative and Senator from Minnesota for more than two decades. Eugene McCarthy was elected to Congress from Minnesota's 4th District in 1948 and served in the House for 10 years. He was then elected to serve in the U.S. Senate, where he served until 1970.

He declared his candidacy for the Democrat nomination for President of the United States in 1968 while he was still in the Senate. He called for an immediate withdrawal of all U.S. troops in Vietnam, the first anti-war candidate.

Mr. McCarthy, now 81, left politics in 1970 and presently resides in Washington, D.C. However, it would be an suitable tribute to have a post office named after him in his home state.

I urge our colleagues to support H.R. 2836.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to join with the gentleman from New York (Chairman MCHUGH) in support of H.R. 2836, legislation introduced by the gentleman from Minnesota (Mr. BRUCE VENTO) which designates the United States Postal Service Building located at 180 East Kellogg Boulevard in St. Paul, Minnesota, as the ''Eugene J. McCarthy Post Office Building''.

Former Senator Eugene J. McCarthy has a unique and distinguished background, both as a leader and public servant. He served as both a U.S. Representative and Senator from the great State of Minnesota for more than two decades and was a candidate for the Democratic nomination for President of the United States in 1968.

The gentleman from California (Mr. HENRY A. WAXMAN), the ranking minority member of the Committee on Government Reform and Oversight, and I are pleased to honor this great political leader, and thank the gentleman from Minnesota (Mr. VENTO) for sponsoring legislation naming a post office in downtown St. Paul, Minnesota, after Senator McCarthy.

Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota (Mr. VENTO).

(Mr. VENTO asked and was given permission to revise and extend his remarks.)

Mr. VENTO. Mr. Speaker, of course, I rise in support of the bill that enjoys the support of the Minnesota delegation and I daresay the resounding support of this Congress and of this Nation for the outstanding service that Senator and Representative Gene McCarthy provided to our Nation.

Mr. Speaker, Gene McCarthy started out in a rural county in Minnesota, Meeker County, in the small town of Watkins, Minnesota. From there, with a good education, a public education, he went on to St. John's College a renowned education institution in our State. He eventually taught public school in Minnesota and in North Dakota, and from that background went on to teach at St. John's College, where he had attended, and at St. Thomas in St. Paul, both in economics and sociology and literature.

Of course, from St. Paul he went to the United States Congress and in 1958 to the United States Senate, and to national prominence and electrifying this Nation in terms of the issues of social justice and many other problems that faced our Nation.

Of course, one of the outstanding characteristics of Gene McCarthy was his wit and wisdom. He sort of had little patience for those of us in politics, who took ourselves so serious, there was a great deal of self-deprecating humor that characterized his statements. He said, ''Being in politics is like being in a football game. You have to be smart enough to know the game and stupid enough to think it is important.''

Mr. Chairman, on a more serious vein, though, I think that Gene McCarthy, in his work in public service and his role as an educator, really there is another story and side to him. That is the story that is told that Senator McCarthy stated that ''Politics is the responsibility of everyone. If you don't do politics, someone else will do it for you.'' That view, I think, is more characteristic and an insight into this renowned American.

Mr. Speaker, I remember as a young student, I believe it was at St. Patrick's grade school, I was raised Irish, they tried as hard as they could with me, it didn't always work, Mr. Speaker, but the fact was I was a pretty good Irish tenor at that point.

I remember reading my Catholic Messenger at St. Paul's. On the front of the Messenger was this profile of a young new congressman from Minnesota that I was reading about. I can't remember if it was in the late forties or early fifties.

But I remember how we all, at that time, looked up to him because obviously coming from a Scandinavian State, a State in which we weren't always probably very successful, either Irish or Italians, in terms of getting elected to public office in the 1940's and 1950's clearly Gene McCarthy's aspiration motivated us then and now.

But, clearly, he epitomized and set for a generation of Americans a great motivation to be involved along with others that he worked with, including the Bobby Kennedys and of course his great support from Minnesota and his fellow Senator, Senator Hubert H. Humphrey, of course, who went on to be Vice President and who of course the high profile, the great competition between these two Minnesota son's for many years.

But I am very pleased to have had the support that I have here today for this measure to recognize, actually, the work of Senator McCarthy, and especially for his leadership in his Nation and for his work in terms of expression, both in the manner in which he has conducted his life and the impact that he has left on this Congress, nation and world yesterday and most importantly today.

A few of us, when we leave these hallowed halls, this Chamber, can point to the types of achievements and the mark that he has made inside this Congress and in this country and in this world. We wish him well. He has been, as most Members know, not well these past days. But we trust that his fighting spirit will prevail.

I hope and trust my colleagues will support this measure. I look forward to its passage in the Senate as it has the sponsorship of both of our United States Senators from Minnesota, and to designate this building on Kellogg Boulevard, another good name, Kellogg, one of our Supreme Court Justices from Minnesota, Mr. Speaker, but to designate this important art deco postal building in Gene J. McCarthy's honor.

I thank my colleagues, especially the gentleman from New York (Mr. MCHUGH), for his consideration and that of the committee and the ranking member for their support in this manner.

Eugene McCarthy was a teacher in the public schools in Minnesota and a Professor at St. John's University in Collegeville, Minnesota. He was also an instructor of Economics at the College of St. Thomas in St. Paul and a distinguished author of numerous books on subjects ranging from children's literature to history and most renowned for his poetry.

The State of Minnesota is the home of many great leaders, however, few have touched as many lives as Minnesota's Eugene McCarthy. Senator McCarthy is a tireless leader and throughout his recent illness that many of us have followed, Gene's fighting spirit persists. Therefore I, as well as, the Minnesota delegation and the people of the great State of Minnesota want to honor the accomplishments and service of this historic Minnesota leader from the area of St. Paul, Minnesota that catapulted him onto the national stage and into the U.S. Congress.

I would like to express my thanks to the Chairman and Ranking Member of the Committee on Government Reform and Oversight, as well as, the Chairman and Ranking Member of the Subcommittee on Postal Service for their support in moving this legislation promptly in through the committees.

I urge the support of all my colleagues regarding this legislation.

Mr. MCHUGH. Mr. Speaker, I have no further requests for time. And with a final thank you to the gentleman from Minnesota (Mr. VENTO) for his hard work on this measure and of course the support of the gentleman from Illinois (Mr. DAVIS) and the entire minority, we would urge our colleagues to adopt this legislation and honor a very remarkable man in this country's history and one who is extraordinarily deserving of the honor contemplated in this bill, and urge its passage.

Mr. DAVIS of Illinois. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MCHUGH. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MCHUGH) that the House suspend the rules and pass the bill, H.R. 2836.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MCHUGH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 2836, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

DANIEL J. DOFFYN POST OFFICE BUILDING

Mr. MCHUGH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2773) to designate the facility of the United States Postal Service located at 3750 North Kedzie Avenue in Chicago, Illinois, as the ''Daniel J. Doffyn Post Office Building''.

The Clerk read as follows:

H.R. 2773

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

(a) IN GENERAL.—The facility of the United States Postal Service located at 3750 North Kedzie Avenue in Chicago, Illinois, shall be known and designated as the ''Daniel J. Doffyn Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States Post Office building referred to in subsection (a) shall be deemed to be a reference to the ''Daniel J. Doffyn Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. MCHUGH) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. MCHUGH).

Mr. MCHUGH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2773 was introduced by the gentleman from Illinois (Mr. BLAGOJEVICH) on October 30, 1997. The measure is cosponsored by the House delegation, the State of Illinois, pursuant to the policy of the Committee on Government Reform and Oversight.

□ 1615

The committee unanimously voted to favorably pass this measure by voice vote on February 12. As the Clerk has designated, Mr. Speaker, this bill would seek to name the facility of the United States Postal Service located at 3750 North Kedzie Avenue in Chicago, Illinois, to be known as the Daniel J. Doffyn Post Office Building.

Mr. Speaker, this legislation honors a very young man of 40 years old, a Chicago police officer who was shot to death by gang members while investigating a routine burglary call. His life, his career is really one that I think exemplifies the sacrifices that police officers across this land make on our behalf each and every day; make on our behalf, rarely thinking of the consequences to their own lives, but simply wishing to be of help and of assistance to their communities.

Mr. Speaker, this is a special bill. I feel all of these pieces of legislation are, but this one particularly in that it honors a law enforcement officer and, therefore, it honors all law enforcement officers who have been killed in the line of duty. We are, indeed, irrevocably indebted to these brave men and women who try, at risk of their lives, simply to make our lives better.

Mr. Speaker, I would like to pay tribute to the gentleman from Illinois (Mr. BLAGOJEVICH) for his work on behalf of an extraordinarily brave person, and I certainly urge my colleagues to endorse this measure unanimously in support of a very, very worthy individual.

Mr. Speaker. H.R. 2773 was introduced by the gentleman from Illinois, Mr. BLAGOJEVICH, on October 30, 1997. The measure is cosponsored by the House Delegation of the State of Illinois, pursuant to the policy of the Committee on Government Reform and Oversight. The Committee unanimously voted to favorably pass this measure by voice vote on February 12.

H.R. 2773 designates that the facility of the United States Postal Service located at 3750 North Kedzie Avenue in Chicago, Illinois, be known as the ''Daniel J. Doffyn Post Office Building''.

Mr. Speaker, this legislation honors Daniel J. Doffyn, a 40-year-old Chicago police officer

who was shot to death by gang members while investigating a routine burglary call. Officer Doffyn's long time dream was to be a police officer. That opportunity came just eight months before he was killed.

Mr. Speaker, this is a special bill—it honors a law enforcement officer and, therefore, it honors all law enforcement officers who have been killed in the line of duty. We are indebted to these brave men and women who try, at the risk of their lives, to bring order to disorderly situations.

An estimated 2,000 police officers traveled from neighboring states and as far away as New York to mourn Officer Doffyn's untimely death and attend his funeral in Chicago. He received the Police Medal of valor for his ultimate sacrifice. His survivors include his 8-year-old daughter, Brittany and his parents.

Mr. Speaker, I commend the gentleman from Illinois for introducing this important legislation and urge our colleagues to support the measure.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, again, I am pleased to join with the gentleman from New York (Mr. MCHUGH) in support of H.R. 2773, legislation which has been introduced by the gentleman from Chicago, Illinois, (Mr. BLAGOJEVICH), which would designate the post office located at 3750 north Kedzie Avenue in Chicago, Illinois, as the Daniel J. Doffyn Post Office.

The gentleman from Illinois (Mr. BLAGOJEVICH), himself a champion of the promotion of public safety, is indeed to be commended for seeking to honor a slain Chicago police officer, Daniel Doffyn, who was killed in the line of duty.

Officer Doffyn, shot in 1995 while investigating a routine burglary, left behind his parents, Roger and Lea Doffyn, and his daughter, Brittany.

I also would associate myself with the remarks made by Chairman MCHUGH when he suggested that we do all of ourselves an honor when we pay tribute and give honor to those who, on a daily basis, serve and protect and give their best so that the rest of us can enjoy safe lives and safe communities.

Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. BLAGOJEVICH) who introduced this legislation.

(Mr. BLAGOJEVICH asked and was given permission to revise and extend his remarks.)

Mr. BLAGOJEVICH. Mr. Speaker, I thank the gentleman from New York (Mr. MCHUGH) very much for his kind remarks and his support for this effort. I also thank the gentleman from Illinois (Mr. DAVIS) for his kind remarks and his support.

Mr. Speaker, I am pleased to rise today to support a bill I introduced last year to designate the post office located at 3750 north Kedzie Avenue in my Congressional District in Chicago as the Daniel J. Doffyn Post Office Building.

As required under House rules, and as the gentleman from New York mentioned moments ago, this bipartisan bill has been cosponsored by all 19 members of the Illinois House Congressional Delegation.

Mr. Speaker, I am pleased also that the House is taking up this measure today because this legislation is designed to honor a very special man: Chicago police officer Daniel J. Doffyn, a man who gave his life protecting and serving his neighbors and who exemplified the values of honor, heroism and community service that make us all proud.

On the afternoon of March 8, 1995, Daniel J. Doffyn, then a 40-year-old rookie police officer, and his partner, Officer Michael Bubalo, had just finished their regular shift when they answered a burglary call in the Austin Police District of the City of Chicago. In the course of investigating what appeared to be a routine call, both officers were suddenly fired upon by gun-wielding gang members, who believed that the officers were there to arrest them.

In the course of the gun battle, Officer Bubalo and Officer Daniel J. Doffyn were seriously wounded. Officer Doffyn later passed away at the hospital from wounds he received in that gunfight. He left behind an 8-year-old daughter, Brittany, and two loving parents, Roger and Lea Doffyn. He received the police Medal of Valor for his ultimate sacrifice.

Daniel Doffyn was a model of what a public servant ought to be. He worked hard his entire life, but never really found a job he liked completely until he became a Chicago police officer. Serving and protecting the citizens of Chicago was a job that Officer Doffyn performed with distinction. He was known by people who knew him as a wonderful father, a caring man, and as fine a person as anyone could hope to know.

While I realize it is not common for Congress to designate a post office for a slain law enforcement officer, I hope that my colleagues will agree that in this case it is an appropriate honor and a fitting testament to the bravery and heroism of Officer Doffyn and to the thousands of brave men and women who work every single day in law enforcement to keep our families and our communities safe.

Mr. Speaker, I would like again to express my sincere appreciation to the gentleman from New York (Mr. MCHUGH), to the gentleman from Illinois (Mr. DAVIS) to the gentleman from Maryland (Mr. FATTAH) and also to the gentleman from Indiana (Mr. BURTON), chairman of the full committee, for bringing H.R. 2773 to the floor, and I urge my colleagues to support this very worthy tribute.

Mr. Speaker, having no further speakers, I yield back the balance of my time.

Mr. MCHUGH. Mr. Speaker, as I indicated, I do not have any further requests for time. I would again extend my appreciation to the gentleman from Illinois (Mr. BLAGOJEVICH) for his hard work on behalf of this very, very worthy tribute to a gentleman who represents the very best of what is good in America today, and I urge its unanimous passage.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MCHUGH) that the House suspend the rules and pass the bill, H.R. 2773.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MCHUGH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill just passed, H.R. 2773.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

LARRY DOBY POST OFFICE

Mr. MCHUGH. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 985) to designate the post office located at 194 Ward Street in Paterson, New Jersey, as the ''Larry Doby Post Office''.

The Clerk read as follows:

S. 985

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

Congress finds the following:

(1) Larry Eugene Doby was born in Camden, South Carolina, on December 12, 1923, and moved to Paterson, New Jersey, in 1938.

(2) After playing the 1946 season in the Negro League for the Newark Eagles, Larry Doby's contract was purchased by the Cleveland Indians of the American League on July 3, 1947.

(3) On July 5, 1947, Larry Doby became the first African-American to play in the American League.

(4) Larry Doby played in the American League for 13 years, appearing in 1,533 games and batting .283, with 253 home runs and 969 runs batted in.

(5) Larry Doby was voted to 7 all-star teams, led the American League in home runs twice, and played in 2 World Series. He was the first African-American to play in the World Series and to hit a home run in a World Series game, both in 1948.

(6) After his stellar playing career ended, Larry Doby continued to make a significant contribution to his community. He has been a pioneer in the cause of civil rights and has received honorary doctorate degrees from Long Island University, Princeton University, and Fairfield University.

SEC. 2. DESIGNATION OF LARRY DOBY POST OFFICE.

(a) IN GENERAL.—The post office located at 194 Ward Street in Paterson, New Jersey,

shall be known and designated as the ''Larry Doby Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the post office referred to in subsection (a) shall be deemed to be a reference to the ''Larry Doby Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. MCHUGH) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. MCHUGH).

Mr. MCHUGH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 985 was introduced by the junior Senator from New Jersey, Senator TORRICELLI, on June 27, 1997, and referred to the Committee on Government Reform and Oversight.

On October 9, the committee discharged the measure by unanimous consent and it was laid before the Senate by unanimous consent. The Senate agreed to an amendment and S. 985, as amended, passed the Senate. The House received the legislation on October 21, and it was referred to the House Committee on Government Reform and Oversight. The committee unanimously passed S. 985 on voice vote on February 12.

Mr. Speaker, I would like to bring to your attention that the gentleman from New Jersey (Mr. PASCRELL) introduced similar legislation, H.R. 2116, on June 8, 1997, which was cosponsored by the Members of the House delegation from the State of New Jersey, pursuant to the committee policy, and 45 other Members of Congress.

S. 985 honors Larry Doby, the first African-American to play in the American League. Mr. Speaker, Larry Doby was born in Camden, South Carolina, but moved to Paterson, New Jersey, with his mother when he was 8 years old. So I think we can understand why the great people of the great State of New Jersey take great pride in the fact of calling Mr. Doby a resident of their State.

He was a gentleman who obviously excelled in sports while in high school and attended Long Island University briefly on a basketball scholarship before he heard his Nation's call in another way and went into service in the Navy.

Mr. Speaker, after World War II ended, he returned to play for the Negro League Newark Eagles and there history truly began. His was a storied career; one of high achievement; one of playing as the first African-American on a world championship team, helping the Indians to that championship victory. He later played 13 seasons in the majors with the Cleveland Indians, the Chicago White Sox and the Detroit Tigers. He had a career average of .283 with 253 home runs.

Mr. Speaker, Larry Doby, by any measure, had a remarkable career in baseball. But he had placed upon him an additional challenge, one of his ethnic background. Many of us think, very rightfully so, of the incredible achievements of Jackie Robinson, the first African-American to play in the major leagues, and some of us very incorrectly somehow assume at times that after Jackie Robinson, everything was easy. That was anything but the case and Larry Doby, in his own way, took on that challenge in every bit as an effective fashion as the great Jackie Robinson, and I know they consider each other as colleagues and co-pioneers in doing some remarkable things.

The designation of this post office, I think, is a very, very fitting tribute to a remarkable man with a remarkable career, facing equally remarkable challenges. And I would urge all of my colleagues to unanimously join in passing this worthy piece of legislation.

Mr. Speaker, I would again thank the gentleman from New Jersey (Mr. PASCRELL) for his efforts in working with his colleagues in the Senate in bringing this bill to the floor here today.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to join with Chairman MCHUGH in support of Senate Bill 985, legislation which was introduced by Senator ROBERT TORRICELLI of New Jersey, which designates the post office located at 154 Ward Street in Paterson, New Jersey, as the Larry Doby Post Office.

Mr. Speaker, I must confess that growing up I was a Brooklyn Dodger fan, and Jackie Robinson, Don Newcombe, Roy Campanetta, Junior Gilliam, Pee Wee Reese, Carl Furillo, Andy Pafko and all of those were my main men. But I agree with the gentleman from New Jersey (Mr. PASCRELL) sponsor of an identical House bill, H.R. 2116, when he stated that Larry Doby is an exceptional man and athlete. Of course, the first African-American to play baseball in the American League. Larry is the only black major leaguer from 1947 still alive.

As we have heard, he was born in Camden, South Carolina. Larry Doby moved with his mother to Paterson, New Jersey. He starred in four sports in high school, a real feat, and attended Long Island University on a basketball scholarship before enlisting in the Navy.

After World War II, he played for the Negro League, the Newark Eagles, with a batting average of .458, that is, until the Cleveland Indians owner, Bill Veeck, signed him up. Larry played 13 seasons in the majors: Cleveland Indians, Chicago White Sox and Detroit Tigers, with a career batting average of .283 with 253 home runs.

But Larry Doby was more than an athlete, more than a player. He was, indeed, a leader and was tagged and tapped to become the manager of the Chicago White Sox in 1978, becoming only the second African-American manager in the major leagues. He has not yet been elected to the Baseball Hall of Fame, and I certainly do not know why. But I am indeed pleased to join with Senator TORRICELLI and the gentleman from New Jersey (Mr. PASCRELL) to commend Larry Doby. And, Mr. Speaker, I commend the gentlemen for their foresight and for giving an honor to this great American.

Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. PASCRELL).

□ 1630

Mr. PASCRELL. Mr. Speaker, I thank the gentleman for yielding me this time.

I want to begin by thanking the members of the Committee on Government Reform and Oversight and, in particular, the distinguished Subcommittee on Postal Service chairman, the gentleman from New York (Mr. MCHUGH); the ranking member, the gentleman from Pennsylvania (Mr. FATTAH); and the gentleman from Illinois (Mr. DAVIS) for their assistance in bringing this bill to the floor.

I would also like to thank my colleagues from New Jersey, each of whom is cosponsor of this legislation, and Senator TORRICELLI, the sponsor of the bill on the Senate side.

I think it is more than appropriate, Mr. Speaker, that we bring this bill to the floor today as we are in the midst of celebrating Black History Month. Few people are more deserving than Larry Eugene Doby to be honored by this Congress during this Black History Month.

The impact Larry Doby had on the integration of professional baseball should not be underestimated or diminished. As the first African American to play in the American League, and only the second African American to play in the major leagues, Larry Doby is in no small part responsible for opening doors for thousands upon thousands of African American ball players.

After playing in 1946 in the Negro League for the Newark Eagles, Larry Doby's contract was purchased by the Cleveland Indians of the American League on July 3rd, 1947. Two days later, on July 5th, he became the first African American to play in the American League. Larry Doby's debut came 11 weeks after that of Jackie Robinson in Brooklyn for the Brooklyn Dodgers.

Many have discounted his achievement on the basis that he was not the first African American but rather the second. That, I think, is foolish. In fact, there is much reason to believe that what Larry Doby did was more special because he was second.

He stepped onto the field at a time when Jackie Robinson, a man who would be a great Major League baseball player, was struggling to find his game, struggling to the point that many wondered whether or not he would make it. Robinson's struggles could have been more than enough to keep other African Americans from seizing the opportunity to integrate the American

League, but not Larry Doby. He was a very special, special person.

We honor him not only for his feats in professional baseball but this is truly a family man, a large family, a great family, an extended family. This is what Larry Doby was about. Not only in Cleveland, not only where he came from, Paterson, New Jersey, but all of northern Jersey and New Jersey knew of his feats. The silk city.

Mr. Speaker, Larry Doby was from another time but very appropriate to our time. Today, when professional athletes hold up sneakers made in foreign lands with less than reasonable wages, we think of Larry Doby and his professionalism and his character that he brought to the field and off the field.

Mr. Speaker, he is a special person because he loved children; still, to this day, working with them in his own community of Montclair, which is a few miles from Paterson, New Jersey.

The naming of this post office is very fitting, very apropos. It should make us think about sports, which is all around us today. Every time we turn to the tube or turn to our own children or our children's children, it is around us and we are submerged. But that athlete, and particularly Larry Doby, was an individual who made sports more than a profession. He made sports his life.

And, yes, he helped integrate the sport. But as significant as that was, he helped elevate the character of what it was to be in professional sports. He is a very special person, very special indeed. Not only as a long-time resident of our State, the silk city slugger has certainly been a hero to everyone. Naming this post office will not only be an appropriate honor for Larry Doby, it is an honor for the people of Paterson. From another time, perhaps, Mr. Speaker, but appropriate for our time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume to thank the gentleman from New York (Mr. MCHUGH), the chairman, and the gentleman from Pennsylvania (Mr. FATTAH), the ranking member, for their leadership in bringing all of these bills to the floor for consideration today. I think, as usual, they have done a magnificent job; and I certainly appreciate their efforts.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, today we pay tribute to Larry Doby. More than just a good professional baseball player, Mr. Doby was the first African American to play for the American League Cleveland Indians.

Like his counterpart Jackie Robinson playing for the National League Brooklyn Dodgers, Larry Doby proved to any doubting fan of the game that baseball's color barrier had nothing to do with ability and heart and everything to do with ignorance and fear.

The American men who played for the Negro Leagues should be commended for their grace and grit, showing world class athleticism to a country still coming to terms with race. In spite of being kept from the Major League teams, the men of the Negro Leagues, men like Jackie Robinson, Larry Doby and Satchel Page, played the game just as well as their white counterparts, men like Babe Ruth, Joe DiMaggio, and Stan Musial.

Larry Doby played for the Newark Eagles in my home state of New Jersey. There is another man I would like to mention who played for the Eagles, and his name is John Drakeford. Although Mr. Drakeford played for the Eagles long after Larry Doby departed, his role as a player in the Negro Leagues should not be forgotten. John Drakeford loved the game as much as any Major League baseball player and showed it every time he took the field. His son, Theodore Drakeford, works in my district office in Long Branch. Theodore talks proudly of his dad, his uncle Steve Stephenson who played alongside John Drakeford, as well as his grandfather, John Stephenson, who played for the Philadelphia Hilldales. John Stephenson was an All-Star second baseman and played when Doby played.

Men like John Stephenson, Steve Stephenson, John Drakeford and Larry Doby not only contributed to America's pastime by playing good baseball, but also provided a valuable lesson to America's understanding of race. They showed us all that arbitrary labels and discriminatory barriers can do nothing to weaken the heart of a champion.

Mr. MCHUGH. Mr. Speaker, I yield myself such time as I may consume and echo the words of the gentleman from New Jersey (Mr. PASCRELL) and note the very worthy individual we are about to honor on this last piece of legislation and urge its unanimous acceptance by the body.

I would also like to return the very gracious remarks of the gentleman from Illinois (Mr. DAVIS) and also extend my deep appreciation to him, to the gentleman from Pennsylvania (Mr. FATTAH), the entire membership on the minority side of the subcommittee, and the staff who have worked with us to bring these six bills to the floor and, in anticipation of passage of the final one, for a fairly successful afternoon.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SHAW). The question is on the motion offered by the gentleman from New York (Mr. MCHUGH) that the House suspend the rules and pass the Senate bill, S. 985.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MCHUGH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 985, the Senate bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

INCREASED MANDATORY MINIMUM SENTENCES FOR CRIMINALS POSSESSING FIREARMS

Mr. MCCOLLUM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 424) to provide for increased mandatory minimum sentences for criminals possessing firearms, and for other purposes, as amended.

The Clerk read as follows:

H.R. 424

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MANDATORY PRISON TERMS FOR POSSESSING, BRANDISHING, OR DISCHARGING A FIREARM OR DESTRUCTIVE DEVICE DURING A FEDERAL CRIME THAT IS A CRIME OF VIOLENCE OR A DRUG TRAFFICKING CRIME.

Section 924(c) of title 18, United States Code, is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (5) and (6), respectively; and

(2) by striking paragraph (1) and inserting the following:

''(1) A person who, during and in relation to any crime of violence or drug trafficking crime (including a crime of violence or drug trafficking crime which provides for an enhanced punishment if committed by the use of a deadly or dangerous weapon or device) for which the person may be prosecuted in a court of the United States—

''(A) possesses a firearm in furtherance of the crime, shall, in addition to the sentence imposed for the crime of violence or drug trafficking crime, be sentenced to imprisonment for 10 years;

''(B) brandishes a firearm, shall, in addition to the sentence imposed for the crime of violence or drug trafficking crime, be sentenced to imprisonment for 15 years; or

''(C) discharges a firearm, shall, in addition to the sentence imposed for the crime of violence or drug trafficking crime, be sentenced to imprisonment for 20 years;

except that if the firearm is a machinegun or destructive device or is equipped with a firearm silencer or firearm muffler, such additional sentence shall be imprisonment for 30 years.

''(2) In the case of the second or subsequent conviction of a person under this subsection—

''(A) if the conviction is for possession of a firearm as described in paragraph (1), the person shall, in addition to the sentence imposed for the crime of violence or drug trafficking crime involved, be sentenced to imprisonment for not less than 20 years;

''(B) if the conviction is for brandishing a firearm as described in paragraph (1), the person shall, in addition to the sentence imposed for the crime of violence or drug trafficking crime involved, be sentenced to imprisonment for not less than 25 years; or

''(C) if the conviction is for discharging a firearm as described in paragraph (1), the person shall, in addition to the sentence imposed for the crime of violence or drug trafficking crime involved, be sentenced to imprisonment for not less than 30 years;

except that if the firearm is a machinegun or destructive device or is equipped with a firearm silencer or firearm muffler, the person shall, in addition to the sentence imposed for the crime of violence or drug trafficking crime involved, be sentenced to life imprisonment.

''(3) Notwithstanding any other provision of law, the court shall not impose a probationary sentence on any person convicted of a violation of this subsection, nor shall a term of imprisonment imposed under this subsection run concurrently with any other term of imprisonment including that imposed for the crime of violence or

drug trafficking crime in which the firearm was used.

''(4) For purposes of this subsection, the term 'brandish' means, with respect to a firearm, to display all or part of the firearm so as to intimidate or threaten, regardless of whether the firearm is visible.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MCCOLLUM) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. MCCOLLUM).

GENERAL LEAVE

Mr. MCCOLLUM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 424, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MCCOLLUM. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today we take an important step in the battle against firearm violence in America. With the bill that we have before us, this House will send a clear message to violent predators that the criminal use of guns will not be tolerated.

Criminals who use firearms to commit violent crimes and drug trafficking offenses are demonstrating the ultimate indifference to human life. The risks for law enforcement and the potential for harm to innocents are dramatically increased when criminals wield guns. Criminals who carry guns while committing serious crimes are making a clear and unequivocal statement to the world: I will hurt you or kill you if you get in my way. Such persons should be punished severely, and that is what this legislation will ensure.

Why do we need this bill so desperately? We need it because three young Starbucks employees were shot in execution style in Georgetown, very near Washington, DC, simply because, as police now believe, the manager could not open the safe in the back office. We need it because dedicated law enforcement officers across the country are being gunned down for the mere thrill of the kill. And unless we make it the law of the land that criminal gun use will put you in prison for a long, long time, we and all of our loved ones will continue to remain in grave danger any time some young thug decides to pull the trigger. For the time being, Congress must look at the laws as they exist and should intervene now.

Mr. Speaker, consider these frightening facts: The National Institute of Justice released a study earlier this year in which arrestees in 11 major urban areas across the country were interviewed regarding their propensity for gun use. Thirty-seven percent of all arrestees admitted to owning a gun. Even more astonishing and terrifying for the country is that a whopping 42 percent of admitted drug sellers and 50 percent of admitted gang members further confessed to using a gun to commit a crime. Mr. Speaker, these are just the ones that are willing to admit to such criminal behavior.

H.R. 424 amends section 924(c) of Title 18 of the United States Code. Currently, that section allows for additional time in prison for any person who ''uses or carries'' a firearm during and in relation to the commission of a Federal crime of violence or drug trafficking crime. Section 924(c) is a very significant and frequently used tool for Federal criminal prosecutors. According to the U.S. Sentencing Commission, there were 10,576 defendants sentenced from 1991 to 1996 under this section.

In December of 1995, the Supreme Court significantly limited the effective use of this Federal statute. The court held in the case of Bailey v. United States that in order to receive the penalty enhancement for use of a firearm under section 924(c), the government must demonstrate ''active employment'' of the firearm. In so stating, the Supreme Court overturned the Justice Department's long-standing practice of applying this penalty to dangerous criminals whose firearms further or advance their criminal activities.

The impact caused by the Bailey decision was immediate. Federal prosecutors have been less able to utilize this section of the code. Moreover, drug dealers and other bad actors have been successful in having their convictions overturned on the basis of erroneous jury instructions regarding the ''use'' prong of the ''use or carry'' test.

It is important to note the court observed in Bailey if Congress had intended possession alone to trigger liability under the statute it could have so provided. This legislation thus clarifies Congress' intent as to the type of criminal conduct which should trigger the statute's application.

The bill passed out of committee strikes the now unworkable ''use and carry'' element of the statute and replaces it with a structure that allows a penalty enhancement for ''possessing, brandishing or discharging'' a firearm during and in relation to a Federal crime of violence or drug trafficking crime. Possessing will result in a 10-year mandatory sentence, brandishing will bring 15 years, and discharging will lead to a mandatory 20 years in Federal prison. The legislation retains current law which allows for higher penalties for machine guns, destructive devices, firearm mufflers and firearm silencers.

For those who ask whether this bill will unintentionally affect someone who merely possesses a firearm in the general vicinity of a crime or someone who might use a gun in self-defense, the answer is no. The government must prove that the gun furthered or was used during and in relation to the commission of a Federal violent crime or drug trafficking offense. In other words, the government must prove as an element of the offense that the person with the gun committed a Federal drug or violent crime.

A bill containing nearly identical provisions to H.R. 424 passed the House in the last Congress and this proposal was included in the Contract With America. The gentlewoman from North Carolina (Mrs. MYRICK) introduced this legislation during the first days of the 105th Congress, and I am very grateful to her for her continued dedication to ensuring the passage of this legislation.

Section 924(c) is a critical tool in our fight against gun-toting criminals. The Supreme Court's Bailey decision has put this issue squarely in Congress' lap, and we must act before more violent criminals escape accountability for their life-threatening conduct. Certainly this bill is tough, but I believe it is exactly what we need in response to the menacing threat of vicious gun crimes.

When someone possesses a gun in a crime of violence that is a Federal crime or a crime of drug trafficking, that is a Federal drug-trafficking crime, that person should get an additional, on top of whatever the underlying crime is, 10-year mandatory sentence. Lock them up for that period of time and throw away the key. That is an incredibly strong deterrent message. If they are going to brandish or point that gun at somebody, they should get the 15 years additional mandatory sentence on top of the underlying crime. And, by golly, if they pull the trigger under this bill, they should get an additional 20-year mandatory sentence for pulling the trigger as well as possessing the gun.

The administration has no problem with this legislation, and the Fraternal Order of Police endorses this bill. I am very pleased that we are here today offering it and supporting it.

Mr. Speaker, I reserve the balance of my time.

□ 1645

Mr. SCOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I oppose this legislation for several reasons, the most important of which is the fact that the penalties are out of proportion to the crimes committed. Let us compare these penalties to the penalties for other violent crimes: Aggravated assault, 2 years; assault with intent to murder, 3½ years; kidnapping, 4 years; voluntary manslaughter, 5 years; rape, 6 years. Does this make sense, all these sums, and add 10 years for possession of a gun in connection with a drug offense where no one was injured?

Mr. Speaker, this bill provides for enhancements. The gentleman from Florida, the chairman of the subcommittee, mentioned many of the heinous crimes. For those crimes, robbery, murder, you would get the penalty for that crime and these would be enhancements. Obviously they will serve many years in

jail just for the underlying crime. Mr. Speaker, the Department of Justice has strongly urged us to amend Title 18, section 924, in response to the Bailey decision, as the gentleman has indicated, but they have not requested any change in the gun sentencing penalty. In fact, they sent a letter to the Committee on the Judiciary declaring the existing penalty structure appropriate. The American Bar Association has opposed the changes in this bill.

Mr. Speaker, in 1984 we established the Sentencing Commission to avoid the disparate sentencing, as is evidenced in this bill, 5 years for murder, 6 years for rape, and 10 years for possession of a firearm in a routine drug deal as an enhancement over the underlying crime. The Sentencing Commission should review these crimes and deliberate without politics and without political considerations to assess a reasonable penalty. That is obviously not what we are doing today.

Mr. Speaker, we should also be aware of the cost of this legislation before we pass it. The Department of Justice estimates that over 30 years this new gun penalty will cost the American taxpayers between $3.9 billion and $4.2 billion and will require the construction of 4 new prisons. That is $100 million to $150 million a year. Last year the Rand Corporation studied many strategies for crime reduction and found that mandatory minimums such as those in this bill were one of the least cost effective ways to reduce crime. So that is another $100 million a year that could have been put to better use.

Mr. Speaker, this bill provides penalties out of proportion to the crimes. It bypasses the Sentencing Commission and wastes the taxpayers' money. Therefore, I urge my colleagues to vote no on H.R. 424.

Mr. Speaker, I reserve the balance of my time.

Mr. MCCOLLUM. Mr. Speaker, I yield such time as she may consume to the gentlewoman from North Carolina (Mrs. MYRICK), the author of this bill.

Mrs. MYRICK. Mr. Speaker, first I want to thank the gentleman from Florida (Mr. MCCOLLUM) for all the hard work and the effort he has put into bringing this bill to the floor. As mayor of Charlotte, I spent far too much time attending funerals of young people that were senseless because of the scourge that drugs have brought on this country. Day after day we hear of more and more people being victimized by drug traffickers. Today we have got the opportunity to fight back and fight back for our children and for our communities.

Throughout North Carolina and the Nation, citizens routinely claim that crime is one of their greatest fears and concerns. Nothing is scarier or more dangerous than a criminal possessing or brandishing a gun during the commission of a crime. We do not have to put up with it and we will not.

H.R. 424 provides for longer mandatory minimum sentences and clarifies Federal law so that convicted criminals will spend a long time behind bars where they cannot hurt anyone else. Crime victims across the country deserve to know that Congress has dealt harshly with reckless criminals and those criminals need to know that the law is clear, commit a Federal drug trafficking crime while possessing or brandishing a firearm and you will be in prison for a very, very long time. We cannot send that message too strongly or too often. I urge my colleagues to support H.R. 424.

Mr. SCOTT. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, I rise in opposition to H.R. 424, a bill that would dramatically increase mandatory minimum sentencing. Let me make it clear. I do not like guns. I abhor crime, but this is not about sensible ways to deal with crime. This is about mandatory minimum sentencing, taking away the discretion of judges to make decisions about the varied situations that they may be confronted with. What are we doing with our criminal justice system, where we are spending, what, $3.5 billion in the Federal system alone, where we perhaps have the highest rate of incarceration of any industrialized nation? We may have people believe that somehow we are making the streets safer for them with this incarceration, but let me tell my colleagues, the recidivism rate does not prove in any way that this incarceration is doing anything to make our streets safer. We should not take away the discretion of judges who have to walk through these situations to be able to make decisions. I am very, very concerned that when we start to increase the sentencing mandatory minimums that we distort the criminal justice system.

We heard my colleague talk about other penalties and try and do some comparison. Let me reiterate. Aggravated assault, less than 2 years. Assault with intent to murder, less than 4 years. Voluntary manslaughter, 5 years. Criminal sexual abuse, under 6 years. It does not make good sense to distort sentencing in this manner. Let me give my colleagues an example of what I think is absolutely crazy. We have a 19-year-old, maybe they are stupid but they are not criminals, they end up with 5 grams of crack cocaine in their possession. First-time offense. An automatic 5-year mandatory minimum sentence in Federal prison. We add to that an unloaded gun that they may have in their possession that happens to be under a coat that may be brandished. This does not say anything about it having to be loaded. So now they have 15 years minimum. 19 years old, stupid, your son, who is not a criminal, who if sentenced appropriately will have a chance to go on and straighten out their lives and do something with it. But we want to put them in prison for 15 years? I do not think we want to do that.

What is wrong with creating these sentences from the floor of Congress is this: We all have these different ideas. We have a Sentencing Commission who studies this and makes recommendations. I suppose we could all get up and look as if we are tough on crime and we could give 20 and 30 and 40 years and I guess it just spins out of control. I do not think it is sensible, I do not think it is logical. I think this increase in mandatory minimums for crimes that could end up not being violent crimes at all with the simple possession is harmful to our system and should not be done.

Mr. MCCOLLUM. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. SOLOMON), the distinguished chairman of the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, I will be brief. I want to commend the gentleman from Florida (Mr. MCCOLLUM) for bringing this legislation to the floor in this timely manner. The gentlewoman from North Carolina (Mrs. MYRICK), my colleague on the Committee on Rules, introduced this bill last year along with my cosponsorship and others and we almost got this bill considered as the final item of business last year. But nothing could be done on the floor at that time on that last day of the session without unanimous consent, and of course the Democrats blocked unanimous consent and we could not pass it as the last bill of the day. That is just too bad. As a result, this crucial piece of legislation was delayed for many months now. We may never know for certain how many lives could have been saved if this bill had been passed earlier. What I do know is that the sooner we enact this legislation, the sooner we can toughen mandatory minimum penalties on those who commit crimes involving guns. In the long run this is a bill to save lives by getting criminals with guns off the street.

Mr. Speaker, there is nothing that aggravates me more than the real cause for drug use in America. Seventy-five percent of all the drug use in America is not used by these poor people in the inner cores of our country, it is used by the upper middle class in suburban America. Seventy-five percent of them are the ones that use drugs recreationally. They are the ones that prop up the price of these drugs because of so much use. We just need to go after these people. The only difference between this democracy and democracies that have failed all across this world is the fact that we are law-abiding citizens, and we have to send that word that we insist that people obey the laws of this land. One can fight to change the law, but one has to obey the law. If one does not, he ought to be penalized.

Ms. WATERS. Mr. Speaker, will the gentleman yield?

Mr. SOLOMON. I yield to the gentlewoman from California.

Ms. WATERS. Mr. Speaker, I would like to give the gentleman a scenario.

If a young man 19 or 20 years old maybe goes out to hunt and they have got a hunting rifle and they happen to have 5 ounces of crack cocaine inside their jacket pocket, they have a gun, it is there for you to see, they are in possession of drugs, first-time offense on the possession of the cocaine, 5 years minimum in Federal prison added to this with a gun, the hunting gun, now 15 years. Is that what the gentleman understands this bill to be?

Mr. SOLOMON. Not at all. I understand it has to be in the furtherance of a crime. Be that as it may, and I cannot yield any further because I have to get upstairs to a meeting, but let me tell the gentlewoman what I told my 5 children: If you are out there with cocaine in your possession, damn it, I want you to go to jail and I want everybody else's kid in America to go to jail if you are using these kinds of drugs and committing these kinds of crimes.

Mr. SCOTT. Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, I just outlined a possibility, a scenario that was not responded to. It was not responded to because I do not think that any reasonable legislator, public policymaker would intend to do this. I am as tough on crime as anybody. I am in the forefront of trying to do something about crime. I happen to be honest enough to admit that our children oftentimes are getting involved with drugs and we are not doing enough to prevent it, to rehabilitate them, to discourage them and create the kind of society where we can essentially be drug-free. I think we make a mistake by putting these small drug dealers in prison or by having simple possession, causes them to go to prison. I think this bill, despite the fact of what has been represented, would take the kind of situation where a young man out with a hunting rifle and a small amount of drugs could end up with 15 to 30 years in prison. I do not think that is what is intended, but that is the problem when we have mandatory minimums being created by legislators from the floor rather than working in an organized way with the Sentencing Commission.

Yes, drugs are bad. We are working very hard to do something about it. I have gone to every appropriations committee that has got anything to do with appropriating funds to get rid of drug abuse in our society. I put myself on the line. It is the number one priority of the Congressional Black Caucus, to get rid of drugs in our society. We do not just use this as a political issue. We are really working very hard. We have this ''lock them up and throw the key away'' for young people with small amounts of drugs when we should be rehabilitating them, have more prevention in our schools and in our community. We should be thinking about what we can do to reduce the cost of incarceration and ruining lives.

Mr. Speaker, I would ask my colleagues to get to the floor and vote against this legislation. This legislation does America no good. It sounds good, it maybe will make many of our constituents feel good. It may make some legislators look as if they are against drugs and that they are tough law and order legislators. But this is misdirected, misunderstood perhaps by many, and will do more harm than good.

Mr. SCOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I will close by saying that this gives us an opportunity to sound tough on crime but this mandatory minimum strategy has been studied, and it is one of the least cost effective ways of reducing crime. The highest risk offenders do not get enough. The lowest risk offenders get too much. This will provide more time for this offense than those who are convicted of rape, voluntary manslaughter, and kidnapping.

□ 1700

The money that will be spent in this bill could be put to better use. It is 100 to $150 million a year that could be put to crime prevention programs, enhanced police protection, drug rehabilitation and a lot better uses than this sound bite that is in this bill, and I would hope we would defeat it.

Mr. Speaker, I reserve the balance of my time.

Mr. MCCOLLUM. Mr. Speaker, I yield myself such time as I may consume, and then I am going to yield, if I can, to the gentleman from Indiana (Mr. BUYER), a member of the committee, who just walked in.

I want to make a response at this point to the gentlewoman's concerns expressed with regard to the issue of whether or not somebody in possession of a small amount of crack cocaine or cocaine period, out hunting with a rifle could indeed be found to be guilty of a crime that would result in the enhanced punishments under this bill, and the answer is they could not. And the reason why they could not is because the crime under the bill, the enhancement provisions for the crime, requires that it be committed, that a crime be the possession or the brandishing or the discharging of the gun be committed during and in relationship to a crime of violence or drug trafficking, and it has to be in furtherance of that crime.

And in our report, the committee report, we define all of that in quite a lengthy time, talking about both Webster's New International Dictionary and Black' Law Dictionary, defining furtherance as the act of furthering, helping, forwarding, promoting, advancement or progress, and we go on to say the mere possession of a firearm in an area where a criminal act occurs is not a sufficient basis for imposing this particular mandatory sentence. Rather, the government must illustrate through specific facts which tie the defendant to the firearm that the firearm was possessed to advance or promote the criminal activity.

Somebody out hunting who simply happens to have possession of narcotics would not be somebody that this would apply to because the gun would not be in furtherance of a criminal enterprise, the violent crime of drug trafficking.

Ms. WATERS. Mr. Speaker, will the gentleman yield?

Mr. MCCOLLUM. I yield to the gentlewoman from California.

Ms. WATERS. Mr. Speaker, that is the trouble with this kind of mandatory minimum sentencing making. If, for example, the gentleman was in possession of a small amount of drugs, crack cocaine, had a gun, and while he was out there said to his friend, oh, I will sell you half of it, two 19-year-olds, that is the furtherance of a crime. They have got the drug trafficking.

Mr. MCCOLLUM. Mr. Speaker, I reclaim my time and tell the gentlewoman that the gun is not being used in that case in the furtherance of the crime. The gun is not. We have got to have that gun in the furtherance of the crime itself, not simply possess it on their person.

Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. BUYER) a member of the committee.

Mr. BUYER. Mr. Speaker, I rise in support of the bill before us, H.R. 424, which will increase the penalties when thugs have firearms while committing federal crimes of violence or drug trafficking offenses. This debate is about sincere and fundamental differences in addressing violent crime.

The other side believes with all their heart that if we get the guns off the streets, there will not be crime in our society. Then, there is the alternative, in which camp I place myself, that believes gun control is not crime control and that law-abiding, free citizens have the right to own and bear arms.

Under this bill, the thug who uses a firearm in the commission of a crime receives a mandatory minimum sentence of 5 years above the sentence for the crime itself. If this same thug brandishes a weapon to incite fear in victims, it increases the sentence to 10 years. If a thug discharges the firearm, then the mandatory minimum is 20 years. The opponents of this measure believe these sentences are harsh. Yes, they are harsh, but many of us also believe that if a firearm is used in the commission of violent crime, the penalty should be harsh.

This bill is about achieving a proper balance in punishment that upholds the needs of victims in society, and I urge the adoption of the bill.

Mr. MCCOLLUM. Mr. Speaker, I reserve the balance of my time.

Mr. SCOTT. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, the gentleman from Florida (Mr. MCCOLLUM) did not respond to the question. What

he did was to confirm that this is triggered not simply by violent crime, but so-called drug trafficking. He did not respond to the scenario that I built for him where a small possession of drugs may trigger a mandatory minimum sentence already.

On top of having this hunting gun in one's possession and to exacerbate it, to even make it worse, or even to try and answer what he said, I said, and he may say to a friend who is hunting with him, I will give him half for $5.

Now, what he is saying to us is this: Mothers and fathers should go out and hire the best lawyer that can be hired and spend all of the money that they have got to prove, in fact, that this gun was not used in the commission of a crime. I do not want to heap that on anybody's head.

I do not like drugs; I do not like guns. If I had my druthers, I would have complete gun control. I would take guns out of the hands of everybody. I do not like drugs. We fight very hard against them.

So I do not want anybody to think I am covering anybody. What I dislike is mandatory minimum sentencing. I want the judges that we appoint to the bench to be able to look at each of these situations and decide. In some cases they have got to be very tough; in other cases, they know the difference, when we just have a stupid kid who has fallen into an ill-conceived law like this one and will not allow them to have their lives thrown away simply because they are stupid.

Mr. Speaker, I say to my colleague that he has just set up a scenario where he tells me that if, in fact, they fall in these gray areas, let them go and prove, or let somebody prove, that they, in fact, did not come into having this law take effect for them.

Mr. MCCOLLUM. Mr. Speaker, I yield 30 seconds to the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Speaker, I want to be respectful to the gentlewoman from California (Ms. WATERS). I do not know if the example of a hunter with crack cocaine is the right example to use. Hunters in Indiana with crack cocaine are not out hunting game, they are out hunting to sell their product. So I do not know if that is appropriate.

I have been listening to the gentlewoman about the mandatory minimums. We just met with our Federal judges. Even in Indiana they wish they had some discretion in certain areas. But as my colleagues know, society, we are moving this and being tough on these judges because of some lenient sentences, and we have to make these decisions on the Committee on the Judiciary.

Mr. MCCOLLUM. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to explain before we go into the closing of this the relative words with regard to the possession of a firearm that might trigger the mandatory 10-year sentence.

We have brandishing, which is pointing the gun, which gets 15, and pulling the trigger, which gets 20. That is pretty apparent. The gentlewoman from California has discussed a potential scenario involving a cocaine dealing or trafficking situation.

Let us assume that it, in fact, is a crime of cocaine trafficking that is going on. If indeed the person possesses a gun, the simple possession of it during the course of while that is going on, if it is not in furtherance of that crime, it is not going to trigger the additional mandatory minimum. And it is not a gray area at all. It would require, in all of the experts that we have had look at this and the way the Justice Department has interpreted, and I think the courts have, too, that the person who is dealing in that drug have to say since he is just possessing the gun, hey, I have got a gun here, and by golly, if these people do not do whatever I say do, then they are going to likely see me use that gun and words to that effect, something that is active, some furtherance in relationship to the crime, not the mere passive possession of the gun on the person during the course of the transaction.

I think that is pretty clear, and it also has to be clearly on the person. It cannot be sitting over on some other side of the room somewhere. That is why, for example, the National Rifle Association has not expressed any problem with this bill. I am quite confident they would oppose this bill if they thought simple possession of a gun would get somebody into trouble, and they do not.

What we are dealing with here is minimum mandatory hard message sentences for people who are out there committing crimes and are using guns in the furtherance of those crimes, and I think that is the important part.

Mr. Speaker, I reserve the balance of my time.

Mr. SCOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just say that when we talk about possession as less than brandishing, I am not sure how we are ever going to get to prove simple possession that was not brandishing. As the gentlewoman from California indicated, I guess that is for the family that spent all their money on lawyers to protect themselves from this falling on them.

The bottom line, though, is that mandatory minimums have been studied and are the least, one of the least effective ways to reduce crime. If we are serious about reducing crime, if we are serious about it, we should not pass the mandatory minimums. We should use the money for something constructive.

Mr. Speaker, I yield back the balance of my time.

Mr. MCCOLLUM. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I would just simply like to conclude this debate by making the point of why this bill is out here. This bill is out here to send a message, a message to anybody who is going to think about using a gun in the commission of a crime, to tell them they better think twice, three times or four times because if they are out there using a gun in the commission of a Federal violent crime or drug trafficking offense, they are going to pay an extraordinary price, 10 more years in addition to the underlying sentence, minimum 10 more years in Federal prison for possession, 15 more years in Federal prison for brandishing the gun, pointing at somebody, and 20 years more if they actually pull the trigger while they are committing a Federal crime of violence or drug trafficking.

The idea is to deter people from using guns in the commission of violent and drug trafficking crimes to say, no, and believe me, they talk about it. Hoodlums on the street, young people who are involved, there is a whole chain of conversation that goes on, most of them are very much in the know, and the idea of why we need this legislation is to send that message to them so we have far less violent crime with drugs than we have in America today.

So, kids, do not use guns, and if that message is sent out there, if we really can send that message home, there is hope of truly reducing violence in America. This is one, in my opinion, one of the most important pieces of legislation that this Congress has passed in the years I have been here, and I hope it is passed today, and I urge the passage of H.R. 424 today.

Mr. PAUL. Mr. Speaker, I rise to opposition to H.R. 424 for the following reason. Crime control and crime-related sentencing, the stated reason for enacting gun control legislation in the first place, was never intended to be a function of the federal government. Rather, it is a responsibility belonging to the states.

This country's founders recognized the genius of dividing power amongst federal, state and local governments as a means to maximize individual liberty and make government most responsive to those persons who might most responsibly influence it. This division of power strictly limited the role of the federal government and, at the same time, anticipated that law enforcement would almost exclusively be the province and responsibility of state and local governments.

Constitutionally, there are only three federal crimes. These are treason against the United States, piracy on the high seas, and counterfeiting. Despite the various pleas for the federal government's correction of all societal wrongs, a national police force and mandatory sentencing laws which violate the ninth and tenth amendments to the U.S. are neither prudent nor constitutional.

For this reason I oppose H.R. 424 and the federal government's attempt to usurp the police power which properly rests with state governments.

Mr. CRANE. Mr. Speaker, I rise in support of H.R. 424, providing for mandatory minimum sentences for criminals who use guns in the commission of a crime.

Mr. Speaker, I have been a strong supporter of the Second Amendment, which guarantees the right of law-abiding Americans to keep and bear arms. I have opposed gun control laws because they infringe upon this right. Instead,

I have strongly supported tough prison sentences for criminals who use firearms in the commission of a crime. I believe that this is the correct way to deal with gun violence—punish the criminals.

H.R. 424 imposes increasingly stiff penalties for crooks with guns, depending on how the weapon is used in the crime. The bill mandates a 10-year jail term for possessing a firearm in the commission of a crime. If a gun is brandished, the criminal will face a 15-year sentence. If a gun is discharged during the crime, he will receive a 20 year prison term. In addition, the bill provides 20, 25, and 30-year sentences, respectively, for subsequent convictions of the three categories of crimes. Furthermore, the bill prohibits courts from weakening these sentences by eliminating the possibility for probation as well as allowing the sentences to be served concurrently.

Gun control laws prevent law-abiding citizens from owning guns, not criminals. Rather than laws which do not discriminate between peaceful gun owners and gun toting crooks, H.R. 424 gets tough on the right people, criminals.

I urge my colleagues to join me in supporting H.R. 424.

Mr. CUNNINGHAM. Mr. Speaker, I rise today in support of HR 424, which increases the mandatory minimum penalty for possessing a firearm while committing a crime, and imposes tough, new penalties based on how a firearm is used in the commission of a crime.

The Second Amendment of our Constitution protects the right of law-abiding Americans to bear arms. It does not extend this solemn right to criminals. Nor does it extend this right to those individuals who use firearms in the commission of crimes.

In response to Americans' concern with violent crime, the Federal government, and several States, have pursued policies which fail to distinguish between two widely disparate interests: the law-abiding citizens who wish to acquire firearms for protection, hunting, recreation or any other lawful purpose; and criminals, who, by definition, seeking to obtain firearms for purposes contrary to the law, and who are dangerous to our communities. Unfortunately, this policy of targeting both law-abiding citizens and criminals is not succeeding. Criminals can be relied upon to obtain firearms outside lawful channels. Americans understand that waiting periods and other hindrances to the acquisition of firearms that fail to differentiate between law-abiding citizens and criminals simply do not reduce crime, and do not make our communities safer. Such policies do injustice to our Constitutional liberty for citizens to bear arms. Just as importantly, such policies do not target the cause of violent gun crimes. The cause of violent gun crimes is violent gun criminals.

In the best interests of crime victims, and of men, women and children who want safe communities, let us send a strong message to the criminals: If you use a firearm in the commission of a crime, you will go to jail for a long time.

I am pleased today to support HR 424 because this important legislation targets firearms crimes by targeting criminals who use firearms, while protecting the Constitutional rights of lawful firearms owners. It is based on a simply, easily-understood principle: penalty escalation. If an individual commits a crime while possessing a firearm, he gets 10 years in jail. If he brandishes that weapon in such a way that it aids in the criminal act, that's a 15-year sentence. If he discharges that weapon, count on 20 years in jail. And those penalties are for the first offense. Second or subsequent offenses demand greater penalties. Additional penalties are provided if the crime was committed with a machine gun, or a firearm with a silencer or muffler.

My congratulations go to my colleague, Rep. SUE MYRICK (R–NC), who wrote this bill, and to Chairmen BILL MCCOLLUM and HENRY HYDE for reporting HR 424 to the floor today. I also want to express my appreciation to the leadership of this Republican Congress, which is thoroughly and fully committed to making every American community safer for families and for freedom.

I encourage my colleagues to stand for safer communities, to stand for the rights and liberties of law-abiding citizens who are gun owners and those who are not, and to stand against the criminal element in this country, by voting in favor of HR 424. I hope that the Senate and the President will follow through as well, by promptly adopting this important anti-crime measure.

Mr. MCCOLLUM. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MCCOLLUM) that the House suspend the rules and pass the bill, H.R. 424, as amended.

The question was taken.

Mr. MCCOLLUM. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

APPOINTMENT OF CONFEREES ON S. 1150, AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION REFORM ACT of 1998

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees on the Senate bill (S 1150) to ensure that federally funded agricultural research, extension, and education address high-priority concerns with national multistate significance, to reform, extend, and eliminate certain agricultural research programs, and for other purposes:

Messrs. SMITH of Oregon,
COMBEST,
BARRETT of Nebraska,
STENHOLM, and
DOOLEY of California.

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, the Chair will now put the question on the motion to suspend the rules on which further proceedings were postponed earlier today.

INCREASED MANDATORY MINIMUM SENTENCES FOR CRIMINALS POSSESSING FIREARMS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 424, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MCCOLLUM) that the House suspend the rules and pass the bill, H.R. 424, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 350, nays 59, not voting 21, as follows:

[Roll No. 18]

YEAS—350

Abercrombie	Danner	Hobson
Ackerman	Davis (FL)	Hoekstra
Aderholt	Davis (VA)	Holden
Allen	Deal	Hooley
Andrews	DeFazio	Horn
Archer	DeLauro	Hostettler
Armey	DeLay	Houghton
Bachus	Deutsch	Hoyer
Baesler	Diaz-Balart	Hulshof
Baker	Dickey	Hunter
Baldacci	Dicks	Hutchinson
Ballenger	Dingell	Hyde
Barcia	Doggett	Inglis
Barr	Dooley	Istook
Barrett (NE)	Doolittle	Jefferson
Barrett (WI)	Doyle	Jenkins
Bartlett	Dreier	John
Barton	Duncan	Johnson (CT)
Bass	Dunn	Johnson (WI)
Bateman	Edwards	Johnson, E. B.
Becerra	Ehlers	Johnson, Sam
Bentsen	Ehrlich	Jones
Bereuter	Emerson	Kanjorski
Berry	Engel	Kaptur
Bilbray	English	Kasich
Bilirakis	Ensign	Kelly
Bishop	Eshoo	Kennedy (MA)
Blagojevich	Etheridge	Kennedy (RI)
Bliley	Evans	Kennelly
Blumenauer	Everett	Kildee
Blunt	Ewing	Kim
Boehlert	Farr	Kind (WI)
Boehner	Fawell	King (NY)
Bonilla	Foley	Kingston
Borski	Forbes	Kleczka
Boswell	Fossella	Klug
Boucher	Fowler	Knollenberg
Boyd	Fox	Kolbe
Brady	Frank (MA)	Kucinich
Bryant	Franks (NJ)	LaHood
Bunning	Frelinghuysen	Largent
Burr	Frost	Latham
Burton	Gallegly	LaTourette
Buyer	Ganske	Lazio
Callahan	Gejdenson	Leach
Calvert	Gekas	Levin
Camp	Gephardt	Lewis (CA)
Campbell	Gibbons	Lewis (KY)
Canady	Gilchrest	Linder
Cannon	Gillmor	Livingston
Cardin	Goodlatte	LoBiondo
Castle	Goodling	Lowey
Chabot	Gordon	Lucas
Chambliss	Goss	Luther
Chenoweth	Graham	Maloney (CT)
Christensen	Granger	Maloney (NY)
Clement	Green	Manton
Clyburn	Greenwood	Manzullo
Coble	Gutknecht	Markey
Coburn	Hall (OH)	Mascara
Collins	Hall (TX)	Matsui
Combest	Hamilton	McCarthy (NY)
Condit	Hansen	McCollum
Cook	Harman	McCrery
Cooksey	Hastert	McDade
Costello	Hastings (WA)	McGovern
Cox	Hayworth	McHale
Cramer	Hefley	McHugh
Crane	Herger	McInnis
Crapo	Hill	McIntosh
Cubin	Hilleary	McKeon
Cunningham	Hinojosa	Meehan

Menendez	Regula	Spence
Metcalf	Reyes	Spratt
Mica	Riggs	Stabenow
Miller (CA)	Riley	Stark
Miller (FL)	Rivers	Stearns
Moran (KS)	Rodriguez	Stenholm
Moran (VA)	Roemer	Strickland
Morella	Rogan	Stump
Murtha	Rogers	Sununu
Myrick	Rohrabacher	Talent
Neal	Ros-Lehtinen	Tanner
Nethercutt	Rothman	Tauscher
Neumann	Roukema	Tauzin
Ney	Royce	Taylor (MS)
Northup	Ryun	Taylor (NC)
Norwood	Salmon	Thomas
Nussle	Sanchez	Thompson
Obey	Sanders	Thornberry
Ortiz	Sandlin	Thune
Owens	Sanford	Thurman
Oxley	Saxton	Tiahrt
Packard	Schaefer, Dan	Tierney
Pallone	Schaffer, Bob	Torres
Pappas	Schumer	Towns
Parker	Sensenbrenner	Traficant
Pascrell	Sessions	Turner
Pastor	Shadegg	Upton
Paxon	Shaw	Velazquez
Pease	Shays	Visclosky
Peterson (PA)	Sherman	Walsh
Petri	Shimkus	Wamp
Pickering	Shuster	Watkins
Pickett	Sisisky	Weldon (FL)
Pitts	Skeen	Weldon (PA)
Pombo	Skelton	Weller
Pomeroy	Slaughter	Wexler
Porter	Smith (MI)	Weygand
Portman	Smith (NJ)	White
Price (NC)	Smith (OR)	Whitfield
Pryce (OH)	Smith (TX)	Wicker
Quinn	Smith, Adam	Wise
Radanovich	Snowbarger	Wolf
Rahall	Snyder	Woolsey
Ramstad	Solomon	Young (FL)
Redmond	Souder	

NAYS—59

Berman	Jackson (IL)	Paul
Bonior	Kilpatrick	Payne
Brown (FL)	LaFalce	Peterson (MN)
Carson	Lewis (GA)	Rangel
Clay	Lofgren	Roybal-Allard
Clayton	Martinez	Sabo
Conyers	McDermott	Sawyer
Coyne	McKinney	Scarborough
Cummings	McNulty	Scott
Davis (IL)	Meek (FL)	Serrano
DeGette	Meeks (NY)	Skaggs
Delahunt	Millender-McDonald	Smith, Linda
Dixon	Minge	Stokes
Fattah	Mink	Vento
Fazio	Moakley	Waters
Filner	Mollohan	Watt (NC)
Goode	Nadler	Watts (OK)
Hastings (FL)	Oberstar	Waxman
Hilliard	Olver	Wynn
Hinchey		Yates

NOT VOTING—21

Brown (CA)	Jackson-Lee (TX)	Pelosi
Brown (OH)	Klink	Poshard
Ford	Lampson	Rush
Furse	Lantos	Schiff
Gilman	Lipinski	Stupak
Gonzalez	McCarthy (MO)	Young (AK)
Gutierrez	McIntyre	
Hefner		

□ 1735

Mrs. LINDA SMITH of Washington changed her vote from ''yea'' to ''nay.''

Ms. ESHOO, Ms. SLAUGHTER, Mr. THOMPSON, Mr. TIAHRT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TIERNEY, Mrs. CUBIN, and Messrs. CLYBURN, DEFAZIO, STARK, and OWENS changed their vote from ''nay'' to ''yea.''

So (two-thirds having voted in favor thereof), the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. MCCARTHY of Missouri. Mr. Speaker, on rollcall no. 18, passage of H.R. 424, I was detained in transit on US Airway Flight #6 out of Pittsburgh which had multiple mechanical problems. Had I been present, I would have voted aye.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2181, WITNESS PROTECTION AND INTERSTATE RELOCATION ACT

Mr. MCINNIS, from the Committee on Rules, submitted a privileged report (Rept. No. 105–419) on the resolution (H. Res. 366) providing for consideration of the bill (H.R. 2181) to ensure the safety of witnesses and to promote notification of the interstate relocation of witnesses by States and localities engaging in that relocation, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1544, FEDERAL AGENCY COMPLIANCE ACT

Mr. MCINNIS, from the Committee on Rules, submitted a privileged report (Rept. No. 105–420) on the resolution (H. Res. 367) providing for consideration of the bill (H.R. 1544) to prevent Federal agencies from pursuing policies of unjustifiable nonacquiescence in, and relitigation of, precedents established in the Federal judicial circuits, which was referred to the House Calendar and ordered to be printed.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3073

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 3073.

The SPEAKER pro tempore (Mr. SHAW). Is there objection to the request of the gentleman from Washington?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE RESOLUTION 358

Mr. DOGGETT. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of House Resolution 358.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

COMMUNICATION FROM THE HONORABLE HARRIS W. FAWELL, MEMBER OF CONGRESS

The SPEAKER pro tempore (Mr. SHAW) laid before the House the following communication from the Honorable Harris W. Fawell, Member of Congress:

WASHINGTON, DC,
February 18, 1998.

Hon. NEWT GINGRICH,
Speaker of the House, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that I have been served with a subpoena issued by the United States District Court for the Northern District of Illinois seeking the right to inspect and copy documents in a file of two constituents maintained by my congressional office.

After consultation with the General Counsel, I have determined that compliance with the subpoena to allow inspection and copy of such file is appropriate.

Sincerely,

HARRIS W. FAWELL,
Member of Congress.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1748

Mr. WATTS of Oklahoma. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of the bill, H.R. 1748.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

TRIBUTE TO U.S. NAVY ASIATIC FLEET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES. Mr. Speaker, I am pleased to rise today in recognition of the sailors and marines who served in the United States Navy Asiatic fleet and in support of legislation that Senator JOHN WARNER and I have introduced in their honor.

Although many of my colleagues may not be familiar with the efforts waged by the Asiatic fleet, these brave men played a critical role in protecting American security interests.

From the early 1900s until just after Pearl Harbor, the Fleet sailed courageously across the coastal waters between China and the Philippines as well as in Russian waters and in the straits and narrows of Malaysia and Indonesia during the very dynamic period in history.

The Asiatic fleet had originally been established in August of 1910 as a successor of the Asiatic station to protect American lives and property in the Philippines and in China.

□ 1745

It sailed the seas in defense of American interests and in Southeast Asian waters until 1942.

In the final years of the Asiatic Fleet operations, these sailors and marines

distinguished themselves by defending against the tidal wave of Japanese aggression. Fighting against the larger modern Japanese naval forces were the fleet's three cruisers, 13 World War I-vintage destroyers, 29 submarines and a handful of gunboats and patrol aircraft. In all, the fleet lost 22 ships.

More importantly and most gravely, 1,826 men were killed and over 500 were said to be placed in prison camps. Sadly, many of these sailors taken prisoners were beaten, tortured, and killed in the most gruesome of manners.

They made the supreme sacrifice for their country, but regrettably, Congress and the American people have never risen to recognize the valiant actions of the Asiatic Fleet, the precursor to today's Seventh Fleet.

Mr. Speaker, I rise today dedicated to granting long overdue recognition of the heartbreaking struggles of the fleet that fought alone against the overwhelming modern Japanese Navy. It is altogether fitting and appropriate that this Nation pause and reflect upon the noble action of these fine sailors and marines of the Asiatic Fleet.

It is for these reasons that I have joined my colleague in the Senate, Senator WARNER, to introduce a resolution calling for the recognition of the 56th anniversary of the sinking of the Asiatic Fleet flagship, the USS *Houston*. This resolution supports the efforts of the Senate to designate March 1, 1988, as the ''United States Navy Asiatic Fleet Memorial Day.''

Mr. Speaker, I call upon my colleagues to join me today in this effort to give these forgotten heroes Congress' support for long-awaited and much-deserved recognition by joining me in cosponsoring H.J. Res. 100.

INTERNATIONAL COMMUNITY MUST COOPERATE TO RESOLVE NONCUSTODIAL PARENT KIDNAPPING CASES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. BERRY) is recognized for 5 minutes.

Mr. BERRY. Mr. Speaker, the kidnapping of a child is a terrible crime that should not be tolerated. However, it is something that happens all too often with the perpetrator actually being rewarded in some cases.

There are hundreds of unresolved cases in which children have been abducted by a noncustodial parent and taken to a foreign country. Some of these countries are allowing the kidnappers to illegally keep the children without fear of prosecution or ever having to face extradition.

Our legal system makes decisions involving the custody of children based on what is in the best interest of the child. Once such arrangements are made, no one should ever be rewarded for the illegal abduction of a child from our country by being able to keep the child and thumb their nose at authority.

Such crime imposes horrible grief and suffering upon the parent from whom the child is taken. Tomorrow I will be introducing a resolution expressing the sense of the Congress that the international community must work together to resolve cases where kidnapped children are taken abroad.

Mr. Speaker, this is a serious problem that should be treated as a high priority issue by the United States Government in its relations with other countries. By giving this resolution our full consideration and support, we will be sending a strong signal of our support for the rights of children.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. MALONEY) is recognized for 5 minutes.

(Mrs. MALONEY of New York addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

WILLIAM D. GLOVER, JR.: HUSBAND, OFFICER, HERO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. LATOURETTE) is recognized for 5 minutes.

Mr. LATOURETTE. Mr. Speaker, tonight I rise to pay tribute to Officer William Glover, of the Ashtabula Police Department. On November 17, 1997, William Glover was senselessly killed in the line of duty, shot execution style by a 21-year-old man wanted by police for aggravated robbery.

It was a Monday afternoon and Bill Glover was responding to a call when he spotted the suspect on West 43rd Street in Ashtabula. Knowing that an arrest warrant had been issued, Patrolman Glover radioed in that he was pursuing the suspect on foot. Seconds later police received a 911 call saying that shots had been fired in the area.

Fellow officers found Officer Glover lying in the snow critically injured, his service revolver still in its holster. He had been shot three times, once in the torso and twice in the head. He was flown by medical helicopter to Cleveland's MetroHealth Medical Center, where he died early the next day.

Bill Glover, age 30, left behind a wife, Marianne, and three small children and a community and department in mourning. It had been four decades, Mr. Speaker, since another Ashtabula officer had been shot and killed in the line of duty.

Bill Glover had been a police officer since 1988, and had worked as chief of police for the Roaming Shores Village before joining the Ashtabula Police Department just 6 months before his death. His death deeply affected the citizens of Ashtabula and particularly the residents of the city's public housing complexes.

Bill Glover had been hired by the Ashtabula department as part of a drug elimination grant awarded to the Ashtabula Metropolitan Housing Authority. In the short time that he patrolled the city's housing complexes, he had become well-known and well-liked. His efforts to eradicate the area of drugs and crime were genuinely appreciated by residents.

Since his death, Mr. Speaker, every resident of one of the public housing complexes he patrolled, Bonniewood Estates, has signed a petition to rename Bonniewood Drive to Glover's Lane and hope to establish a recreation center in his name. Perhaps only in death will Patrolman Glover's family, friends, and community truly understand the impact that he had on the city's residents.

One Bonniewood resident summed it up this way: To a lot of kids here, Officer Glover was the only male role model they had and they are going to miss him.

While renaming Bonniewood Drive in Bill Glover's memory is undoubtedly appreciated by his widow, it cannot fully ease her pain or diminish her loss, nor should it be expected to. For Marianne Glover, Bill Glover was not just one of Ashtabula's cherished ''Men in Blue,'' he was her beloved husband and the father of her three children, Philip, 10, Sean, 7, and Amanda, 5.

Mr. Speaker, it is regrettable that a profession as important as law enforcement is so fraught with danger. A law enforcement officer dies in this country every 54 hours, a rate of about three a week nationwide. That, Mr. Speaker, is unconscionable.

I have submitted Bill Glover's name for inclusion in the National Law Enforcement Memorial in Washington, D.C., which honors the more than 14,000 law enforcement officers who have been killed in the line of duty during our Nation's history. It is my hope that Bill Glover's name will be added to the memorial's walls where the names of fallen officers are displayed in random order.

Each May during an annual candlelight vigil the new names of fallen officers are added to coincide with the National Police Week. With the addition of each name, the theme of the memorial is reinforced: It is not how these officers died that made them heroes, it is how they lived.

As we pay tribute to Ashtabula Patrolman William D. Glover, Jr., I hope that we will all remember the heroism that marked his life, the infectious joy and enthusiasm that he brought to his work, and the tremendous pride that he felt in being part of that elite corps of men and women in blue.

Words, Mr. Speaker, cannot adequately convey all that he did in his life nor how his death has affected so many. While we mourn the senseless passing of the life of yet another good cop, we can take comfort knowing that Officer Bill Glover left his mark on this world and he left this world a safer, better place.

To his wife, Marianne, to his children, to his family, his community, and his department and his brethren in law enforcement, our most heartfelt sympathies are offered. In his sacrifice, he was able to leave earth and join hands with God. And I know that his watchful, caring eyes will continue to watch over and protect the family, department, and community that he loved so much.

Mr. Speaker, may God bless Ashtabula Patrolman William D. Glover, Jr., and may God rest his soul.

THE DISTRICT OF COLUMBIA IS TURNING AROUND

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

Ms. NORTON. Mr. Speaker, I come to the floor this evening with some good news, and let me report it from a more objective observer. The Washington Times, in an editorial, said the following: The District is looking good. There is a $186 million surplus from fiscal 1997. People are buying homes in the District and businesses are expanding and setting up shop.

I know that everyone on both sides of the aisle greets this good news about our Nation's Capital in the same spirit I do. Yes, a surplus. The District is turning around. It has balanced its budget, more than balanced it now 2 years ahead of the congressionally mandated year. How has this been done? Through prudent budgeting, Mr. Speaker, through fiscal discipline, and through preserving the fruits of an excellent economy rather than spending that money.

The highlights are quite extraordinary, and I am sure to many Members, unexpected. Vendors are now being paid ahead of time rather than behind time. We have, Mr. Speaker, a clean opinion from an outside independent auditor, which means an unqualified opinion looking at the books and records of the District of Columbia, that the District is revitalizing itself financially.

We have a general fund surplus of almost $186 million. This is a city that was close to bankruptcy just a few years ago. And the District is reaping increased revenue from taxes, not because it has raised taxes, but because improved operations have allowed the city to collect taxes from those who should have been paying taxes all along.

Mr. Speaker, the District's problems have not been entirely self-inflicted, but the city's repair must be completely self-generated. I think that we now have evidence that that self-generation is occurring, and it is occurring for a combination of reasons. It is occurring because this Congress set up a Control Board. It is occurring because the gentleman from Virginia (Mr. DAVIS), chair of the Subcommittee on the District of Columbia, and I, the ranking member, have worked collaboratively and in a bipartisan fashion on the District ever since the Control Board was set up 2 years ago.

It is occurring because of the work of the Control Board, and yes, Mr. Speaker, it is occurring because of the work of the mayor and the members of the city council. They deserve our congratulations, even as they have gotten the criticism of this body when they have deserved it. And I must say, sometimes even when they have not.

Mr. Speaker, the District's Government is now multilayered. The Congress seeks an efficient government from the District, but the fact is that the Congress has imposed a highly inefficient structure to do the job. The District needs better collaboration among its many layers until the Control Board sets and Congress will be hearing from me about streamlining its oversight as it requires the District to streamline its operations.

Mr. Speaker, I began with editorial comment praising the District from the Washington Times. The Washington Post said as much when this audit was reported: The District is not enjoying a $185.9 million general fund surplus and a clean fiscal year 1997 annual audit by accident. It took hard work and a stiff spine to bring unchecked and irresponsible spending under control.

That is exactly what has happened. I have been as impatient as many Members to see this day. Now it has come in spades, not little by little, but with a buildup of improvements that is now showing itself in a way that I think none of us anticipated seeing in this fashion.

The District, knowing that this is no time to sit down, that there is much work to be done. The District has revved itself up to work now on its services and operations. It knows that those services and operations must improve and improve quickly. And that is not, Mr. Speaker, because of what this body wants, although that is part of it.

First and foremost, it is because the residents of the District of Columbia, among the highest taxpaying citizens of the United States, deserve no less. My congratulations to the Control Board, to the chief financial officer, to the mayor, and to the city council for a job that is beginning to be well done.

□ 1800

IS THERE A MEDIA BIAS? ASK BOB ZELNICK

The SPEAKER pro tempore (Mr. SHAW). Under a previous order of the House, the gentleman from Texas (Mr. DELAY) is recognized for 5 minutes.

Mr. DELAY. Mr. Speaker, is there a liberal bias in the nation's media? Just ask a prominent member of that media.

Bob Zelnick had been a respected member of ABC's news division for 21 years. He was fired because he wanted to write a book on Vice President AL GORE. The head of ABC news had first granted him permission to write such a book, but then changed his mind when it became clear that Zelnick was not going to write a puff piece about Mr. GORE.

In my own experience, ABC News has a liberal bias. I recently traveled to the Commonwealth of the Northern Mariana Islands, to investigate whether the accusations of sweatshops and other labor abuses were true. At a reception hosted by the Governor of the CNMI, a member of my staff noticed that a film crew was spying on us from a clump of bushes. When the staff asked this film crew whom they represented, they would not identify themselves. Later, they admitted that they were from ABC News.

When someone is spying on you from a nearby bush, it's hard to believe that they will do a fair story. I tried to accommodate them in their story later on. For example, I made certain that they had a chance to follow me as I inspected various garment factories and workers housing units on the island of Saipan. But I have every expectation that the story will be unfair and unbalanced when it ultimately comes out next month.

Bob Zelnick's experience with ABC News just further goes to show the true bias at that news division. I urge my colleagues to read this illuminating piece that appeared in the Wall Street Journal today, entitled ''ABC: Anyone but Conservatives.''

ABC: ANYONE BUT CONSERVATIVES

By Bob Zelnick

Last week I was forced to leave my position as a correspondent for ABC News. What happened to me illustrates something of what is wrong with TV news today.

In December 1996, following a dinner conversation with my publisher, Alfred Regnery, I agreed to undertake a biography of Vice President Al Gore. Early the following month I phoned Richard C. Wald, the ABC News executive who tends to the business of editorial standards, to describe the project and secure his permission to proceed.

Mr. Wald asked if I intended to write a ''straightforward'' biography or one with a distinct point of view. I replied that except for opinions I might develop during my research, the book would be reasonably straightforward. Mr. Wald then inquired what I thought of Mr. Gore. I replied that I knew the vice president only slightly, but had a generally favorable impression of him, shaped by his pro-defense views in the Senate and his critical support for the 1991 Gulf War resolution. I added that my sense was that his environmental views might be a bit extreme.

'YOU HAVE MY PERMISSION'

Late in the conversation, Mr. Wald remarked: ''If you write a book about him, you probably can't cover him for us.'' I told him I thought that writing a book on the vice president would enhance my credentials to cover him. ''Now that I think of it, you may be right,'' said Mr. Wald. ''We'll have to see. In any event, you have my permission.''

I conducted scores of interviews. I hired a researcher who performed more than four months of full-time work. I traveled to Harvard, where Mr. Gore went to school, and to Tennessee. I came up with fascinating, previously unpublished material on both Mr. Gore and his father, also a former Tennessee senator, and mined a rich lode of background material on Tennessee politics. My sense was that the project would prove helpful not only to my own career as a television correspondent but also to ABC's coverage of the 2000 presidential campaign.

But last September, just days before my contract with ABC was to expire, the network informed me that if I wished to sign a new one, I would have to break my contract with Regnery, return the advance and discontinue all work on the Gore book. ABC's new position was that there was an inherent conflict between writing a book on a subject and covering that subject.

In a written appeal to Roone Arledge and David Westin, respectively chairman and president of the news division, I objected to the ruling as unjust, contrary to ABC's own standards and procedures, and repugnant to the First Amendment values we all endorse. I pointed out that the decision was wildly excessive as regards any valid interest of ABC News, in that I was willing to submit the manuscript months before publication in order to address any editorial problems the company perceived. I noted that most news organizations encourage their correspondents to write books on subjects they cover, then point to them with pride as indicating staff depth, scholarship and authority. Examples from the print press are legion, but even in television, where a career spent writing 90-second spots can erode the ability to think and write in depth, correspondents such as Marvin Kalb, Bernard Kalb, Dan Rather, Sam Donaldson and I have published books on subjects close to our beats.

Nonetheless, Mr. Westin's written reply explained that ''we cannot have a Washington correspondent writing a book about one of our national leaders whom that correspondent will undoubtedly have to cover.'' Otherwise, we could be ''held up to ridicule that our reporting is influenced by views you/we have formed about the individual involved.''

I eventually decided to complete the book and to leave ABC News after 21 years. Mr. Wald, asked by a newspaper reporter why he had granted permission in the first place, concocted a tale that I was about to be fired when I approached him, and he didn't want to impede my earning a living by writing books. Thanks, Dick.

Would I have faced the same problem if I were an avowedly liberal journalist undertaking a book that made conservatives mildly uncomfortable rather than a moderately conservative one writing about a liberal icon? Had the proposed title been ''Gingrich: A Critical Look at the Man and His Climb to Power,'' would I have been forced to choose between my book and my career? I rather doubt it.

Nor does the double standard stop with books. My friend and former colleague Sam Donaldson is again covering the White House six days a week. On the seventh day he does not rest, but rather appears on ''This Week With Sam and Cokie,'' where he is free with his concededly liberal opinions. Sam is a gifted reporter, and in 21 years I have never seen evidence of deliberate bias in his work. I think ABC is wisely using his talents. But where is his conservative counterpart, licensed both to report and to ruminate?

My original sin may have been my earlier book, ''Backfire: A Reporter's Look at Affirmative Action,'' also published by Regnery. In 1996, when ''This Week'' decided to interview Gary Aldrich—author of yet another Regnery book, ''Unlimited Access: An FBI Agent Inside the Clinton White House''—and I was asked to prepare the setup piece, George Stephanopoulos, then a White House spinmeister (now an ABC commentator), blasted ABC News for anti-Clinton bias, specifically citing my limited involvement with the program. Months later, Jane Mayer, a New Yorker reporter, did the same. Is this what Mr. Westin had in mind when he said he feared ''ridicule''?

Like others at ABC News, I committed my life, my fortune and my sacred honor to the furtherance of the First Amendment and the pursuit of truth. Along with a brave and resourceful crew, I was thrown into a Moscow prison for refusing to stop interviewing a dissident on her way to court. I accompanied soldiers who came under fire in South Lebanon and Somalia. In these times I was conscious of the far greater physical dangers that other correspondents had faced in times and places as different as Gettysburg, Normandy, Khe Sanh and Srebrenica.

But the principal dangers that threaten television journalists today are not those of an errant bullet, or even a well-aimed one. Rather, they spring on the one hand from the merciless demands of the news cycle, the dumbing down of public affairs programming and the belief in viewers' shrinking attention span. The end results of these dangers are poorly sourced, factually insubstantial, overly sensational stories that, in the end, harm our credibility and make us easy targets for political demagogues.

IDEOLOGICAL ORTHODOXY

The other danger—the one that led to my departure from the industry—involves ideological orthodoxy, political correctness and complete lack of self-confidence regarding the management of a news organization, partly because so many of those at the top have little or no background as working journalists.

For most of my career I felt honored to serve as a correspondent for ABC News. But the ABC News I served did not practice prior restraint.

The ABC News I served did not demand that its reporters shatter their integrity by breaching contracts.

The ABC News I served did not look for a rock to crawl under when the Jane Mayers of the world attacked.

The ABC News I served did not seek to destroy correspondents who had performed for the company over two decades with dignity, integrity and excellence.

The ABC News I served did not break its word, ignore its standards or brazenly lie to explain its actions.

Sad to say, the ABC News I served is not the ABC News I left.

ASTHMA AND AIR POLLUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. SERRANO) is recognized for 5 minutes.

Mr. SERRANO. Mr. Speaker, in a week-long special series in New York this week, the New York Daily News is documenting what we in the South Bronx district that I represent have been saying for years: The concentration of waste treatment facilities and their fleets of diesel trucks are killing our children, our families, our older folks with asthma and respiratory illness.

One-half million New Yorkers suffer from asthma. Six percent of the population. The worst rate in the country. New York City's asthma hospitalization rate is three times the national average. More than 35,000 residents are treated at city hospitals for severe asthma attacks each year, a 24 percent rise over the last decade. Deaths accountable to asthma are up 50 percent since 1980. 284 died of asthma in 1995.

The asthma epidemic hits children the hardest. More than 10 percent of New York City's one million students, 130,000, suffer from asthma. 15,000 are admitted to the hospital each year, which is twice the national average. The hardest hit of all the children are those with families in the Hunts Point area of the South Bronx in my district and East Harlem in the district of my colleague (Mr. RANGEL).

New York City's asthma admission rates are highest in the Bronx, along with Harlem. Almost 13 percent of Bronx children under the age of 17 were estimated to suffer from asthma several years ago. Children in poor New York City neighborhoods are five times more likely to be hospitalized than their better-off neighbors.

Lincoln Hospital, the primary medical center in the South Bronx, recorded 14,300 asthma emergency room visits last year; 4,500 of these involved children. Lincoln Hospital now operates two, 24-hour emergency rooms devoted exclusively to dealing with the problem of asthma, one for children and one for adults. Eleven died there last year, more than double the usual number. The youngest was only 5 years old.

Now, listen to this fact. There is a school in my congressional district where 30 percent of the children in Public School 48 in Hunts Point have asthma. Asthma threatens our children's chance of success as well. Asthma has become the leading cause of children who are absent among New York City schoolchildren.

Now, while researchers debate the root causes of asthma and New York public health officials focus on every theory other than pollution, our communities continue to breathe foul air and continue to sicken and die from respiratory illness.

Like neighborhood residents who spend their time dealing with these issues, take, for instance, a woman by the name of Lora Lucks, who is the principal at Public School 48 in the Hunts Point area of the Bronx. She blames the area's poor air quality. She says her students get sicker and sicker every year and that the air sometimes smells bad enough to make you sick to your stomach.

Now, what is really interesting here is that 200 of Public School 48's 800 students required emergency treatment last year at the same Lincoln Hospital.

And perhaps the best test that something is terribly wrong with the air quality in that community is the fact that teachers that come from outside the South Bronx neighborhood, upon spending the 8 months or whatever time they spend in the school during the year, not counting weekends, they complain that the condition under which they live, their inability to breathe properly, the tearing of the eyes, the sick stomach, all the asthmatic conditions that prevail, happen not when they are living during the summer months outside the South Bronx area but only when they come into the South Bronx.

Now, where could the problem be? Well, the South Bronx area of the

Bronx now has over 40 sitings for waste transfer stations. One of the big mysteries in New York City is why one community got to the point to where over 40 waste recycling centers appear only in that community. New York City's Department of Sanitation currently licenses at least 85 private waste transfer stations in New York City, handling at least 13,000 to 14,000 tons per day of commercial solid waste.

Today I begin to introduce this series which the New York Daily News has been working on all week long; and I will close with this, Mr. Speaker: 500,000 New Yorkers have asthma, the silent killer, and there is a child trying to breathe. This may look dramatic and some people may think in some way it is grandstanding by a newspaper, but this is the truth. This is a condition not in a foreign country. This is a condition in the Sixteenth Congressional District in New York.

THE HAYWORTH EDUCATION LAND GRANT ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. HAYWORTH) is recognized for 5 minutes.

Mr. HAYWORTH. Mr. Speaker, I rise this evening to report to my colleagues and to the people of the Sixth Congressional District of Arizona and, indeed, Mr. Speaker, to those who watch us across the country on C-SPAN of the latest progress on what I believe can form a firm foundation for educational improvement across America but especially in rural America. For this morning, Mr. Speaker, a subcommittee of the Committee on Resources held hearings on H.R. 2223, what my staff has taken to calling HELGA, the Hayworth Education Land Grant Act.

I think this is very important, Mr. Speaker, because this legislation is borne out of two historical achievements, one small and little noticed, the other of momentous import in our Nation's history vis-a-vis education.

The first feature was a little-known bill that was passed into law in the final days of the 104th Congress, in my first term representing the people of the Sixth District of Arizona, that had to do with the tiny Alpine School District located on the Arizona-New Mexico border.

You see, Mr. Speaker, the people of Alpine came to me and they said, we do not have much of a tax base. We no longer are able to really harvest the timber in this area. But we have been able to scrimp and save and we think we have enough money to build a new school building.

Now, we should note that the people of Alpine and the students there in that school district were holding classes in a small building that was formerly a church facility, and these people desperately needed a new school. They came and they said, Congressman, we have the money to build a new school, but we do not have the money to buy the land on which the school would be situated. It would cost us some, well, almost one quarter of a million dollars. That is too much for us to handle.

But the irony is that Alpine sits on the edge of a national forest. A federally controlled land. So they asked, would it be possible for the Congress to grant a conveyance of 30 acres of land for the construction of new athletic and academic facilities to educate the children of the Alpine School District? And the good news is that that passed on the final day of the 104th Congress; and the people of Alpine, Arizona, are building their new school facility.

Well, Mr. Speaker, as I have often pointed out, one of the most accurate observations of life in these United States, indeed of what has transpired on the historical stage worldwide, was the observation of Mark Twain that history does not repeat itself but it rhymes. And in the wake of what transpired with the Alpine School District, I got to thinking about what else had been done similarly in American education, and I looked back to something that had happened really over one century ago when another Member of Congress and another member of the Committee on Ways and Means, Justin Smith Morrill of Vermont, revolutionized, I do not think that is too strong a term, Madam Speaker, revolutionized the whole notion of higher education in this country by working for and achieving passage of the Federal Land Grant Act, the process of ceding federally controlled land back to the States with a promise that those respective States would establish institutions of higher learning with a concentration in the agricultural and mechanical arts.

Congressman Morrill looked back at his own life and, more importantly, the life of his father. He talked about the fact that his father was a blacksmith, a laborer, who spent all of about 6 months receiving instruction within the classroom. And he thought it was important for the sons and daughters of farmers and laborers to have an opportunity to go on to college.

Passage of the Federal Land Grant Act brought down the barriers to higher education one century ago. What had formerly been something only for the elite was now available to many.

In that same spirit, I have introduced the Federal Land Grant Act of this 105th Congress that would allow for a uniform procedure for school districts to apply for conveyances of land for the construction of new school facilities. It carries no budget impact because the land already belongs to the Federal Government. But what it can mean to the education of schoolchildren in rural America is priceless.

Madam Speaker, I look forward to speaking more about this perhaps later tonight and in further proceedings of this Congress but, Madam Speaker, I would also urge Members to actively support H.R. 2223.

TORNADOES WREAK DEVASTATION IN FLORIDA

The SPEAKER pro tempore (Mrs. Northup). Under a previous order of the House, the gentleman from Florida (Mr. MCCOLLUM) is recognized for 5 minutes.

Mr. MCCOLLUM. Madam Speaker, I come tonight before this body to express my deep concern for what has happened in my congressional district this past day. We had one of the great tragedies in the State of Florida in three tornadoes that touched down in that area, two of them in my district, one in the Kissimmee area, one in Winter Garden, one in the district of my colleague (Mr. Mica) in the Sanford area, which wreaked deaths that are almost 40 in number, and maybe more, we just do not know.

There were more people I believe killed in those three tornadoes that occurred two nights ago in my area than died in Hurricane Andrew, which was a huge natural disaster many people are aware of that hit the State of Florida a couple years back and caused millions and millions of dollars worth of damage.

It is hard to express the feelings that one sees when you walk out into the areas where those tragedies occur. I spent most of the day yesterday with our Governor and Senator MACK and others walking through the devastation in three counties, Osceola, Orange and Seminole in Florida.

The amount of damage we see in the photographs are probably just as real on television or in the newspapers that the Nation can see as indeed exists there, but it is very, very hard to express in the written words or even over the communicated radio or television word the feelings and the emotions that you feel yourself when you go out there and see all of that that has been wreaked by God and when you see the feelings of the people and you empathize with those who have lost loved ones or whose loved ones have been badly injured or who have lost possessions that were their life's savings, their life's possessions, things that cannot be replaced.

I know that one of the tornadoes, the most serious one that killed the most people, sat down just a short distance from the Silver Spurs Rodeo in Kissimmee, where I attended with a German exchange student living with me on Saturday. I looked yesterday across the field where that was and realized the calmness of that, where little or nothing had been disturbed where the Houston Astros have their spring training and their ballpark, the stadium where the radio takes place, the area where they had a State fair, an open field between where I was standing in there, and then right at the moment where I was standing this tornado had come down to start a 10-mile rampage across that county.

It came down and destroyed a convenience store. It left, leaving nothing but a handful of concrete blocks. It

took down the power lines along this road on one side, clipping them off about two feet or so above, taking the entire lines and the power poles across into the woods on the other side.

□ 1815

Then as it crossed that street, just immediately across almost an idyllic setting that I described where the rodeo took place and the ballpark is, here was this recreational vehicle park where people come with their RVs, these big RVs, and they were shredded, they were torn apart, just like many mobile home communities in the area were. People say things looked like match boxes. That is not an adequate description. Trees were shredded like a shredder shreds them at the top. Destruction of these vehicles as well as many of the homes in the area were terribly devastated, indescribable, even though one may see pictures of them, to see what has actually happened in this setting.

The bad news was that 10 people or so were killed in that recreational vehicle park. Over in a neighborhood a short distance away from that of regular single-family homes, there was the same type of destruction I had seen from the air after Hurricane Andrew, a narrower swath but very similar where the homes were literally destroyed. These were well-built, modern homes and people lost everything. Some people lost their lives. Not far from there, there was a strip mall shopping center with a grocery store, with a McDonald's, with a lot of other things in it totally wiped out.

Fortunately, the tornado occurred at night and so the devastation of all of this block and concrete that came down did not kill anyone in that mall other than I understand two people in a pub that was still open that night in the area. A mobile home park wiped out with a lot more people killed. In Orange County, I talked to a couple in a mobile home park where the devastation was terrible, another park near Winter Garden. They had been very fortunate. Nothing had happened to their mobile home. The inside had not been damaged, nothing had fallen off the shelves. But you walked right outside to their carport and the cars under that carport, which was no longer there, had been crushed, a large Ford vehicle whose axle and frame just bent over like some giant block had been set on top of it and immediately next door to them, which was in a mobile home park only a very short distance of a few feet, was another mobile home that had been shredded apart, just totally destroyed and a body had been flung in there from a mobile home 5 or 6 homes down from them where this horrible wreaking had come through but God for whatever reason had spared them and their mobile home but not someone else.

I just want to say that all of the people who have helped in that, all the compassionate workers need to be thanked, all the people whose outpouring of sympathy and concern have been given and the hours and hours of work that were put in in the aftermath of that storm deserve a lot of thanks and praise. Thank God more people were not killed.

EDUCATION, TAXES AND RETIREMENT

The SPEAKER pro tempore (Mrs. Northup). Under a previous order of the House, the gentleman from Georgia (Mr. KINGSTON) is recognized for 5 minutes.

Mr. KINGSTON. Madam Speaker, I wanted to tonight touch base on 3 issues very quickly, but first I want to say, representing the Third Infantry Division in Hinesville, Georgia, Fort Stewart-Hunter, I had the opportunity on Friday to go say good-bye to many of the troops who were leaving to go to Kuwait. They were on the tarmac, they had already said good-bye to their families, they had already gotten their paperwork in order. They had guns in hand, canteens loaded, rucksacks on their back, they were sitting in their fuel trucks, in their communication trucks and Jeeps and so forth, getting ready to get on a C–5 and go to Germany or to Spain, then on to Kuwait. The men and women who were about to go in harm's way on behalf of not only the United States of America but the entire world were standing tall. They were confident but not cocky, they were proud but not arrogant and to a person brave and sure of themselves. They are well-trained.

I told them that the American people are behind them. I was excited as everybody else was when I read about the potential peace agreement. I hope that it stands. However, I do think that this administration needs to clearly outline to Congress, this week, exactly what that agreement means to our foreign policy in Iraq and the Middle East. What will be the long-term ramifications? Do we have a lasting peace, what will be involved, and can our troops come home? Can we bring down the 25,000 troops that we have? I am very interested to hear from the administration on that. I, like many Members of Congress, again would ask this administration to tell us exactly what is going on.

To touch base on a couple of issues, real quickly. Education. This year we need to do everything we can to decentralize education and put it back in the hands of the local people. I was talking to a woman in Brunswick, Georgia whose mother was a teacher in Gray, Georgia, one of the great teachers that introduces all the kids to all the wonderful subjects and has taught most of the kids in the small town of Gray. She said that not long ago, a Harvard federally funded education consultant went down to Gray, Georgia and told this 30-year veteran of teaching that she needed to start pointing to the other side of the chalkboard because kids learn cognitively better on one side of the brain than the other and if the teacher would only start pointing to the other side of the chalkboard, these kids would learn a lot more. That kind of absurd busybodiness out of Washington, we do not need.

The second issue, taxes. We need to continue to be mindful that the average American family pays 38 percent in taxes. That means every Monday, you are working for the government and most of Tuesday you are working for the government. We need to reduce our tax burden to the 25 percent range. We need to simplify our Tax Code. If we go to a sales tax or a flat tax, whichever, it is better than the Tax Code that we have now. Then we need to change the attitude of the IRS. They work for us, the American people. We do not work for them. You should be considered innocent until proven guilty.

Finally, we need to have a mature dialogue on retirement. We really do not have a zero balanced budget. We have a Social Security surplus that we are applying to the general fund. If we want to protect Social Security and put it first, we have to say absolutely no new spending programs.

Madam Speaker, the President has committed to over $100 billion in new spending programs for this year in his budget. That money comes right out of the surplus in Social Security. We need to personalize Social Security, but we need to protect it. The first step is not spending the money. In these things, education, taxes and retirement, I hope that this Congress makes them the top priority.

10TH ANNIVERSARY OF THE NAGORNO KARABAGH MOVEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Madam Speaker, I have come to the floor of the House tonight to pay tribute to a very important milestone for the Armenian people and for people everywhere who care about the values of freedom, human rights and self-determination.

Last Friday, February 20, marked the 10th anniversary of the liberation struggle of Nagorno Karabagh. Nagorno Karabagh, or Artsakh as it is known to the Armenian people, is an independent Nation populated primarily by ethnic Armenians and located between the Republic of Armenia and the Republic of Azerbaijan. The Soviet dictator Joseph Stalin consigned Nagorno Karabagh to Azerbaijan despite the fact that this land has been continuously inhabited by Armenians for centuries. Armenia was the first Nation to embrace Christianity, and Karabagh was an integral part of the ancient land of Armenia. Under the Soviet system Nagorno Karabagh was recognized as an autonomous region because of its distinct Armenian identity.

Madam Speaker, in 1988 as Soviet central authority was breaking down, the Armenian people living in Azerbaijan were subjected to harassment, deportation and pogroms, massacres. On February 20, 1988, thousands of Armenians marched in Stepanakert, the capital of Karabagh, inspired by public protests in Armenia the day before. Eventually the people of Karabagh prevailed in their struggle, fighting and winning a war of independence. A cease-fire was signed in 1994, but persistent violations by Azerbaijan continue to make that cease-fire shaky at best.

The cause of Karabagh became a rallying cry for the entire Armenian nation and the Diaspora, including 1 million Armenian-Americans. The establishment of the Republic of Armenia and the Republic of Karabagh also helped focus American attention on this previously ignored part of the world.

Madam Speaker, Nagorno Karabagh's declaration of independence on September 2, 1991 and a referendum which passed shortly afterward were all conducted within the requirements of international law. Yet 10 years into their independence movement, Nagorno Karabagh still has not achieved the international recognition to which it is entitled. I am sorry to say, Madam Speaker, that the United States is among the countries that still refuse to recognize the Nagorno Karabagh republic. In his speech to the national assembly last Friday, President Ghukasian of Karabagh stated that Karabagh has its own state symbols and is able to conduct its foreign and home policies by itself. He expressed certainty that international recognition would only be a matter of time.

Madam Speaker, having twice visited Nagorno Karabagh, I can attest to the fact that Karabagh is indeed a functioning state. The sense of cohesion and mission among its citizens is inspiring. I wish I could share President Ghukasian's optimism about international recognition, although I do want to reiterate the fact that the foreign operations appropriations bill for this fiscal year does provide $12.5 million in aid targeted at Nagorno Karabagh. I want to express my admiration for the members of the foreign ops subcommittee who made that happen. I see one of the members is actually on the floor there, the gentleman from Georgia (Mr. KINGSTON).

I am also concerned that U.S. policy, though, is headed in the wrong direction. The fact that the United States is a cochair of the OSCE's Minsk Group, which was formed to achieve a negotiated settlement of the Karabagh conflict, offers a great opportunity for us to take a stand in support of democracy and the right of peoples to determine their own future. Unfortunately, the United States' negotiating position places far too much importance on the principle of territorial integrity, keeping Karabagh under Azerbaijan's authority. The U.S.-supported negotiating position essentially forces Karabagh to surrender the gains it made on the battlefield with no binding security guarantees in exchange. The Karabagh Armenians would once again be at the mercy of Azerbaijan.

I cannot help but conclude that the lure of the potential oil reserves in the Caspian Sea off the shores of Azerbaijan is influencing our policy in this region. Madam Speaker, last Friday I sent a letter of congratulations to President Ghukasian. I wrote that seeing the brave people of Artsakh and the dedicated officials serving in the government and armed forces of the NKR, I was reminded of the founding of our United States. Our Founding Fathers also had to fight for their independence and international recognition. I said I hoped that the United States and the West will base our policies in the Caucasus on the respect for self-determination and human rights on which our own nations are founded.

The progress the people of Karabagh have made in 10 years is nothing short of miraculous. In the decade since 1988, the elected government has proven to be worthy of recognition as the legitimate government of the land and the people of Artsakh. In a step that I hope will spur further progress towards that goal, I am pleased to announce that the foreign minister of Nagorno Karabagh, Mrs. Naira Melkoumian, will be in Washington next week and we plan to have a briefing next Wednesday under the auspices of our Armenia Caucus to allow her an opportunity to interact with Members of Congress. It is my hope, Madam Speaker, that future anniversaries of Karabagh will be marked by strong expressions of congratulations from the American people and from our government.

Mr. SHERMAN. Mr. Speaker, I rise today to pay tribute to the Republic of Nagorno Karabagh on the occasion of the 10th anniversary of its struggle for independence. I extend my congratulations to the people of Nagorno Karabagh on this truly historic occasion.

Ten years ago as the Soviet Union was falling apart and Armenians faced a new cycle of deportation and violence, Nagorno Karabagh took a brave step forward. With extraordinary sacrifice and courage, the people of Nagorno Karabagh affirmed their right of self-determination and began their struggle for independence. The Republic of Nagorno Karabagh emerged as a newly independent state.

It is now time for the United States and the international community to recognize the legitimate government of the Republic of Nagorno Karabagh. It is now time for the independence of the Republic of Nagorno Karabagh to be secured with a lasting peace. Only direct talks between the parties to the conflict can secure that peace. I regret that to date the OSCE negotiations, co-chaired by the United States, have not produced workable and acceptable solutions.

I will continue to fight along with the Armenian community in the diaspora for assistance to the people of Nagorno Karabagh and for a lasting peace. I am gratified that my original proposals for aid to Nagorno Karabagh were adopted by my colleagues on the Committee on Appropriations who allocated $12.5 million in U.S. assistance. I urge the Administration to move expeditiously to distribute this aid to the needy people of Nagorno Karabagh.

I would like to bring your attention to the "Caucasus Peace and Stability Act" which I introduced last session to support the peace process in Nagorno Karabagh and to deter renewed Azerbaijani aggression. This bill calls upon the United States to act as an impartial mediator in the peace negotiations and to foster confidence building measures to create incentives for peace leading to a lasting and equitable long-term settlement to the conflict. In the case of renewed aggression by Azerbaijan on Nagorno Karabagh, it calls for the imposition of trade and investment sanctions on Azerbaijan and a ban on commercial arms sales. These provisions are intended to increase the security of Nagorno Karabagh and to provide an economic incentive for peace.

I pledge that I will continue to uphold the sovereignty of Nagorno Karabagh and U.S. support for democracy, economic development and a secure future for the people of Nagorno Karabagh. I look forward to celebrating the 20th anniversary of a free and independent Republic of Nagorno Karabagh.

Mr. McGOVERN. Mr. Speaker, today I rise in honor of ten years of struggle and determination by the people of Nagorno Karabagh to gain their independence.

For ten years, the people of Nagorno Karabagh have aspired to create a republic where human rights and democracy are respected and cherished.

The people of Nagorno Karabagh, mainly ethnic Armenians, have survived and overcome the horrors and destruction of war. For ten years they have resisted efforts to bring about another Armenian Genocide in the Caucasus. Today, they continue to bravely face the threat of violence and deprivation from their surrounding neighbor, the Republic of Azerbaijan.

For ten years the people of Nagorno Karabagh have fought in defense of their homeland. In support of their efforts, I call upon the international community and the United States, as co-chair of the Minsk Group, to ensure that a peaceful resolution to the conflict in the region respects the self-determination and democratic aspirations of the people of Nagorno Karabagh.

Mr. Speaker, our own nation was founded on the struggle and hope for a free and democratic nation, free from tyranny, free from oppression, free to determine our own future, free to honor the basic dignity of every human being. As an American, this is my wish for the people of Nagorno Karabagh—that next year will see a free and independent Republic of Nagorno Karabagh.

I want to thank my colleagues from New Jersey [Mr. PALLONE] and from California [Mr. SHERMAN] for their strong and capable leadership on these issues, and for coordinating this time today to recognize and celebrate the tenth anniversary of the independence movement in Nagorno Karabagh.

GENERAL LEAVE

Mr. PALLONE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within

which to revise and extend their remarks on the subject of the 10th anniversary of the Nagorno Karabagh movement.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

TAX REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. RIGGS) is recognized for 5 minutes.

Mr. RIGGS. Madam Speaker, earlier today I rose during morning hour to talk about how we can increase take-home pay and improve retirement security in America. I want to elaborate on those earlier comments this morning during this special order tonight. I am talking about the Congress leading our country to a new level of freedom and opportunity for every single American worker and taxpayer.

First of all, let me stipulate that I am not talking about wage and price controls. I am not talking about another government mandate. I am not talking about Washington and the Federal Government through the Congress trying to dictate to the marketplace. I do not support a further increase in the minimum wage. But I do very much favor reducing taxes further for working Americans. We can start in the area of tax reduction by addressing the marriage penalty, which is a very, very unfair, very punitive section of our Tax Code. We ought to eliminate that, because the marriage penalty affects working-class individuals, those on limited or modest incomes, those who are earning a fixed wage or salary the most.

An example that was given on this floor earlier today during morning hour by the gentleman from Illinois (Mr. WELLER) was a teacher, or a police officer living in your community who is married and whose spouse is of necessity working. If we can eliminate the marriage penalty in the Tax Code, that couple will be able to keep more of their own hard-earned tax dollars.

Second, earlier today, promoted the Middle Class Tax Relief Act and the Taxpayer Choice Act, both introduced by our colleague, the gentleman from South Dakota (Mr. THUNE). This is good legislation because the net effect would be to raise the income levels for the 28 percent tax bracket, thereby putting more people in the 15-percent, the lowest tax bracket, and for those who are already in the 15-percent tax bracket, Congressman THUNE and I propose to increase the personal exemption.

This is a bottom-up approach, if you will, a bubble-up approach to lowering taxes in America. It is broad-based, real tax relief. It gets away from this notion back here in Washington that we can only do targeted tax relief that picks winners and losers from certain segments of the American people, and it is a Republican solution, if I might be so bold to say, on Democratic terms. This legislation will be difficult for the practitioners of class warfare and what I call the politics of envy to oppose.

Let me further say that if President Clinton has more money to pay for more social spending, as he suggested from in this Chamber during the State of the Union address for a host of new programs, many of them so-called mandatory entitlement programs, then I respectfully submit that we have the money for tax cuts.

But we should not do tax relief without real tax reform. We need fundamental tax reform in this country today right now to put a stop to the collection abuses by the IRS and to effectively end the IRS as we know it. That is why I and many of my Republican colleagues have already signed a public pledge and we have cosponsored legislation to sunset the Tax Code, the current tax system, by the year 2001.

This is a death sentence for the Tax Code, and it would move the country, as Congressman KINGSTON was just suggesting, in the direction of a fairer, a flatter, and a simpler tax system, one that embraces a single rate of taxation. That single rate of Federal taxation, though, when combined with State and local taxes, should not exceed 25 percent total, 25 percent in the aggregate for taxes at all levels; Federal, State and local. Today, the median family, the average family of four, is paying 38 percent of their income in taxes at all levels, and that is more than what they pay for food, clothing, housing and transportation combined.

Now, the other point I want to talk about is giving taxpayers more choice. We can let taxpayers today choose between paying a flat tax or the current system. It is just that simple. We could give taxpayers that option, that choice that says we would be empowering taxpayers because they would have the right to decide whether they prefer a flat tax or reporting all their income, and after they have declared that income, simply paying a flat rate of tax on that income or staying under the current system.

Furthermore, we could let taxpayers today decide to give them the right, again the choice and the option, to choose to invest a portion of their own hard-earned money, what they pay in payroll taxes or what are called FICA contributions into a directed IRA, which would earn a better return on their money than Social Security.

So imagine that we let taxpayers check off now a flat tax versus the current system, check off now to put their own money, at least a portion of their payroll taxes into Social Security. The net effect again, higher take-home pay, better retirement security, more freedom, and opportunity for every American worker and taxpayer.

REQUEST FOR REINSTATEMENT OF SPECIAL ORDER

Mrs. MALONEY of New York. Madam Speaker, I ask unanimous consent to reclaim my time and to address the House for 5 minutes.

The SPEAKER pro tempore (Mrs. Northup). Is there objection to the request of the gentlewoman from New York?

Ms. WATERS. Madam Speaker, for purposes of trying to understand how the rules work, I object.

What happens under the 5-minute rule? Do we entertain 5-minute presentations for as long as unanimous consent is not objected to?

The SPEAKER pro tempore. That is correct. It takes unanimous consent to address the House for 5 minutes.

Ms. WATERS. Is there a possibility of all of those who keep coming with their 5 minutes to do it following the time that I have reserved on the floor?

The SPEAKER pro tempore. The gentlewoman from New York was already on the 5-minute list. She came back to reclaim her time. Unanimous consent is required for anyone to reclaim or to add their name to the list.

Ms. WATERS. Madam Speaker, I do not want to interfere with the gentlewoman being able to address the House, but I need to know how long this can go on tonight if I do not object to unanimous consent. How many more could come? I have been here for almost 40 minutes.

So is the Chair saying that if I never object, people could keep coming and doing this?

The SPEAKER pro tempore. By the Rules of the House, as long as unanimous consent is obtained, a member may speak for 5 minutes.

Ms. WATERS. If I do object, do they have the opportunity to do it following my reserved 1 hour?

The SPEAKER pro tempore. Yes, they could come back later tonight.

Ms. WATERS. Then, Madam Speaker, I must proceed, and those who have not been here must know I have to get out of here.

The SPEAKER pro tempore. Objection is heard.

PLIGHT OF BLACK FARMERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentlewoman from California (Ms. WATERS) is recognized for 60 minutes as the designee of the minority leader.

Ms. WATERS. Madam Speaker, I rise to bring to the attention of the House a problem and a situation that has lingered for far too long. I rise this evening to talk about the plight of black farmers and others in our Nation who have not been able to receive fair treatment at the United States Department of Agriculture.

What I am about to describe is one of the most unfortunate situations I have encountered since I have been a Member of this House. I have been working

on this problem with other Members who represent agricultural districts, and I thought at one point we would be able to deal with bringing about some fairness and justice to black farmers and others who have been denied the ability to have their concerns addressed at USDA.

In order to make this presentation, I would like to ask my colleague from Mississippi if he would join me in a colloquy regarding the inability for black farmers and others to have their problems dealt with.

Mr. THOMPSON, I understand that it is planting season, we are nearing planting season, in many of our States where agriculture is a leading part of the economy. Is that correct?

Mr. THOMPSON. You are absolutely correct.

The other problem associated with the timing is how our farmers put their applications for support into the United States Department of Agriculture. And if they are late in putting the applications in or if there are complaints outstanding, then they are prohibited from putting applications in for operating loans for their farms.

Ms. WATERS. Mr. THOMPSON, as I understand it, many of these farmers who have lost their land, lost their homes, who have been trying to file complaints with the U.S. Department of Agriculture thought that this year that there was a break, that there was finally an opportunity to get some justice to have their complaints heard. They had great hope that this planting season, despite the fact that many of them have for years been denied access to the Department and their ability to resolve their complaints, would finally have the chance to do some planting and get on with the business of farming. Is that correct?

Mr. THOMPSON. Absolutely correct. The most astounding thing associated with your comments is that the Department of Agriculture agreed that in effect they had discriminated against African-American and other small farmers, put it in writing and ultimately said we are going to do better.

The Civil Rights Action Team Report, which was produced in January of last year, documented it. We talked about over 1500 complaints from farmers all over the country having been mistreated by our government, documented by our government, now all of a sudden here we are over 1 year later and we are still dealing with the same problem.

Ms. WATERS. Mr. THOMPSON, are you referring to what is known as the crack report labeled Civil Rights at the United States Department of Agriculture, where there is documented discrimination of the documented filing of claims that went unaddressed where the Secretary of Agriculture, Mr. Glickman, and everybody else agreed that the Civil Rights Department had literally been dismantled and that the complaints had not been worked on; all of that in this report. Is this the report that you are referring to?

Mr. THOMPSON. That is absolutely correct and the fact that to my knowledge no one disputed the findings of the report. It was a very thorough report, but also it really crystallized the problems that small and minority farmers have.

The most egregious situation with the report, Madam Speaker, is the fact that one farmer in the report has been trying for 20 years to get his claims settled, and I want to enter into the record a copy of a letter dated February 17 from Mr. Gary R. Grant from Tillery, North Carolina, and he is yet to get his problem settled that was documented in the Civil Rights Action Team Report as something that they should, in fact, settle.

Ms. WATERS. Mr. THOMPSON, I know the letter that you speak of. I, too, have a copy, and I think it is wise to enter that into the record, and maybe if we have time this evening, we can read it right into the record. It is so absolutely typical of what has been happening, and it spells out, in no uncertain terms, the trauma and the harm that has been fostered on many of our farmers who have attempted to get some justice at the United States Department of Agriculture.

Mr. THOMPSON, we also have here Mr. HILLIARD from Alabama, and I would like to ask Mr. HILLIARD if he would join us in this colloquy where we are describing what has happened to the black farmer and what we have been trying to do.

Mr. HILLIARD, as you know, those of you who represent agricultural areas have been working so hard with your constituents, you have been working with the U.S. Department of Agriculture, you have been working with the Justice Department, you have been working with the President of the United States of America. You asked the Black Caucus to take this up as an issue; we did. We had hearings. Those hearings went out over America. All of us agreed. We got more calls about the hearings where farmers came forth and talked about what had happened to them than perhaps on any other issue that we are dealing with.

I am from an urban area. I do not have agricultural interests in my district. But my urban constituents called me about this issue because many of them left the South, they left Alabama and Mississippi and other places after they determined they could no longer farm, that they could not be heard.

So would you please join us, Mr. HILLIARD, in helping the Nation to understand what has taken place with the black farmer in America.

Mr. HILLIARD. Madam Speaker, you know it is extremely difficult for me to believe that my government would sanction what the States have done for so long in this area. I find it contemptuous that the government would set up administrative rules to block those farmers from having their grievance addressed, and let me tell you how they did it.

While we in good faith have been talking to the administration, have been having hearings and have been discussing the problems hoping to have some resolution, the Justice Department decided that although those farmers had filed complaints, that those complaints would be barred by the statute of limitations if, in fact, they had not filed any court action.

□ 1845

Well, prior to that administrative rule being made, the rule in force was you file your complaint, and if you receive justice that you did not like or no justice, then you go to court.

What happened that made it so bad in terms of what the government has done, neither the government, our government, the Agriculture Department nor the Department of Justice addressed any of those complaints or even discussed them or looked at them or resolved them. So they just stayed on somebody's desk, in some cases for 10 years.

Then they come back with the rule that if it has not been filed in court it is barred by the statute of limitations. This is our government, not Russia.

Ms. WATERS. You are absolutely right. I want you to, if you would spend a moment further explaining to us, Mr. THOMPSON, what Congressman HILLIARD just started to talk about. America needs to understand the details of this.

Mr. THOMPSON. Well, Madam Chairman, the notion of the statute of limitation in effect says that if you filed a discrimination complaint against the Department of Agriculture before 1994, then in effect you have lost your right to complain, because our government did not perform its required duties within the period of time that the law required. Therefore, as a person complaining, you have now lost your right to any redress or any monetary reward for having a legitimate complaint.

It is inconceivable that an agency charged with the responsibility of conducting an investigation now jumps behind the statute of limitation veil by saying, look, we did not do our job; now, I am sorry, we cannot do anything for you.

I refuse to believe that in this country, when the government clearly is at fault, that we cannot find some remedy for our taxpaying citizens who have been aggrieved by this government.

Mr. HILLIARD. If I may, Madam Chairlady, let me even go further. This was a part of an agency or a department of the Agriculture Department that had the power to look into these grievances and these complaints and make a finding. It was set up sort of like an equal opportunity commission just for the Department of Agriculture.

Now we come back and say that, even though they filed the complaint, because they did not file suit then they are barred by the statute of limitation.

But let me go one step further.

Mr. THOMPSON. If the gentleman will yield, let me share one point.

On our stationery from the Department of Agriculture it says that if you feel that you have been discriminated against, you may file a complaint with the Civil Rights Division of the United States Department of Agriculture, Washington, D.C. Our investigation found out that this department had been disbanded in 1983.

Ms. WATERS. I think that is what the Nation needs to understand. Ronald Reagan dismantled the Civil Rights Division of the United States Department of Agriculture. So when an innocent farmer who had been discriminated against was aggrieved, went to that department, followed the rules and filed the complaint, they had no reason to believe that these complaints would not be investigated.

But the fact of the matter is, they went in a cardboard box, and they sat there for years, and nothing was done.

Mr. HILLIARD. The government deceived them.

Ms. WATERS. They were misled. That is right.

Mr. THOMPSON. Now they say it is too late. We waited too long in the deception. I am sorry. You have to take your complaint elsewhere.

Mr. HILLIARD. There is no elsewhere.

Ms. WATERS. We have just been joined by the gentlewoman from North Carolina (Mrs. CLAYTON), who has been working on this issue for a long time.

We were just describing this unbelievable situation where the farmers had filed the complaint, there was no Civil Rights Division, the complaints went into a cardboard box. Now they are being told by the Justice Department, sorry, they were not filed in a timely manner, and the statute of limitations has run, and we cannot resolve your complaint.

So I know that you have been involved in discussions with both the Department of Agriculture and the administration about this, and we have some examples of people who are now not able to get them resolved unless we do something extraordinary, such as get waivers by way of legislation perhaps.

Could the gentlewoman share with us your experiences in working with all of this?

Mrs. CLAYTON. Well, we have a number of farmers in North Carolina who have filed not only part of a class action, but we have a number of farmers who have filed administrative complaints, and some of them have been 17 years old, 20 years old, and now they are being told they are barred until 2 years. So that means 22 years of their being barred will have no recourse. They are not able to get assistance from that.

What is so devastating about this is that this is our government doing it to us, not so much that this is a place where you think you would come and get some consideration or remuneration for your suffering and pain. And these farmers are being told, not only were they deceived and ignored, but there is no sense of equity. There was no sense on the part of the Justice Department in saying that the estoppel of the statute of limitations should not have been put in place because of the acts of the government itself.

The government was saying they were investigating and did not do it. The government was saying they were going to find a remedy and did not do it.

You would think the acts would bar the statute of limitations. Even if the law requires it, equity requires it, and people put in such pain and disadvantage, the equity of the case would prevail. This is what we call justice. The rule of law is based on having equity and fairness, in addition to the statute.

Now, I know they can invoke the statute of limitation. They can invoke what they call res judicata, meaning it has been adjudicated before. Those are legal bars to prevent the government from doing what they should do.

Mr. HILLIARD. I am not so sure they can legally invoke the statute of limitations at this point. You see, what happened, it had been set up by our government according to the law, a procedure, and now the government, because of what it had done in disbanding the procedure, is saying it is a bar. Because they say it does not necessarily mean that is the last word or that is the fact.

But what it does mean is that each one of those farmers must now go to another forum just to get back on the procedural track, which means they will probably have to go to the court system in order to have them rule that the statute of limitations is not applicable.

Mrs. CLAYTON. If the gentleman will yield, the fear I have is that the decision from the Justice Department is treated like a rule of law. I may disagree with it, but if everybody is treating it as a rule, it means the farmers are not getting anything. I want to find a way where we remove that. So whether I agree with it, I respect it. It is having the same effect as if it is the right thing. So we have to find a way to overcome it.

Mr. THOMPSON. If the gentlewoman will yield, the problem I have is, given the visibility of this issue, why can people of good will not come together and craft a response to this dilemma, rather than put blocks up to prevent solutions from happening?

Mr. HILLIARD. If the gentleman will yield, if we had good will, if our government had had good will, we would not have the problems we are having. We would not have had 20 years of no resolutions, no resolve. We would not have had 5 and 10 years of complaints just stacking up.

Mr. THOMPSON. Well, can the gentleman, for the viewing public, explain the statute of limitations and the government not doing its job in conducting an investigation and telling that farmer that either your complaint has validity or it does not? But the fact that our government did nothing in the administrative conduct of hearing and now falls behind a statute of limitations issue, to me it is a false notion.

Mr. HILLIARD. Deception.

Ms. WATERS. Misled. They were absolutely misled.

Correct me if I am wrong, for the lawyers who are here, I am told by some attorneys that I have talked to that if, in fact, the Justice Department is telling us, despite the fact that farmers were misled, if they are saying to us they cannot in any way deal with this issue of the statute of limitations and put it aside in the interests of justice and fairness and equality, then they are not doing their job.

This is our Justice Department, where we are supposed to go and get justice. I am not happy with the way the Justice Department has sidestepped this issue.

I would say to you, if there is a way to get into court, and maybe there is a way by way of the class action maybe that has been filed or something, that this government ought to be sued.

Now, I know there are those in the administration that are saying, well, we will try and come to Congress and fashion legislation by which we can get a waiver. And while I am not going to turn down any way by which we can get justice for these farmers, I suggest to you that if we give up on the struggle for righting this wrong based on this argument, that what we are doing is allowing them for other cases and other instances to use the same kind of argument to deny justice. I am not sure we should do that.

Mrs. CLAYTON. If the gentlewoman will yield, I agree. We have to fight on every front. And the gentlewoman's point is we cannot just depend on the legislative route to do this, because this is such an important issue that we allow the statute of limitations to be the bar for justice and fairness. We have given away the very principle that is so fundamental to our democracy. I agree with that. But I would think, I would hope as you have said, we will fight on every front.

Now, I think the U.S. Department of Agriculture is beginning to try to go around the statute, but the problem with that is that is each individual case, and that is such a difficult process. We almost have 800 cases we need settled immediately. So if they are going to settle one and go around, we ought to have the law that applies to everybody. It would make it so much easier.

I know USDA is trying to find ways creatively, and I commend them for that, because I know today they are in that process with some clients that come from North Carolina doing that. But the pain of that is that you have to do 700 of those, those families and the costs.

If we could find a remedy, Madam Chairman of our caucus, if you could think of a remedy where we could go

into court and have standing, I think that is an option we ought to look at. I also think we need to find legislation that could also make that point.

I would hope there is still enough goodwill, as the gentleman from Mississippi (Mr. THOMPSON) said, of people who see the inequity of this and the visibility. And as many people understand how these farmers have suffered, they will say it is now time for Congress to do something and we should put this behind us and go forward.

□ 1900

Mr. THOMPSON. Will the gentlewoman yield?

Ms. WATERS. I yield to the gentleman from Mississippi.

Mr. THOMPSON. Many of our farmers have gone through bankruptcy, have gone through some real health problems. Now for our government to say to them, if you seek relief you now have to go hire a lawyer to fight the government, the notion that our Civil Rights Division in the United States Department of Justice cannot take this on as an issue and say look, I understand the ruling, but it is not right because you have in effect denied certain liberties of people in this country who should have had their concerns addressed. So why should we require people who now have been dealing with the lender of last resort to make crops come now and hire lawyers to fight the government again?

Ms. WATERS. That is right.

Mr. THOMPSON. I am not so convinced that if they did challenge the law, that our government would not try to defend the law. So in essence, we would be in court another 5 years trying to get clarification on that.

Ms. WATERS. The gentleman is absolutely right. I would say to the gentleman from Alabama (Mr. HILLIARD), if I may just for a moment, yes, if that happened and we did find a way to get in court, the Justice Department would defend its position. So we would be fighting the very department that is supposed to be getting justice for the farmers.

I yield to the gentleman from Alabama (Mr. HILLIARD).

Mr. HILLIARD. And the devastating part of what our government has done and will do, if it takes another 5 years, is in effect eradicate the few farmers of African-American descent that are left.

After all, if we look at the period of the last 15 to 25 years, the period of time when most of these complaints originated, Members will find that we have lost tens of thousands of black farmers. There are very few left. If we take another 5 or 10 years, there will be even less. I am beginning to wonder whether this is a pattern of our government, whether this is in fact what it is trying to do.

Mr. THOMPSON. Your comments, I would say to the gentleman from Alabama (Mr. HILLIARD), go clearly and factually to the notion that there just might be a conspiracy which our government is participating in to do away with African-American farmers in this country. If I had to look at the facts in this situation, I believe they are irrefutable.

Ms. WATERS. Mr. Speaker, I would say to the gentleman from Alabama (Mr. HILLIARD), I have learned so much about this issue. Members have put so much work into this, those the Members representing agricultural districts, and the entire Black Caucus is engaged in trying to get justice for farmers.

One of the things we all know is that we have lost black farmers in America who would have been perfectly happy to farm their land, raise their families, purchase their homes. They have lost the ability to do that because they had no support. As a matter of fact, in many cases they were undermined.

The Members have taught me about the systems that have worked in these communities and the boards that are set up, and how on those boards you have people who have supported each other in not only getting the loans and the subsidies, but they have indeed sat there making decisions that worked against farmers, and then they were part of foreclosing on the farms, and they ended up in the hands of some of the very people who had in fact made decisions against their ability to get some assistance from their government.

It is outrageous, it cannot be tolerated. Before I yield back my time, I would like to submit for the RECORD a letter that we did as a Congressional Black Caucus, dated January 13th, 1998, that took issue with the way they were handling Mr. Ross before he finally got a settlement.

I would like to submit a letter of February 20 that confronts the Justice Department about the way they have dealt with the statute of limitations issue, and I would like to submit for the RECORD the report that identifies the systematic discrimination of farmers who have been trying to get some assistance from their government.

Madam Speaker, I include for the RECORD the following correspondence:

GARY R. GRANT,
Tillery, NC, February 17, 1998.

Re: Discrimination Complaints: Matthew Grant, Richard D. Grant, Gary R. Grant.

Secretary DAN GLICKMAN,
US Department of Agriculture
Washington, DC

DEAR MR. GLICKMAN: At the invitation of the USDA, my family and I made the long trip to Washington, DC for a meeting scheduled with Mr. Lloyd Wright, Monday, February 9. We agreed to come for what we were led to believe would be the final settlement of the negotiations process over the discrimination complaints filed by my father Matthew Grant, my brother Richard D. Grant and by me.

We took our children out of school so that they would have a first hand experience of how our government works.

Matthew Grant has filed complaints against USDA for over 20 years. Because of the severe stress and anxiety he has endured and the impossible odds set against him by the officials at USDA, he is now suffering from congestive heart failure. My father is a man who has never consumed alcoholic beverages, never smoked, and has led a life unencumbered by unhealthy habits and practices. My brothers and sisters and I painfully watch as this strong indefatigable man deteriorates. We lament the stress and worry he continues to endure because of USDA.

As we made plans to travel to Washington, and to bring our father, he lastly committed, ''I just can't make it. I honestly don't think I can survive another face to face experience with these people.'' (Meaning the USDA and DOJ)

After being delayed in Washington for three (3) days of non-negotiations, we finally bulldozed our way to speak to you on Wednesday, February 11. We were directed by you to go immediately to Acting Secretary Pearlie Reed's office. There we met with Mr. Wright, Mr. Reed, Judge Ramsey and the new attorney from DOJ, Mr. Charles Rauls, Acting General Counsel.

After another day of waiting for negotiations to begin, nothing substantive transpired at this meeting. At this point, we decided to go home because we had already made too many sacrifices to be there nor could we afford the continued personal expenses of these unproductive meetings and delays.

We needed to come home to see about our father and mother, to get back to our jobs and to get our children back to school.

We left the meeting with the understanding that we would go home and USDA would contact us within 24 hours to bring resolution to our complaints.

To date we have had no response from Mr. Wright, Mr. Reed, nor Mr. Rauls.

We are not going away. We will fight for our rights and for justice to the death. Our children got the history lesson that no classroom could provide. They learned first hand how racist, unfair, prejudicial and tyrannical the USDA continues to treat our family.

We await your immediate response.

For justice and equality,

GARY R. GRANT.

CONGRESSIONAL BLACK CAUCUS,
CONGRESS OF THE UNITED STATES,
Washington, DC, January 13, 1998.

Hon. JANET RENO,
Attorney General, Department of Justice,
Washington, DC.

DEAR ATTORNEY GENERAL: Once again I must take time out from my busy schedule to ask that the Department of Justice (DOJ) stop denying justice to black farmers.

As you are aware, black farmers have endured generations of well-documented and continuing discrimination at the hands of this government. This discrimination has caused black farmers to lose their land, their livelihood, and their homes.

Secretary Dan Glickman of the United States Department of Agriculture (USDA) and other top level government officials have pledged to remedy this discrimination and to immediately resolve the backlog of over 700 claims which have been languishing at the USDA without any action.

However, now that the USDA is finally attempting to resolve some of these cases, the DOJ has constructed roadblock after roadblock to scuttle the settlement agreements made by senior USDA officials.

The latest roadblock comes in Mr. Eddie Ross' case. The USDA settled his case by a Resolution Agreement on November 19, 1997, with full agreement by the Secretary, the USDA Office of Civil Rights, and the Office of General Counsel. The Farmer Service Agency was instructed to issue Mr. Ross' check under the terms of the settlement agreement.

Yet, the day before Mr. Ross was to receive this check, the Civil Division of the DOJ

inexplicably halted the distribution of his check and refused to honor the terms of this executed settlement agreement.

Not only are the DOJ's actions in Mr. Ross' case contrary to United States District Court Judge Paul Friedman's Order of December 24, 1997, they also raise serious questions about the DOJ's willingness to remedy the long-standing pattern and practice of insidious discrimination by this government.

On December 24, 1997, Judge Friedman specifically stated that Mr. Ross is ''not precluded'' from ''completing the administrative settlement of his case with the Department of Agriculture.'' I have attached a copy of this order.

It is outrageous that the DOJ wound put Mr. Ross through the USDA's administrative settlement process allowed by the Court, raise his hopes that a resolution had finally been reached, and then at the eleventh hour, dash those hopes in such a cowardly and heartless manner.

I do not know why the DOJ chose to ignore a Court Order in this instance and insist that the USDA renege on its legal obligations to Mr. Ross.

The DOJ legal tactics are dilatory and mean-spirited. They only serve to reinforce black farmers' belief that this government is not interested in remedying its admitted discrimination.

Indeed, my office has received several other complaints about the DOJ heaping more injury and harm on the black farmers by engaging in questionable legal tactics that deny them the justice they deserve.

Yes, the DOJ must do its job. However, there is a fine line between the DOJ doing its job and it acting in bad faith by engaging in questionable legal tactics that deny justice to those whom this government has admitted harming.

This government should be embarrassed and ashamed at how it has treated black farmers. I demand an immediate release of Mr. Eddie Ross' check and that the DOJ start negotiating in good faith to resolve each and every black farmer claim.

Sincerely,

MAXINE WATERS,
Chair, Congressional Black Caucus.

CONGRESSIONAL BLACK CAUCUS,
CONGRESS OF THE UNITED STATES,
Washington, DC, February 20, 1998.

Hon. JANET RENO,
Attorney General, Department of Justice, Washington, DC.

DEAR ATTORNEY GENERAL RENO: This letter is a follow-up to our conversation last week concerning the United States Department of Justice's (DOJ) position regarding the black farmers' discrimination claims.

Despite the fact that many black farmers timely filed civil rights claims with the United States Department of Agriculture's (USDA) Office of Civil Rights, the DOJ now asserts that many of these claims are barred by the statute of limitations. The DOJ's position ignores decades of documented class discrimination.

As you are aware, the USDA dismantled its Civil Rights Division in 1983 without notice to black farmers, Members of Congress, or anyone else. Subsequently, the black farmers did not know, and could not have known, that the USDA decided to ignore and let languish their timely filed claims.

As we understand it, the DOJ's Office of Legal Counsel (OLC) has issued a legal/policy memorandum (the ''OLC Memo'') that essentially concludes that many black farmers' claims are barred by the statute of limitations. The OLC Memo apparently states that timely filed administrative claims cannot go forward in the administrative process simply because such claims arguably would be barred by the statute of limitations if filed in a court action. It also apparently states that equitable doctrines which could be asserted to overcome the statute of limitations defense rarely are applied against the United States.

Although the OLC Memo provides the sole basis for the policy used to deny many black farmers' claims, the DOJ continues to deny the Congressional Black Caucus' (CBC) request for a copy of this memo. We can only speculate about whether the DOJ's unwillingness to provide us with a copy is because the conclusions contained in the OLC Memo cannot withstand public scrutiny.

While timely filed administrative claims subsequently filed in court may raise statute of limitation defenses, it is absurd to stretch that defense to also mean that timely filed administrative claims are also barred in the administrative process simply because such claims may be barred by the statute of limitations if filed in a court action. Indeed, many of these black farmers have not filed court actions.

In essence, the DOJ's conclusions mean that, because the federal government sat on timely filed complaints for years, black farmers are now prohibited by the statute of limitations from receiving any money to compensate them for their injuries. This is indefensible.

Black farmers also relied on Secretary of Agriculture Dan Glickman's promise to resolve these complaints. Neither the black farmers nor the Members of the CBC understood Secretary Glickman's commitment to ''resolve quickly'' the black farmers' complaints to mean that the DOJ would hide behind unsupportable and far-fetched theories to unilaterally dismiss hundreds of timely filed administrative actions.

Again, we insist that you intervene and correct this travesty of justice.

Sincerely,

MAXINE WATERS,
Chair, Congressional Black Caucus.

Before I yield back my time, I would ask the Members' indulgence before we complete this hour to read this letter that will be entered into the RECORD. America needs to hear the letter of this farmer and how he and his family were treated when they came to Washington, D.C. one more time to try to address their government.

I yield to the gentleman from Mississippi (Mr. THOMPSON).

Mr. THOMPSON. What I would like to do, since the gentlewoman from North Carolina (Mrs. CLAYTON) has joined us, is ask the gentlewoman to talk about the Grant family and the dilemma that they have gone through for the last 20 years, and how expectations have been elevated, only to be deflated, and as recently as last week brought family members here.

Ms. WATERS. I yield to the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Speaker, I want to tell the Members, this is a family which has had a lot of struggles, a very prominent family in our community in my district; that is, in Halifax County. I know the father has been ill. By the way, the family—I will tell the Members, with the costs and the sharing, the family is back here today and we have just talked with them, and I want to tell the Members that this family has undergone all kinds of stress and pain over the years.

There are two particular cases. Now, the father has a case and the brother has a case. Mr. Grant's brother is Richard, and there is Gary Grant, who we know is over the black farmers. His brother Richard is very bitter about this, and understandably. His father has been very ill. They feel threatened over his health about this whole issue.

They brought about 16 members of the family last week at their expense to make sure that their family could experience what was going on. There was on the front page of the Boston Globe a whole profile of this family, and their contribution to the community and their desire to farm, and what they have been fighting over for a number of years.

They came for a settlement, and because of this big issue of the statute of limitations, really, obviously that was kind of a bar for that. I want to tell the Members I am aware, as we speak, that there is a settlement going on, but it is because the Caucus indeed got involved and brought that issue. But what that means is that we have to do each individual case just like that, Madam Speaker. So the gentlewoman's point is well-taken. I do want to read part of this, because if there is a response to this family, there are 700 other families that are right behind them that we have to speak to.

''At the invitation of USDA, my family and I made the long trip to Washington, D.C. for meetings scheduled with Mr. Lloyd Wright Monday, February 9th. We agreed to come for what we were led to believe would be a final settlement of the negotiations process over the discrimination complaint filed by my father, Matthew,'' and by the way, I saw him Saturday, ''and my brother, Richard Grant, and by me. We took our children out of school so they would have a firsthand experience of how our government works,'' how our government worked.

''Matthew Grant had filed complaints against the USDA for over 20 years. Because of the severe stress and anxiety he has endured and the impossible odds set against him by the officials at USDA, he is now suffering from congestive heart failure. My father is a man who has never consumed alcoholic beverages, never smoked, and has led a life unencumbered by other unhealthy habits and practices. My brothers and sisters and I painfully watch as this strong, indefatigable man deteriorates. We lament the stress and the worry he continues to endure because of USDA.

''As we made plans to travel to Washington to bring my father, he lastly commented, 'I just can't make it. I honestly don't think I can survive another face-to-face experience with these people.'

''After being delayed in Washington for 3 days of non-negotiations, we finally bulldozed our way to speak to you on Wednesday, February 11. We were directed by you to go immediately to the Acting Secretary Pearlie Reed's office. There we met with Mr.

Wright, Mr. Reed, Judge Ramsey, and the new lead attorney for DOJ, Mr. Charles Rauls, Acting General Counsel.

''After another day of waiting for negotiations to begin, nothing substantive transpired at this meeting. At this point, we decided to go home because we had already made too many sacrifices to be there'' and to have nothing happen.

''We needed to come home to see about our father and mother, to get back to our jobs and to get our children back to school.

''We left the meeting with the understanding that we would go home and USDA would contact us within 24 hours to bring resolution to our complaints.

''To date we have had no response from Mr. Wright, Mr. Reed, or Mr. Rauls.

''We are not going away. We will fight for our rights and for justice to the death. Our children got the history lesson that no classroom could provide. They learned firsthand how racist, unfair, and prejudicial and tyrannical the USDA continues to treat our family.

''We await your immediate response.

''With justice and equality, Gary Grant.''

And he sent to all of us, and the President, in terms of that. I think his effort and certainly the efforts of the Black Caucus and the intervention of that certainly means that this family is coming to some resolution, and they are feeling comfortable.

The point to be made is that they speak for so many families that stand in line, so we need to have a resolution. This is so critical.

Mr. THOMPSON. Well, if the gentlewoman will yield, with an abundance of caution, Mr. Eddie Ross from Vicksburg, Mississippi was in a similar situation. He signed a settlement agreement in November of last year, and we only got his check last Friday.

Mrs. CLAYTON. That is right.

Mr. THOMPSON. So even though you sign the settlement agreement, the ink is dry, it is not over until the check is received.

Mr. HILLIARD. Would the gentlewoman yield?

Ms. WATERS. If the gentleman will wait for one moment, my understanding is that Mr. Ross was not fully compensated. He was the case that helped to highlight this.

Mrs. CLAYTON. Statute of limitations.

Ms. WATERS. Statute of limitations.

Mrs. CLAYTON. Absolutely.

Ms. WATERS. And while they were able to do some compensation, they sidestepped the issue of the statute of limitations.

Mrs. CLAYTON. You have it right. Absolutely.

Ms. WATERS. And if the truth be told, he has not been fully compensated even though he has some compensation, is that correct?

Mr. THOMPSON. That is right.

Mr. HILLIARD. That is the point I wanted to bring out. Is this also the gentleman that had thought that his complaint had been settled some time back and that everything was perfect and everything was fine and had received certain mailers from another governmental agency?

Mr. THOMPSON. You are absolutely correct.

Mrs. CLAYTON. Taxes.

Mr. HILLIARD. And what agency was that?

Mr. THOMPSON. Let me tell you, this gentleman received a 1099 for $523,000.

Ms. WATERS. Is that IRS?

Mr. HILLIARD. Which is the amount of the settlement.

Mr. THOMPSON. For the amount of the settlement, which he had not received.

Mr. HILLIARD. But he received that, which meant that, theoretically, he was supposed to pay taxes on that for the year 1997.

Mr. THOMPSON. You are absolutely correct.

Mr. HILLIARD. And he just received a check last week.

Mr. THOMPSON. That is correct.

Ms. WATERS. If the gentleman will yield back to me. After it was decided that the money was owed, the check was cut.

Mrs. CLAYTON. That is right.

Ms. WATERS. He had to sign the check within four hours. And a memorandum went from USDA to the Justice Department that talked about all of the ways they could deny the check. In the final analysis, they found the good old statute of limitations and ruled that they could not go forward.

Mr. HILLIARD. Madam Speaker, would the gentlewoman yield?

Ms. WATERS. Yes.

Mr. HILLIARD. Because I want to make sure I understand her.

Ms. WATERS. Yes.

Mr. HILLIARD. Is the gentlewoman saying that agreement had been reached?

Ms. WATERS. Yes, sir.

Mr. HILLIARD. And a check had been cut?

Ms. WATERS. Yes, sir.

Mr. HILLIARD. And they held that check?

Ms. WATERS. Yes, sir.

Mr. HILLIARD. After our government has signed the agreement?

Ms. WATERS. That is right, sir.

Mr. THOMPSON. That is right.

Mr. HILLIARD. And said what?

Ms. WATERS. Said, uh-oh, the statute of limitations.

Mr. THOMPSON. That is right.

Ms. WATERS. The memorandum discussed a way by which they could deny the check that had already been cut, and they did it within 24 hours. See, the reason the gentleman got his 1099 from the IRS was because the check was cut, and the form went over to notify Internal Revenue that he had been paid.

So when you send that notification, then IRS takes, of course, a look at the additional dollars or compensation or whatever you have so that they can tax you. That is why he got the notice from IRS because they assumed, given they had been given the notice, that he had the money.

Mr. THOMPSON. Well, Madam Speaker, what happened, they told the people that processed the check, but then they did not go back and tell them but we are not going to mail it, do not send the statement out, because if you do, you let the cat out of the bag.

So what happened when Mr. Ross got the 1099, it was obvious that they were moving so fast to cover their tracks that they missed one scenario to cover it. And that was the issuance of the 1099. And that is what brought all of this to light.

So, to the Grant family and the public, we want them to understand that we are still having a difficult time getting our government to be sensitive to the problems that our farmers are having. We should not have to fight our government to make it right.

Mr. HILLIARD. Will the gentlewoman yield?

Does it not go further than that? Does it not show that our government is really maneuvering and trying not to keep their word, not to compensate these people for the wrongs that have been heaped on them?

Mr. THOMPSON. Oh, absolutely. And the civil rights action team report documents all the wrongs.

Mrs. CLAYTON. Absolutely.

Mr. THOMPSON. I would say that Secretary Glickman had the novel idea that, now that we have the problems documented, we can move and solve them right away.

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Mr. THOMPSON. Madam Speaker, the systemic problem within that agency is so deep, the good old boy network.

Mr. HILLIARD. But there also has to be in Justice, too.

Ms. WATERS. Madam Speaker, I submit that the Justice Department has said no matter what we move to do in USDA, they have got the final word. We can go through the administrative process all we want and resolve these cases, but they are going to look at each one of them and they are going to determine whether or not they will let it go through and will let these payments be made.

I really do believe that the Secretary is doing the best that he can do and he is acting in good faith. I do not think that Secretary Glickman ever anticipated that some lawyer sitting over in DOJ would have the audacity to stop these payments. Because as we all understood, and the Secretary thought, when all is said and done, once the Secretary signs off: Done. None of us anticipated that DOJ would interfere in the way that they are doing.

And so we have now 864 cases still to be resolved. All of the work that you have been doing for the time that you

have been in Congress, only 224 have been resolved. It is planting season and we have farmers that are bare. In this 864 have been waiting 10, 15, 20 years. We have people who have died waiting. We have people who have had heart attacks who have died brokenhearted waiting for their government to look at these cases to investigate them, to give them just a modicum of justice.

And so let me just say to all of my colleagues, despite this difficulty, I cannot use a better example than Winnie Mandela when they had to confront the past laws of an apartheid system. She said, ''Now that you have touched the women, you have struck a rock.''

Well, now that they have engaged the Congressional Black Caucus, they have struck a rock. This is our ''40 acres and a mule.'' We are not going anywhere. Eight hundred sixty-four cases to be resolved. We are committed to resolving each one of them by any means necessary. We will try to resolve them administratively. We will attempt to do whatever we can do to pass legislation. But we will not go away.

Madam Speaker, I say to all of those farmers who are out there whose voices have gone unheard, all of the farmers that my colleagues have been working so hard for, that they have been knocking on the doors of USDA and Department of Justice and Congress, they need to know this evening that we are joined as a strong team with good Members of this Congress who want to help us. Members who I understand may come from both sides of the aisle. Members who have watched as we have been engaged in this struggle who have said how can I help?

They may get a chance to vote on some legislation to waive the decision about the statute of limitation. But we are determined that whatever it takes, we are going to win justice for these farmers. Not only will the farmers be proud, but all of their relatives who went up North because they could not farm; all of them who live up in my district and live in New York and who live in St. Louis and other places who could not continue their farming and who are fighting for their relatives down South. We stand here today committed to the proposition: We are not going anywhere. We are going to work these cases one by one, two by two, three by three, four by four. We are going to get justice for all of these 864 cases. Am I correct?

Mr. HILLIARD. Madam Speaker, yes, absolutely correct.

Mr. THOMPSON. Madam Speaker, to the question of fundamental fairness, I am convinced that if this proposition is put before this body, that if, in fact, the record says that these individuals have, in fact, been aggrieved by an Agency of the United States Government, and we cannot provide relief to them because of a little something called the statute of limitations, and we have provided relief in other situations for other individuals. I look at this as a similar position.

Farmers have been done wrong. We have documented the wrongdoings of the Department of Agriculture. The Secretary of Agriculture would like to resolve the problems. Now, another branch of government decides that they know more about agriculture than the Department of Agriculture and they will become, if we please, ''the new plantation'' which is about the business of making black farmers extinct in this country.

So in the interest of fairness, we can resolve it, Madam Speaker, but it will take people of goodwill, as I said earlier, sitting down, reviewing the facts. And the record is clear. Mr. Eddie Ross' case was 7,500 pages long. One little small farmer who was renting land to farm. And here we have wasted thousands of dollars before we came to a partial settlement in his case.

Let us cut the red tape. Let us quit spending money. Let us put our lawyers to work to fighting the druggies and folk who bring in drugs in this country. We should not be fighting hard-working farmers in this country with our tax dollars. Let us fight crime. Let us fight the problems that tear communities down. Let us not fight the people who work by the sweat of their brow trying to make something out of this country that we call America.

Ms. WATERS. Madam Speaker, I ask the gentleman from Alabama (Mr. HILLIARD) if he would like to have our closing statement.

Mr. HILLIARD. Madam Speaker, basically I want to make one point. That the results of our government's action or inaction, whether intentional or unintentional, has caused continuous discrimination against African-American farmers to the detriment of their very existence. We must continue to help them.

Mrs. CLAYTON. Madam Speaker, this is an opportunity, I think, that we have to acknowledge that a great injustice has been done. And I agree with the gentleman from Mississippi (Mr. THOMPSON), we ought to just say we should not have done that, government. We understand we did wrong, and try to make amends. We have done this in this country before. And the pain and suffering that is continuously happening need not happen.

But more importantly, we ought to say something about the sincerity of this democracy when we acknowledge that people have been aggrieved and harmed; that is what the rule of law is about. It is about justice and equity. And this is a small, narrow group. We are not talking about a large group. We are talking about a small narrow group. In fact, only 3 percent of the Americans provide the food and fiber anyhow. And of that 3 percent, we have less than 16,000 African-American farmers.

So we need to find how we increase the number of farmers. Not only for opportunities, but increase of number of farmers, period. And not put them at a disadvantage. They are providing food and fiber for all of us as Americans. They do not discriminate. They put their sweat and their brow to produce good food at affordable rates. We ought to at least say they ought to have an even break and their justice should be in their making an honest living, providing products that are worthy and that government should say that they will do these things without any regard to discrimination of race or equity or physical disability.

And if they have erred, usually our government would be big enough to say we have erred and we have documented that we have erred, and now that we have admitted, as the report says, and in each of the cases that we talk about we are not talking about rewarding people who just claim to have been discriminated, we are talking about rewarding people that the government said they discriminated against. So we are asking them to acknowledge and pay for their acknowledgment and not just say, uh-oh, I am sorry; it is too late.

Our government is too great. What makes our government great is its compassion and its rule of law and the rule of law has the confidence of its people when there is a sense of justice and a sense of fairness.

Madam Speaker, I thank the gentlewoman from California (Ms. WATERS) for having this special order that we could talk about. I am pleading with our other Members who I think on both sides understand the inequity that has happened here, and we will need them to reinforce that the rule of law does prevail and it does prevail for black farmers as it does for any other American. I thank the gentlewoman from California for her leadership.

Ms. WATERS. Madam Speaker, the gentlewoman is certainly welcome. And I would like to thank her for the education that she has provided for all of the Members of the Congressional Black Caucus. Those who have struggled with this issue have taught us not only the importance of the black farmer, but really have opened our eyes to the discrimination that they have been confronted with, and the harm and the detriment, the loss of property that they have experienced.

We know this issue now. We understand it very deeply and we are very much committed to justice and fairness. And I want to thank them for all the work that they have been doing on behalf of the farmers and the way that they have moved this issue forward.

I have been here in the government long enough to understand and witness, just before I came, the bailout of the banks. I am now here when I am watching us be involved in an issue where we are being asked for $18 billion for the International Monetary Fund where, again, we are going to bail out banks.

We bailed out savings and loans, we are going to bail out banks who made loans in countries where the money was at risk. Countries where there are

dictators, countries where the economy is not stable. Countries that are on the verge of civil war. We have watched our government bail out and come to the aid of those who oftentimes have not been deserving.

Banks have not been discriminated against; they have been embraced. S&Ls were not discriminated against. They were embraced. And here we have the little people, the little people who are trying to eke out a living, good hard-working, God-fearing people who came before our committee and cried real tears. People who pray to their God every night, who rise up early in the morning and go to work, who send their children to school, who played by the rules who have been harmed. People who are just asking for a little justice.

I know we have spent a lot of hours on this issue. I know how much time my colleagues have spent. But I know that in the final analysis we are going to win on this issue. And I do believe that even those Members who may have not paid attention who come from a different philosophical point of view on most issues, will understand the harm and injustice of this issue.

I am confident, as a matter of fact, that when we pursue the legislative remedy, that we are going to be able to prevail on this floor because in the final analysis, most people understand simple and basic fairness. And most people want the little people to receive justice from their government.

So I say to all of my colleagues, our work continues. But in many ways we have just begun. No matter how many hours we have put into it until the race is run, it has not been done. And as we stand here today, we can be proud, the Congressional Caucus can stand proud because we are representing the black farmers of America from every nook and cranny throughout the South, throughout the Midwest, wherever they are, we stand tall in representing them and we are going to fight for justice. We will not stop until this ill is cured.

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Mrs. CLAYTON. I want to say the fight that we are making for the black farmers is also yielding for the betterment of small farmers and other minorities. I want to tell my colleagues that the farmers who are Indian that have come from their reservations saying they got no help are now joining with the black farmers. White women who have been discriminated in New Jersey are coming to our Committee on Agriculture saying, because of the fight, they saw the hearing and called and asked if they could participate.

So fighting for little people has united our effort and our leadership to fight for all rural farmers in that area.

Mr. THOMPSON. If the gentlewoman will yield one last time, one of the things perhaps tomorrow night we can talk about, in addition to expanding more on this issue, is the notion that the settlement would adversely impact the budget. The gentlewoman from North Carolina and I are on the Committee on the Budget, but the reality is we already have monies set aside to settle the notion.

So if there are any people wondering, saying if we settle all those cases, what will it do to the budget? Zero. Because we have a judgment fund created within our government to handle situations like this when we do wrong.

So, clearly, we will expand a little more tomorrow night on it, but just the notion that if relief is to come, who will write the check. Gladly, somebody had the foresight to know that we are not perfect, so we have a judgment fund available to us that clearly has money in it and we can resolve these issues and get on with the business of running the government.

Ms. WATERS. Madam Speaker, I want to thank Members very much.

CONTINUED REPRESSION IN CUBA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Florida (Mr. DIAZ-BALART) is recognized for 60 minutes as the designee of the majority leader.

Mr. DIAZ-BALART. Madam Speaker, today, February 24th, is a very important day in the history of Cuba. It is the day that in 1895 the war of independence of the Republic of Cuba began. After almost a century of fighting, the Cuban people began the war of independence of 1895 on February 24th, a war that was ultimately successful.

And names that already had become not only part of martyrdom but of history, names like Cespedes and Agramonte and Aguilera, the founding fathers of the Cuban republic that had launched the first war of independence in 1868, a war that lasted 10 years, that caused hundreds of thousands of casualties, those names were added in the war that began in 1895 on this date to many others that also became part of martyrdom and of history, names like Marti and Banderas and some names from the prior war that again that took part in the war of independence that was successful in 1895, names like Gomez and Maceo. So this is a very important date in the history of Cuba, and it is important to remember it.

It is also a very important date, Madam Speaker, now in the history of the United States, a date that is already not only part of history but has been bloodied just 2 years ago, on the 24th of February, 1996, when the Brothers to the Rescue airplanes were on a humanitarian mission over the Straits of Florida and were shot down and four innocent civilians were killed.

I would like to, if I may, Madam Speaker, read a part of an opinion issued just a few weeks ago, a final judgment by the United States District Court of the Southern District of Florida, specifically written by Federal Judge James Lawrence King, where this incident of just 2 years ago is detailed. Not only is it described in all its brutality but some of the most, I think, extraordinary characteristics of this brutal incident are laid out.

Judge King writes in his order of just a few weeks ago, the government of Cuba on February 24, 1996, in outrageous contempt for international law and basic human rights, murdered four human beings in international airspace over the Florida Straits. The victims were Brothers to the Rescue pilots flying two civilian unarmed planes on a routine humanitarian mission searching for rafters in the waters between Cuba and the Florida Keys.

As the civilian planes flew over international waters, a Russian-built MiG–29 of the Cuban Air Force, without warning, reason or provocation blasted the defenseless planes out of the sky with sophisticated air-to-air missiles in two separate attacks.

The pilots and their aircraft disintegrated in the midair explosions following the impact of the missiles. The destruction was so complete that the four bodies were never recovered.

One of the victims, Armando Alejandre, was 45 years old at the time of his death. Although born in Cuba, Alejandre made Miami, Florida, his home at an early age and became a citizen of the United States. Alejandre served an active tour of duty for 8 months in Vietnam, completed his college education at Florida International University and worked as a consultant to the Metro Dade County Transit Authority at the time of his death. He is survived by his wife of 21 years, Marlene Alejandre, and his daughter Marlene, a college student.

Carlos Costa was born in the United States in 1966 and resided in Miami. He was only 29 years old when the Cuban government ended his life. Always interested in aviation and hoping to some day oversee the operations of a major airport, Costa earned his Bachelor's Degree at Embry-Riddle Aeronautical University and worked as a training specialist for the Dade County Aviation Department. He is survived by his parents, Mirta Costa and Osvaldo Costa, and by his sister Mirta Mendez.

Mario De la Pena was also born in the United States and was 24 years old at the time of his death. Working toward his goal of being an airline pilot, De la Pena was in his last semester at Embry-Riddle when he was killed. During that semester he had obtained a coveted and highly competitive internship with American Airlines. Embry-Riddle granted De la Pena a bachelor's degree in professional aeronautics posthumously. He is survived by a younger brother, Michael De la Pena, and his parents, Mario and Miriam De la Pena.

Pablo Morales was the fourth victim. His survivors are not part of this court case. That is why Pablo, a marvelous young man also, who himself had been rescued by Brothers to the Rescue, is

not mentioned in this opinion by the Federal Court.

The court then describes the shootdown.

Alejandre, Costa and De la Pena were all members of a Miami-based organization known as Hermanos al Rescate, or Brothers to the Rescue. The organization's principal mission was to search the Florida Straits for rafters, Cuban refugees, who had fled the island nation on precarious inner tubes or makeshift rafts, often perishing at sea. Brothers to the Rescue would locate the rafters and provide them with lifesaving assistance by informing the Coast Guard of their location and condition.

On the morning of February 24, 1996, Brothers to the Rescue's civilian Cessna 337 aircraft departed from Opa-Locka in South Florida. Costa piloted one plane, accompanied by Pablo Morales; De la Pena piloted the second plane, with Alejandre as his passenger.

Before departing, the planes notified both Miami and Havana traffic controllers of their flight plans, which were to take them south of the 24th parallel. The 24th parallel, well north of Cuba's 12-mile territorial sea, is the northernmost boundary of the Havana flight information region. Commercial and civilian aircraft routinely fly in this area, and aviation practice requires that they notify Havana's traffic controllers when crossing south through the 24th parallel.

Both Brothers to the Rescue planes complied with this custom by contacting Havana, identifying themselves and stating their position and altitude.

While the planes were still north of the 24th parallel which, as the judge stated, is well north of the 12-mile territorial limit, the Cuban Air Force launched two military aircraft, a MiG–29 and a MiG–23, operating under the control of Cuba's military ground station. The MiGs carried guns, close-range missiles, bombs and rockets and were piloted by members of the Cuban Air Force experienced in combat.

Excerpts from radio communications between the MiG–29 and Havana military control detailed what transpired next.

The MiG–29: Okay, the target is in sight; the target is in sight. It's a small aircraft. Copied, small aircraft in sight.

We have it in sight.

Target is in sight.

Military Control: Go ahead.

MiG–29: The target is in sight.

Military Control: Aircraft in sight.

MiG–29: Come again?

It's a small aircraft.

It's white. White.

Military Control: Color and registration of the aircraft?

MiG–29: Listen, the registration also?

Military Control: What kind and color?

MiG–29: It's white and blue.

White and blue, at a low altitude, small aircraft.

Give me instructions.

Authorize me.

If we pass it, it will complicate things. We're going to give it a pass because some vessels are approaching there. I'm going to give it a pass.

Talk. Talk.

I have it on lock-on. I have it on lock-on.

I have it on lock-on. Give us authorization.

It's a Cessna 337. Give us authorization, damn it.

Military Control: Fire.

MiG–29: Give us authorization. We have it.

Military Control: Authorized to destroy.

MiG–29: I'm going to pass it.

Military Control: Authorized to destroy.

MiG–29: We already copied. We already copied.

Military Control: Authorized to destroy.

MiG–29: Understood, already received. Leave us alone for now.

Military Control: Don't lose it.

MiG–29: First launch.

We hit him. Damn, we hit him. We hit him. We retired him.

Wait to see where it falls.

Come on. Come on in. Come on in. Obscenities.

Mark the place where we took it out.

We are over it. This one won't mess around anymore.

Military Control: Congratulations to the two of you.

MiG–29: Mark the spot.

We're climbing and returning home.

Military Control: Stand by. Stand by there circling above.

MiG–29: Over the target?

Military Control: Correct.

MiG–29: Obscenities. We did tell you, buddy.

Military Control: Correct, the target is marked.

MiG–29: Go ahead.

Military Control: Okay, climb to 3,200, 4,000 meters above the destroyed target and maintain economical speed.

MiG–29: Go ahead.

Military Control: I need you to stand by. What heading did the launch have?

MiG–29: I have another aircraft in sight.

We have another aircraft in sight.

Military Control: Follow it. Don't lose the other small aircraft.

MiG–29: We have another aircraft in sight. It is in the area where the other one fell. It's in the area where it fell.

We have the aircraft in sight.

Military Control: Stand by.

MiG–29: Comrade, it's in the area of the event.

Did you copy?

Okay, this one's heading 90 degrees now.

It's in the area of the event, where the target fell. They are going to have to authorize us.

Military Control: Correct, keep following the aircraft. You are going to have to stay above it.

MiG–29: We're above it.

Military Control: Correct.

MiG–29: For what? Is the other authorized?

Military Control: Correct.

MiG–29: Great. Let's go, Alberto.

Understood. Now we're going to destroy it.

Military Control: Do you have it in sight?

MiG–29: We have it. We have it. We're working. Let us work.

The other one is destroyed. The other one is destroyed. Fatherland or death. Obscenities. The other one is destroyed. It's down also.

The judge continues: The missiles disintegrated the Brothers to the Rescue planes, killing their occupants instantly and leaving almost no recoverable debris. Only a large oil slick marked the spots where the planes went down. The Cuban Air Force never notified or warned the civilian planes, never attempted other methods of interception, and never gave them the opportunity to land.

□ 1945

The MiG's first and only response was the intentional and malicious destruction of the Brothers to the Rescue planes and their 4 innocent occupants. Such behavior violated clearly established international norms requiring the exhaustion of all measures before resort to aggression against any aircraft and banning the use of force against civilian aircraft altogether.

The international community, the judge writes, moved quickly to condemn the murders. The United Nations Security Council, the European Union, and the International Civil Aviation Organization were among the many to issue statements deploring the Cuban regime's unjustifiable use of force. The Congress characterized the shootdown as a blatant and barbaric violation of international law, tantamount to cold-blooded murder. Congress concluded, ''The Congress strongly condemns the act of terrorism by the Castro regime in shooting down the Brothers to the Rescue aircraft on February 24, 1996.''

The court in its opinion rightly found both the Cuban Air Force and the Cuban government are liable for the murders of Alejandre, Costa, and De la Pena.

The court writes, Cuba's extrajudicial killings of Mario De la Pena, Carlos Costa, and Armando Alejandre, and Pablo Morales, which is not part of this action.

Cuba's extrajudicial killings of these innocent civilians violated clearly established principles of international law. More importantly, they were inhumane acts against innocent civilians. The fact that the killings were premeditated and intentional, outside of Cuban territory, wholly disproportionate and executed without warning or process, makes this act unique in its brazen flouting of international norms. There appears to be no precedent, writes Judge King, no precedent for a military aircraft intentionally shooting down unarmed civilian planes.

The only conceivable parallel may be the shootdown of KAL Flight 007 by the former Soviet Union in 1983. That incident can be distinguished from this case, however, by two key facts. First, the Soviets were arguably under the impression that the KAL plane was a military aircraft. Second, the plane had strayed into Soviet airspace. Neither of these facts is true in this case. Yet despite the fact that the KAL plane was in Soviet airspace, a commentator studying the incident concluded that the lethal use of force was completely inappropriate.

So I think it is important, Madam Speaker, to realize that there is no precedent for the terrorist action committed just 2 years ago today by the Castro regime killing 4 unarmed civilians over international waters. This kind of extrajudicial killing constituted an act of state terrorism, not state-sponsored terrorism but rather state-committed terrorism that must be, and I commend at this point Judge King and the court, the Federal District Court for the Southern District of Florida for this very erudite and responsible and obviously fair and humane final judgment.

I think it is important that despite the great courage required to do so, out of a Cuban political prison there has been sent out, smuggled, if you will, surreptitiously sent, a statement by 8 political prisoners. They managed to get this statement out of the Ariza prison in Cienfuegos, Cuba just a few days ago with regard to this date. These prisoners, risking their lives in sending this statement out, wrote the following:

''The dictatorship has stained another date in the history of Cuba with blood, injustice and profound pain with the shootdown of the aircraft of Brothers to the Rescue in 1996, the second anniversary of which is commemorated on February 24.

''As will so many Cubans, we will never forget the victims of that day who because of the love of justice became doves of peace who offered their lives to try to bring freedom to their humiliated people.

''To those who did not take death seriously when the nation was discussed, because of their example, we are willing to equal their measure of devotion.

''In memory of those who fell in flights of peace, the political prisoners of Las Villas in Ariza, Cienfuegos, manifesting our repudiation of the massacre and our heartfelt condolences to their families, will be fasting and in prayer during the entire day of February 28, 1998.

''Decided for the nation.''

Signed by Vladimiro Roca, Bernardo Arevalo, Augusto Cesar San Martin, Jorge Felix Canosa, Israel Hidalgo-Gato, Benito Pojaco, Jose Ramon Lopez and Pedro Genaro Barreras.

This is an example of extreme courage and typical of the kinds of statements and actions that are being taken by the internal opposition within Cuba day in and day out, even in the midst and while they suffer as a consequence grave repression from the dictatorship.

Madam Speaker, I try to utilize this position of great honor granted to me at 2-year intervals by the 600,000 residents of the 21st Congressional District of Florida to bring to the attention of my colleagues and the American people facts and realities that the majority of the communications media and the press often ignore. All too often the reality of Cuba, the reality facing the Cuban people fits into that category. To use the analogy of failing to see the forest while talking about trees, for one story by a journalist who sees the forest, we are forced to read 50 stories about trees, stories that are either completely one-sided, out of context or simply seem to be from another forest altogether. One of those few articles, one of those few examples by mass media that show that there are exceptions I read just yesterday in the Washington Times by a journalist named Tom Carter. Mr. Carter writes, in an article entitled Cuba's Forgotten Prisoners of Conscience:

''We knew Nelson Mandela's name long before he was released from the South African jail because reporters made his name known. All over the United States and Europe people prayed in synagogues and churches for the release of Natan Shcharansky and Andrei Sakaharov from Soviet imprisonment or exile.''

Amnesty International lists 600 prisoners of conscience. Those are people who have been sentenced for alleged crimes by Castro's regime which are totally nonviolent, even pursuant to the accusation made by the dictatorship. Because there are hundreds, thousands of others who are charged with so-called common crimes even though they are political prisoners.

''Amnesty International nevertheless lists 600 prisoners of conscience currently rotting in the Cuban Gulag. Pope John Paul II gave the government a list of 200 names pleading for their release. Some were released in a government amnesty earlier this month. Nonetheless, the State Department's 1998 report on human rights lists Cuba as one of the world's most egregious violators of human rights.''

''Why then with some 3,000 American reporters credentialed to cover the Pope's visit to Cuba was there so little news from those opposed to Castro's Communist paradise?''

''One theory on the media's silence is that the Cuban regime has cowed the U.S. press in much the same way it has subdued much of its 11 million people, with fear. For years, getting permission to report in Cuba has been coveted like a brass ring, visas awarded only to reporters deemed reliable by the Cuban government and some reporters hoping to make return trips purposely tailor their coverage so as to not offend anyone in government.''

''On my first visit to Cuba 6 years ago, a well respected reporter who is still reporting from Cuba schooled me on what the authorities would permit and what was out of bounds: It was permitted to interview government-approved dissidents, most notably Elizardo Sanchez, a former Marxist professor who has spent 8 years in jail. The head of the Cuban Commission for Human Rights and Reconciliation has suffered enormously and has jackboot prints on his front door to prove it, and reporters have beat a well worn path to his house. Perhaps coincidentally, Mr. Sanchez is by his own count one of the minority of opposition figures who, like the Cuban government, also opposes the U.S. embargo on Cuba.''

''Other opposition figures I asked about were considered sensitive and way off limits, only to be interviewed on the way to the airport and only if a return visa was unimportant.''

''Despite the so-called openness of the Cuban government for the Pope's visit, it refused visas to at least 60 reporters from the Miami Herald, the St. Petersburg Times and several European and Latin American newspapers. Many denied entry were old Cuba hands who had written unflattering reports about the deterioration of the revolution in recent years.''

''So many who received the coveted tickets to Havana were Cuban novices, first-time visitors to the island with no time to peer behind the public mask of the revolution. Others apparently in sync with the, quote, gains of the revolution, end quote, and opposed to the U.S. Cuba policy simply choose to ignore the other side of the story.''

''While I cannot comment on all of CNN's coverage, I did see Christiane Amanpour's 1-hour special on Cuba and the Pope that was aired on CNN's international channel.''

''Masquerading as news, it was little more than a song of praise to the revolution and a political commercial against the U.S. embargo. I kept waiting in vain for someone, anyone, to say something that didn't sound like it was straight out of the government newspaper Granma.''

''It is not as though opposition figures in Cuba are unknown. Two phone calls before I left the United States for Cuba got me 4 pages of names, addresses and phone numbers. Time prevented me from visiting more than one, Dr. Hilda Molina, who said American reporters rarely stop by.''

''Asked if my visit put her in danger, she was defiant. 'I don't care if you're State security, I'll say the same thing,' she said.''

''Before that kind of courage, I find it cowardly that some news organizations simply recycle regime propaganda as news.''

Unfortunately, Madam Speaker, that is all too often the reality of news reporting with regard to Cuba. The reality of Cuba is ignored and very often if it is not ignored, it is part of disinformation and even misinformation.

I attempt to update, and I will use this opportunity to update my colleagues about recent arrests and acts of repression against dissidents and independent journalists in Cuba. I guess we could call it a plaque of human rights update on the situation there because I think that it is important as Mr. Carter writes, for human rights support groups and international organizations and parliaments throughout the world and especially in this greatest of all democratic parliaments in the world, for those brave human rights activists and freedom fighters to be mentioned, to be supported, to be given solidarity. It is very telling that despite the repression, despite the great obstacles faced by the internal opposition, that internal opposition is an ever growing, brave opposition movement within Cuba that is actively working to achieve a transition to democracy and freedom in that long-suffering island.

I have before me just a very incomplete, I recognize, list of obvious and direct human rights violations, and I would like to read out the names of just a few of these incidents that have come to my attention in recent months, and most of them I have actual dates for.

On July 23, Pascual Escalona, a well-known human rights activist, was charged with dangerousness and arrested.

July 24, Aguilleo Cancio Chong, President of the Cuban National Alliance, was arrested by Cuban State Security and subjected to intense interrogation and threats.

On July 24, Pascaul Escalona Naranjo was sentenced to one year's imprisonment on a charge of dangerousness. It is believed that the charge stems from his and his wife's advocacy of freedom of expression for Cuba through the Agencia de Prensa Independiente, the Cuban independent press agency.

On July 25, Ramon Morejon Castillo's house was searched from 7 in the morning until 12 noon and he was later arrested. Morejon Castillo is not a member of any opposition group but was arrested 2 years ago under the charge of suspicion of sabotaging Cuban elections. He is still imprisoned in the Villa Marista state security center.

On July 28, Raul Rivero, head of the Independent Press Group, Cuba Press, was detained.

□ 2000

He was detained again on August 12.

On July 29 Luis Lopez Prendes, reporter with the Independent Press Bureau, was arrested after speaking with members of the New York based Committee to Protect Journalists.

July 31 Rafael Fonseca, Yordys Garcia, Juan Rodiles, Carlos Herrera, Jackelin Caballero and Dr. Walter Estrada, members of the Cuban Democratic Youth Movement, all from Guantanamo, were warned by State security not to show themselves in public while delegates of the XIV World Youth and Students Festival were visiting Guantanamo. In spite of this, a peaceful rally demanding the release of Nestor Rodriguez Lobaina was held and broken up by State security.

Also in July 1997, date unknown Reinaldo Soto from the Cuba Press was sentenced to 5 years in a maximum security prison. He was found guilty of distributing enemy propaganda to foreign states.

Also July 1997, date unknown, Heriberto Leyva Rodriguez, vice president of Youth for Democracy, was convicted of contempt for the authority of the Santiago courts, based on his testimony given at the hearing of Garcia de la Vega, another member of Youth for Democracy.

July 1997, date unknown, Lorenzo Paez Nunez, a journalist with the Habana Press Agency, was sentenced to 18 months for, ''contempt and defamation of national policy,'' based on allegations that he reported on police abuses.

August 2, Juan Carlos Herrera was arrested and kept in isolation for 2 days for attempting to contact foreign delegates at Cuba's youth festival who were in Guantanamo at the time. He was told by Manuel Ceballos, who was in charge of interrogation, that he would be charged with disorderly conduct and enemy propaganda because he had a copy of the Universal Declaration of Human Rights when he was arrested. He was released when the delegates left Guantanamo.

August 2, Mauri Chaviano Mesa, executive with the Cuban National Alliance, was arrested in Santa Clara and submitted to interrogations, harassment and threats by State security.

August 12, Raul Rivero, President of the Cuba Press was detained by Cuban officials. The agents confiscated materials from his domicile, and after hours of detention he was released.

August 14 Raul Rivero, was again detained on charges of possessing enemy propaganda. His house was searched without warrant.

August 15, David Norman Dorm, Director of International Affairs for the American Federation of Teachers here in the United States, visiting Cuba, was deported allegedly for contacting the internal opposition on behalf of the Freedom House Cuban Rights organization here in the United States.

August 15 Maritza Lugo Fernandez, vice president of the Thirtieth of November Party, was arrested for informing foreigners about human rights abuses in Cuba. She started a hunger strike when informed that she would be tried by a military court.

August 19, State security agent known as Pepin and other agents in an act of continuing psychological torture, went to the home of Professor Reinaldo Cosano Allen and told him to gather his belongings because he was being arrested.

August 20, Zohiris Aguilar, activist and president of the Popular Democratic Alliance, ADEPO, was detained by Cuban State police without being given cause. Her husband Leonel Morejon Almagro, lawyer and founder of Concilio Cubano, well known human rights umbrella group, was also questioned by police. Police threatened to take away their child to be raised by the State unless they ceased their activities advocating free and fair elections.

August 20, Nery Gorotiza Campoalegre, executive of the Cuban National Alliance, was detained by State Security Agent Pepin, interrogated and threatened for 24 hours.

August 20, opposition activist Sergio Quiro, secretary for Leonel Morejon Almagro, was arrested. While being interrogated and threatened, State security agents played audio tapes with phone conversations opposition members had had with international human rights support groups.

August 21, Roberto Gonzalez Tibanear, who had been deported from Sweden to Cuba early in 1997, was arrested. His defense lawyer was given 48 hours to prepare his case. The charges against him were instigation and contempt.

August 21, Vicente Escobar Barreiro, director of the Cuban Unionism Studies Institute and a leader of the Cuban Workers Council, an independent union, was called in for questioning by the Singular Vigilance System. The Singular Vigilance System is one of the many repressive organs of the Cuban dictatorship.

August 23, Odilia Collazo, while traveling in a car with her husband, was rammed by a government-owned bus and received severe life-threatening injuries. In addition to being President of the Cuban Pro Human Rights Party, Collazo had just assumed the Presidency of the Dissidents Task Force Support Committee after the task force members, well known dissidents, Vladimiro Roca, Felix Bonne Carcasses, Dr. Rene Gomez Manzano and economist Marta Beatriz Roque, were incarcerated the previous month.

Throughout the month of August 1997, Jesus Chamber Ramirez, sentenced to 10 years in prison for enemy propaganda and disrespect against government authority, was regularly denied family visits because he insisted on being treated as a political prisoner rather than as a common prisoner. He was tried and sentenced to an additional 4 years for demanding better conditions with yet another trial still pending.

August 1997, date unknown, Luis Mario Pared Estrada, a leader of the Thirtieth November Party, Frank Pais, was convicted of dangerousness and sentenced to one year in prison.

September 8, three leaders of the Democratic Federation of Workers in Cuba, Ana Maria Ortega Gimenez, Nacional Coordinator; Gustavo Toirac Gonzalez, Secretary General; and Ramon Gonzalez Fonseca, Secretary of Transportation were arrested. Jose Orlando Gonzalez Brindon, President of

the organization was placed under house arrest.

September 9, Cuban State police arrested the President of the Democratic Solidarity Party, Hector Palacio Ruiz, for commenting on Castro's lack of mental stability in an interview with a German journalist. We certainly could do an entire special order on Castro's lack of mental stability.

September 10, Jorge Luis Garcia Perez Antunez, Nestor Rodriguez Lobaina, and Francisco Herodes Diaz Echemendia were beaten by over 30 guards in the prison where they were being kept and still are today on charges of enemy propaganda, attempted sabotage and acts against State security.

September 10, Raul Ernesto Cruz Leon, a citizen of El Salvador, was arrested and charged with being a material author of seven hotel bombings in Cuba.

September 13, Lazaro Fernandez Valdez and Rodolfo Valdez Perez were detained at their homes after attending a mass given by Cardinal Jaime Ortega. They had shouted, Long live Cardinal Ortega.

September 15, Cecilio Monteagudo Sanchez, member of the Democratic Solidarity Party, was charged with enemy propaganda and detained. He allegedly distributed a flyer encouraging people to boycott voting in the one-party election run by the regime.

September 16, U.S. citizen Walter Van de Veer, who had been arrested in Cuba in August of 1996, was tried as a high risk mercenary, and on that date was sentenced to 15 years in prison.

September 23 Alexander Hernandez Lago, reportedly a contributor to Vitral, an officially sanctioned religious magazine, was beaten in his home by police for allegedly failing to pay a utility bill of 41 pesos. Lago then protested by wearing a placard in public stating we are fed up with so much arbitrariness and injustice, Human Rights, Article 19, Respect Them, for which he was arrested.

September 24, Cecilio Ruiz Rivero, member of the Association for Struggle Against Injustice, was arrested and charged with disrespect, assault and resistance.

September 24, Efrain Rodriguez Santos, member of the Club Pueblos Cautivos de Cuba, Captive Towns of Cuba Club, because there are entire towns in Cuba that are in effect prisons, and that is a subject that we will have to treat in detail at some point. Efrain Rodriguez Santos, member of the Captive Towns of Cuba Club was sentenced to 18 months imprisonment on charges of disrespect of Fidel Castro. He allegedly shouted from his home's balcony, Down with Fidel Castro.

September 27 Maritza Lugo Fernandez, was convicted of bribery for allegedly attempting to convince a prison guard to give prisoners belonging to the Thirtieth of November Party a tape recorder.

October 23, 11 members of the Pro Human Rights Party of Cuba, PPDH, were convicted of associating to commit criminal acts and disobedience after conducting a hunger strike to protest the government's detention of another PPDH member, Daula Carpio Mata. Sentences ranged from 1 year of house arrest, Maria Felicia Machad, to 1½ years in prison camp for Jose Antonio Alvarado Almeida, Ileana Penalver Duque, Roxana Alina Carpio Mata, Lilian Meneses Martinez, Arelis Fleites Mendez, Marlis Velazquez Aparicio, Ivan Lema Romero, Danilo Santos Mendez, Vicente Garcia Ramos, and Jose Manuel Yera Meneses.

October 29 Luis Lopez Prendes, with the Bureau of Independent Journalists, was severely beaten for speaking to Radio Marti by phone.

October 29, Daula Carpio Matas of the Pro Human Rights Party, PPDH, was sentenced to 16 months in the prison work camp for her outspoken criticism of an earlier trial. She was initially arrested on charges that she verbally criticized a prison doctor at the trial of a fellow PPDH member.

November 11, Orestes Rodriguez Urrutinier, acting President of the Followers of Chibas Movement, Movimiento Seguidores de Chibas, was brought to trial on charges of enemy propaganda and sentenced to 4 years imprisonment.

November 18, Dr. Desi Mendoza Rivero, this is amazing, President of the Santiago de Cuba Independent Medical Association, was sentenced to 8 years imprisonment for, quote, ''using the mass media to spread enemy propaganda,'' end quote. Rivero accused the regime on Radio Marti of covering up the extent of danger, he is a physician speaking, of covering up the extent of danger to the public during an epidemic of dengue fever and of not taking sufficient measures to control the epidemic.

November 28, Bernardo Arevalo Padron, director of the Independent Press Agency Linea Sur Press, was sentenced to 6 years imprisonment for enemy propaganda.

December 17, Ileana Penalver Duque, was sentenced to 18 months correctional work without internment, ordered to report to work despite physical illnesses from which she is still suffering, including memory and vision disturbances and loss of feeling in her legs, ordered to report to work.

January 9, Jose Angel Pena, president of the Pro Human Rights Party Chico Oriental, was detained for visiting activist, Silvano Duarto.

January 15, Frank Fernandez Lobaina, president of the union, the National Union of Opposition Members, UNO, was arrested for signing The Agreement for Democracy, which is an incredible document that the opposition has come together and not only drafted, but agreed to the opposition in Cuba and outside of Cuba. He spoke on its behalf on January 14 publicly, and he was arrested the next day, January 15.

January 1998, date unknown, numerous people were arrested at papal services during the Pope's visit, the 4-day trip, which was a marvelous visit where the Cuban people had a ray of hope for 4 days with the visit of that incredible, not only one of the greatest figures of this century, but of the millenium and leader of the Catholic Church, John Paul, II. Numerous people were arrested at the papal services for speaking to foreign journalists or holding up pro democracy signs or other activities that bothered the dictatorship.

I personally witnessed two young women who were filmed by Univision and CBS tele noticias, and none of our networks here in the English language or especially CNN, I did not see any of those networks show that film that they had access to because I saw it on Univision and tele noticias, two young women being dragged away for holding up a sign that said, Down with the dictatorship of the Castro brother. That is during the papal masses.

February 17, dictatorship prosecutors requested a 15-year sentence in prison for the vice president of the Association for Struggle Against National Injustice Reynaldo Alfaro Garcia. His crime, speaking out for the release of political prisoners.

February 18, the regime announced that Benito Fojaco, Israel Garcia, Jose R. Lopez, Angel Gonzalez and Reynaldo Sardinas will be tried for acts against the security of the State.

February 22, Castro's joke of a Foreign Minister fellow named Roberto Robaina, warned that the release of a few dozen prisoners that the regime has recently announced as a gesture to Pope John Paul does not mean that those dissidents can engage in antigovernment activities when they are out of prison.

February 1998 Jose Miranda Acosta, considered a prisoner of conscience by Amnesty International, was previously sentenced to 15 years in prison even though a Mexican national who was charged along with him served 9 months before being released. Numerous human rights advocacy groups have called for his immediate release because of his extremely delicate health condition. The regime is denying him medical treatment as a form of torture. Jose Miranda Acosta was included in the list of prisoners that the Catholic Church gave to the regime for release, but Castro has refused to release him as he has refused to release countless others.

The denial of medical care by the dictatorship to political opponents as a form of torture is widespread. Yesterday, I called for the resignation of Cesar Gaviria, a secretary general of the Organization of American States, for his systematic ignoring of multiple requests made by Sebastian Arcos for condemnation by the Human Rights Commission of the OAS of that practice by the regime, denying of medical care as a form of torture for political prisoners.

□ 2015

One of the most well-known dissidents in Cuba, he died last December here in exile after he had received cancer while in prison and being denied medical treatment for years. That, in addition to the highest incidence of cancer in the Cuban prisons, in the entire world, and many reports point out that that is too much of a coincidence, is one of the realities that not only has to be analyzed but definitely is going to be made known in all its magnitude when Cuba is freed and the files are opened with regard to inconceivable techniques of torture, like the ones that are used on a daily basis by the regime.

But the reality of the matter is that, despite those techniques of torture and the repression, the internal opposition is working harder than ever.

Just before coming to the floor this evening, I received notification, I had been told that numerous internal opposition groups within Cuba were planning to attend a mass this evening around 6 o'clock commemorating the 24th of February, the massacre of the four Brothers to the Rescue, their murder 2 years ago.

Well, about 20 of them made it to the church in Havana. Over 20 of them apparently made it to the church. When they left the church after the mass, just about a little over an hour ago, they started walking toward the waterfront. They were met by 80 state security gestapo types, and apparently they have been arrested.

What they wanted me to know and to say was that it does not matter if they are arrested, it does not matter how many of them are thrown in the dungeon, they will continue fighting peacefully until freedom and democracy are restored to Cuba. And they wanted me to make a point of the fact that it does not matter how many of them are thrown in the dungeon, the fight will continue, and that every day there are more and more members of the internal opposition and members of the pro-democracy movement in Cuba.

The fact that the Cuban people's hands are tied at this point and that they are unarmed does not mean that they will not triumph. It does not mean that they will not continue fighting until freedom is achieved.

I mentioned briefly that the world had witnessed those great days of hope in January, the four days of hope with Pope John Paul's visit to Cuba just a few weeks ago.

Even before John Paul had completed his visit to Cuba, TV anchormen and analysts and editorial writers were at work interpreting the message, the intention, the agenda behind his words. What exactly did the Pope say in Cuba?

I want to point to a marvelous analysis done by the Center for a Free Cuba, run by Mr. Frank Calzon here in Washington, a tremendous human rights activist.

In the analysis that the Center for a Free Cuba made public, ''The Pope said his journey was 'a pastoral visit,' 'an apostolic trip,' though, judging by some media reports, the lifting of the Washington trade sanctions against Havana was the most important issue of the visit. And yet, a word search of the 21,094 words pronounced by Pope John Paul II in 14 speeches and homilies while in Cuba indicates the following:

The Pope used the word ''truth'' 74 times; ''freedom'' 53 times; ''family'' 42 times; ''justice,'' 31 times; ''moral values'' 32 times; ''solidarity'' 16 times; ''education'' 11 times; ''civil society'' 9 times; ''do not be afraid'' 5 times.

I am sure those words to the Cuban people, ''do not be afraid,'' are having a tremendous impact and will have every day even a greater impact.

The Pope mentioned ''Our Lady of Charity,'' Cuba's patroness, 13 times; ''Jesus and God'' 129 times. He used the word ''prisoner'' 3 times, referred to Cuban exiles around the world 4 times; and he mentioned the embargo once, before getting on the plane to leave Cuba. And he did not mention the United States by name at all.

I want to commend Frank Calzon and the Center for a Free Cuba, because this analysis shows us the kind of campaign that we are facing by the majority of the media and the means of communication day in and day out, where they have their agenda. And none of those arrests, human rights violations and abuses that I mentioned did I see reported in the mainstream media in the United States or the international media, newspapers, that I had a chance to read.

You hear about the couple dozen prisoners that Castro releases as a gesture to the Pope. Most of them had served time as common criminals, not political prisoners, or who had already finished their terms, their sentences, in prison.

You read about the couple dozen being released, but you do not read about the hundreds and thousands when they are arrested. I think that Mr. Carter of the Washington Times pointed out to a certain extent why that is the case.

With regard to that so-called humanitarian gesture of the regime, of the couple of dozen people who were released from prison in the last few days, it is very important to point out the statement also made at the cost of great risk and demonstrating great courage by one of the leading opposition leaders within Cuba, Oswaldo Paya of the Christian Liberation Movement.

Mr. Paya states the release from prison of a few dozen prisoners cannot be seen as a sign of political opening. ''We cannot say this is an opening, when many remain in prison for their beliefs and when some are still waiting to be tried for political reasons.''

Even if you do not want to believe the opposition and the dissidents, read what Castro himself or his pathetic foreign minister says:

''The pardon was not made with the intention of stimulating activities of internal dissent,'' Foreign Minister Roberto Robaina said Sunday. ''He who returns to the street has the space we all have in the street.''

I do not think they have the space he has with his yachts. I have seen a photograph of him in a big capitalist yacht and having access to la dolce vita and, like Forbes Magazine says, Castro having over $1.5 billion in Swiss bank accounts. That is not the space he is referring to when he says, ''He who returns to the street has the space that we all have in the street. Not a space to bend over for those who, from abroad, want to destroy the country.''

No, no, no. I do not think he means everybody is going to have the kind of life he has, with his yachts and the hundreds of millions of dollars that Castro has in Swiss foreign accounts.

What they are talking about is that this is not, as has been stated, this is not a political opening. What this is is simply a token gesture, so that the world, that wants to find reasons and pretexts to justify the actions of Castro, will find another pretext for doing so.

The reality of Cuba is that there are thousands imprisoned. The reality of Cuba, and I commend to the viewers ''The Politics of Psychiatry in Revolutionary Cuba,'' I recommend it to the viewers, this is put out by Freedom House here in Washington, and it details example after example after example of the use of psychiatry, electroshock torture and psychotropic drugs against political prisoners and dissidents by the Cuban regime.

That is the reality of Cuba today, and anyone who wants to find out the reality of Cuba today should read books like this and, really, actually listen to the words of the dictator, listen to what happens when people want to commemorate in a mass the massacre of simply two years ago, just two years ago, against four Brothers to the Rescue who were shot and killed over the straits, over international waters, and the people who wanted to peacefully dedicate a mass in their memory are met by 80 gestapo thugs and thrown in prison. That is the reality of Cuba today.

The reality of Cuba today is, and I also recommend this report just released by Dr. Juan Clark, a Ph.D. in South Florida, Miami Dade Community College, ''Religious Oppression in Cuba.'' He goes in detail about what happens day in and day out to believers in Cuba, simply for peacefully trying to exercise the right of free worship. That is the reality of Cuba today.

Also though the reality of Cuba today is the fact that the internal opposition is more active than ever; that those words that the Pope said do not fear, do not fear, do not be afraid, are having a great effect, like they did in Poland and like they did everywhere that the Pope has visited, and the Cuban people are living in the tradition

that they have demonstrated throughout their history, including the entire 19th century, and if they will put an end to this barbaric regime, despite the fact that it has been in existence 39 years, it will come to an end and it will come to an end soon, because the Cuban people are going to see to it.

The reality of Cuba today is more than 70 opposition movements have already signed onto this extraordinary agreement called Agreement for Democracy, and many of the opposition movements in exile as well have signed on. I will not read it all, but I think it is a fundamental document to see where the Cuban people are going, where they wish to go and what they think, and to break through the disinformation and the misinformation and the lack of information that is provided or not provided by the international media.

This Agreement for Democracy states as follows. As I say, it has already been signed on to by more than 70 opposition groups, most within Cuba.

''We recognize as the fundamental principle of the new republic that Cuba has wanted independence whose sovereignty resides from the people and functions through the effective exercise of representative multiparty democracy, which is the government of the majority with absolute respect for the minority. All governments must respect the sovereignty of the people. Therefore, at the end of the current tyrannical regime, the provisional or transition government shall be obliged to return sovereignty to the people by way of the following measures.''

Then they list 10 specific measures through which sovereignty after the end of the Castro nightmare will be returned to the Cuban people, obviously in the holding of free and fair elections. Free and fair elections is the essence, and free and fair elections is the essence of what we seek in our policy in the United States for the Cuban people.

That is the purpose of our policy. That is why we deny access to the U.S. market to those who profit from the lack of freedom of the Cuban people. That is why we have an embargo against Castro.

We have an embargo on credits, on financing, on profits from the apartheid economy that Castro imposes on the people. We have an embargo on massive U.S. tourism to Cuba. We do not have an embargo on medicine. It is important that I repeat that, because there is so much disinformation and so much misinformation on this. We do not have an embargo on the sale of medicine. We do not have an embargo on the shipment of humanitarian aid to Cuba. More humanitarian aid is sent from the American people each year to the Cuban people than from all the other countries in the world combined.

□ 2030

$2.4 billion in humanitarian aid has been sent. That is not including the cash remittances that the Cuban people send to their family members on the island each year, not including the cash amounts of hundreds of millions per year, such as $2.4 million in humanitarian aid has been sent from the American people to the Cuban people in the last 5 years alone. That is more again than from all the other countries in the world combined.

And what we are saying with our policy is that yes, we will deny credits and we will deny financing and we will deny profits from those who want to invest in the lack of labor rights, in human rights in Cuba, until and unless there is a democratic opening, a transition to democracy in Cuba.

The only instrument that exists for the Cuban people to be taken into account when Castro dies, and he cannot last much longer, you have to look at him, they shot him up with cortisone for the Pope's trip. It will be a while, a year, 2 years, and thank God he is not immortal, he is going to die.

What instrument do the Cuban people have at that moment so that those in a situation of provisionality will take them into account and will agree to return sovereignty to the Cuban people, to have elections, the only instrument that exists is the U.S. embargo.

Those who find themselves in a situation of provisional power are going to want to lift the U.S. embargo, and we are going to say, ''Fine, we want to lift the U.S. embargo. The only thing we ask is that you, those who find themselves in a situation of provisional power when Castro dies, is that you hold elections. That is the only thing we are asking for.

Just like in 1898 the only country that stood by the Cuban people and said they deserve to be free was the United States of America. In 1998 we are the people, we are the Nation, who wants the Cuban people to be free, and who say, we will not permit access to the U.S. market until the Cuban people are allowed free and fair elections. The Cuban people will not continue to be the only people in this hemisphere to be denied free elections, to be condemned to live under tyranny. We do not accept that, and the Cuban people do not accept that. They deserve to live in freedom.

We will hold out and we will deny our market and we will maintain our embargo until three key conditions are met: Political legalization, all political parties have to be legalized; all political prisoners have to be freed; and there has to be a willingness to hold free and fair elections.

They are three very simple conditions, but they are conditions that are not going to waived. We will insist on political legalization, we will insist on freedom for all political prisoners, and we will insist on free elections. That is our commitment. That is the commitment of this Congress. That is why we obtained 80 percent of the votes, both in the Senate and in the House, for our sanctions legislation in 1996, and we are going to maintain that policy until there is a democratic transition.

So I end my remarks remembering the four martyrs from Brothers to the Rescue, remembering all the political prisoners, in solidarity with them, remembering as well the martyrs of the 13th of July of 1994, the over 40 men women and children who were murdered by the tyrant just a few years ago while trying to seek freedom, including more than 20 children.

In memory of them, on this historic date, I end my remarks and I guarantee that this Congress and the American people will stand with the Cuban people until they are free.

SOCIAL SECURITY'S BLEAK FUTURE

The SPEAKER pro tempore (Ms. NORTHUP). Under the Speaker's announced policy of January 7, 1997, the gentleman from Michigan (Mr. SMITH) is recognized for 60 minutes.

Mr. SMITH of Michigan. Mr. Speaker, I would ask everybody to hold onto their hats. I am going to spend the next 30 minutes talking about Social Security. And maybe the question should be, why should anybody be interested in what the situation is in this country with Social Security?

I suggest seniors that are now retired should be very concerned, because Social Security is going to have less money coming in in payroll taxes than is going to be required to meet the benefits as early as 2002.

I would suggest that young people should be very interested in Congress and the President facing up to the real issue of starting to solve the Social Security problem, because when they retire, their retirement is going to be at risk unless we do something.

I would certainly suggest that my grandkids, and Bonnie and I have seven grandkids, should be very concerned, because if we do nothing, they are going to be asked to pay huge amounts of their taxes, up to 85 percent of what they earn, just to cover the Social Security benefits. So something has to be done.

I wanted to start tonight with the President's budget. I think we start by getting rid of some misconceptions, if you will, hoodwinking of the American people, on the balanced budget. I think the American people know this. What we are doing is borrowing from Social Security to balance the budget.

If you take a look at the historical tables on the President's budget, and you were to turn to page 111, you would see that the national debt increases every year for the next 5 years. If the national debt increases, how can the budget be balanced? It is not. We are borrowing from Social Security.

I put this chart together very quickly, so please excuse the patchwork quilt here.

As you go down the fiscal years, starting in 1998, the national debt is

$5.5 trillion. That is an increase, by the way, of $174 billion over the previous year. In 1999, the national debt increases to $5.7 trillion. In the year 2000, it increases to $5.9 trillion. In the year 2001, the national debt increases to $6 trillion. In the year 2002, the national debt increases to $6.2 trillion, an increase of between $175 billion and $174 billion a year.

How can this be, you say, if the President of the United States and Congress is saying, well, we are reaching a balanced budget? Here is why. We are borrowing from the Social Security trust fund. That is the major borrowing that is allowing us to pretend that the budget is balanced. But what it is doing in the process is depriving Social Security of being solvent in the future years.

I have introduced the only bill in the United States Congress that is scored by the Social Security Administration to keep Social Security solvent for the next 75 years. I introduced my first bill when I first came to Congress in 1993. I introduced my second bill last session, and I introduced a bill this session.

That legislation says, for part of the solution, let individual workers have the option of taking part of their Social Security tax, and it would still be sent in to the government and still be deducted at the rate of 12.4 percent of taxable payroll, but they would have the option of investing that in certain safe investments. Safe investments in my bill are indexed stocks, indexed bonds, indexed global funds, indexed cap funds, and any other safe investment as determined by the Secretary of Treasury.

Okay. So here is the situation. We have got a system that was devised in 1935 to allow senior citizens money to make sure that they were socially stable, socially secure. It was a system in 1935 that was designed to use existing taxpayers' money to pay for existing benefits, sort of a pay-as-you-go program.

As we look at this bleak future for Social Security, what I was discussing on how much the Federal Government is borrowing from the Social Security trust fund to pretend that we have a balanced budget is the little amount in blue that goes from this year, 1997, over to about 2011. So every year because we raised taxes so high on workers in 1983, there is more tax revenues coming in than is required to pay out existing benefits. Remember, this is a pay-as-you-go program, where existing taxes pay for existing benefits. So as government borrows this money and spends it for other uses, as government borrows this money and uses it for other purposes, what we do is further jeopardize the solvency of Social Security.

This chart, because we have increased taxes so much on existing workers, this chart represents how many years a person is going to have to live after they retire simply to break even and get back what they and their employers paid into Social Security. So because it is sort of a chain letter, a Ponzi game, a pay-as-you-go system, if you retired early, then you were very, very well off and Social Security was very, very solvent.

If you happened to retire in 1940 it took 2 months to get everything back that you and your employer put in plus compounded interest. If you retired in 1960, it took 2 years. Going across the chart you see anybody that retires after the year 2005 is going to have to live 24 to 26 years after they retire simply to break even and get back what they and their employer put into Social Security.

Not a good investment. Not a good savings. The National Tax Foundation estimates that the average person retiring after the year 2000 will get a negative return on the amount of money that the employer and the employee put into Social Security. The employee now puts 6.2 percent. The employer puts 6.2 percent.

Really what we are talking about is a situation where it all comes out of the employee's pocket, because the employer would give that money to the employee. Obviously they are willing to pay that much. So it is really a tax on the employee, the whole 12.4 percent.

The National Tax Foundation says that you are going to get a negative one-half to a negative one and a half percent return on your money. So that is why everybody is suggesting let us use a little bit of private investment to allow workers to take some of this money and invest it in the stock market or the bond market so that they can realize the increase in wealth.

A lot of people suggest that there is a danger in allowing people to invest their own money because they might lose it all. Number one, it is optional. Number two, we are suggesting in our pilot program that you would only have a reduction in Social Security benefits if you make money on your private investment. In other words, for every $2 you make on the private investment, you would lose $1. $1 would be offset in the traditional Social Security benefits.

And that is going to help solve the whole Social Security problem. Because if your index stocks are average of what has happened over the last 90 years in this country, there is a 9 percent per year return on those index stocks, 9 percent per year. Remember, this compares to a negative one-half, to a negative one and a half return on your Social Security money.

Social Security is a bad investment. Stocks are continually going up. Even the economists suggest that even the 10 years surrounding one of our worst depressions around 1928, 1929, if you take any 10-year period around that depression, you still have a positive return that is going to be much better than what Social Security is going to give you.

So the point is we need to make some changes in Social Security. It is a bad investment. Let us look at other ways. Let us at least start a pilot program.

I am introducing a bill that is going to be a pilot program that will allow 18-year-olds to 30-year-olds to invest 2.5 percent of their payroll. This money will be sent in. That individual will have the option of saying I want this much in index stocks, this much in index bonds. There will be an offset; for every $2 you make, a $1 offset in your fixed benefits. Then you have the option at 10 years to say, look, I have decided I want to go back to the old fixed benefit plan.

I think it is so important that we allow American working families to experience the creation of wealth. We have taxed everybody so much in this country. You now pay 40 cents out of every dollar you make in taxes at the local, state, and national level. We have taxed so many people so much that it has taken away the ability to start saving and creating wealth.

Part of the wealth creation is the fact that, at 9 percent interest, I think your money doubles something like every 7 years. So that means, if you start with a dollar, 7 years from now, you will have two. And 14 years, you will have four.

That compounding, that magic of compounding interest is why the economists suggest that you are going to be so much better off if you have some private investment rather than a fixed benefit plan that is now going broke.

Look at this next chart. The number of seniors is increasing very dramatically. We see over the next 28 years, 29 years, there is going to be an increase of 4.7 percent for those people under 20 years old. For those people in the age of 20 to 64 years, there is going to be an increase in numbers of 20.6 percent. But look what happens to seniors. The senior population, over 65 population, is increasing at 79.5 percent, almost 80 percent.

When we started Social Security, the average life-span for an individual was 61 years old. That means most people never lived long enough to collect any Social Security. So the Social Security system worked very well then. It went spinning along very nicely.

We got into the late 1940s. We ran a little short of money. We increased taxes. In the 1950s, we increased taxes again. We kept increasing taxes on workers to keep the program solvent. And that is why it is going to be impossible for most workers in the future, unless we make some changes, to ever get back even what they and their employer put into Social Security.

□ 2045

Before I get to this next chart, if we were to look at the number of people working paying in their taxes to fund every single beneficiary, in 1942, there were 40 workers paying in their Social Security tax for every retiree. By 1950, that got down to 17 people working for each retiree. Today, there are three

people working, three people working for every retiree paying in that large increased number of tax.

This chart shows how we have increased taxes over the years on those workers. In fact, we have increased taxes 36 times since 1971. More often than once a year we have increased taxes on the American workers and there are people now suggesting the way to fix Social Security is to increase taxes again on those workers.

Look at this pie chart right now: 78 percent of Americans pay more in the FICA tax than they do in the income tax. That is because of Social Security taxes that have kept going up. Okay. That is the problem. Like I mentioned, in 1961, the average life span was 61 years old. In 1936, the average life span was 61 years old. Today, the average life span for a female is 76 years old; for a male it is 74 years old.

But if we live to 65, ready for retirement, then on the average we are going to live another 20 years. That is why the senior population is going up so dramatically. And after the baby boomers, after World War II, the birth rate went way down. So our birth rate is slow in relation to the number of seniors that need to be supported by those existing taxes.

There has got to be a way, there has got to be a system that will help us save Social Security. I want to suggest that I have got one proposal. I want to run it up the flag pole. But instead of burying our heads in the sand, let us face up to the fact that there is a problem. Let us face up to the fact that we do not want to cut benefits for any existing retirees or any of those individuals close to retiring and we want to have a system that is available for working families today and for our grandkids tomorrow.

Mr. Speaker, every proposal that the President's Advisory Commission came up with included as part of the solution private investment, and that is what I am suggesting. But I am suggesting we start very gradually. That we start taking some of this surplus, this blue area, some of the $100 billion that the general fund is borrowing from the Social Security trust fund in the 1999 budget that we have just started working on, $100 billion that we are borrowing from the Social Security trust fund to balance this budget. Let us start taking some of that money and allowing some personal investment for some of these young people.

Of course, with the magic of compound interest, that means the doubling of that money is going to happen more often. If we can wait until one more doubling, then we are going to have benefits that are far in excess of what we ever can expect to get out of Social Security.

This blue portion means that we are going to continue to have more tax revenues coming in than is required for Social Security benefits. So in my proposal, in the pilot program proposal, we are suggesting that we allow that certain group of individuals to have the option to start seeing the creation of wealth, the magic of compounding interest, and to prove to the world that the American people are pretty smart.

We have now had the experience of going out and shopping for a car or a home; the experience of investing our own 401(k) plans or our Thrift Savings Plans or the IRAs that we are allowed to invest. People are going to invest that money and they are going to talk, they are going to study. It is going to mean increased investments that is going to help our economy. It means that we are going to have a Social Security system that can last forever, because we are starting to wisely have a fixed investment portion rather than a fixed revenue portion.

Now, where do we go from here? Number one, I invite all of my colleagues to join me in sponsoring a bill to use some of those surpluses, quote-unquote surpluses that we are going to have this year, for personal investment for some of these young workers in our country. And then we are hopefully going to expand that to more and more workers.

Mr. Speaker, we always have the option of saying well, I want to stay with the old system. I do not want to privately invest. Let me give a couple of examples of what has happened in some counties in Texas. County government has the option that their employees can have other pension investment plans rather than Social Security. In Texas, some of those counties took that option and now the retirees of those counties are receiving many times more than their counterparts that are receiving Social Security benefits. The Social Security system, the way it is designed now, shortchanges everybody.

Let me tell particularly who it shortchanges. Those people who have a life span that is less than some other individuals' life span. What was called to my attention is that the average life span at birth for a black male is go 63 years old. That means that they paid all of their lives into Social Security, subsidizing those individuals that might live a longer time. If a person dies before they start collecting Social Security, then other than for some burial funds that might be available, they lose all of that money that they and their employer have ever put into Social Security. It is gone.

Whereas on the private investment, if they die at 30 years old, or 40 years old, or 50 years old, it becomes part of their estate. It is their property. It is their private retirement savings plan. I think there should be a ground swell of support from working men and women around this country that says: Look, quit gypping us, United States Congress and Mr. President, on what you are doing for Social Security. Quit saying that Social Security is first and let us really make Social Security first. Let us use some of these surpluses to start saving the Social Security system.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SCHIFF (at the request of Mr. ARMEY) for today through March 6, on account of medical reasons.

Mr. FORD (at the request of Mr. GEPHARDT) for today and the balance of the week, on account of sitting for the State of Tennessee bar exam.

Ms. JACKSON-LEE of Texas (at the request of Mr. GEPHARDT) for today, on account of business in the district.

Mr. KLINK (at the request of Mr. GEPHARDT) for today and the balance of the week, on account of a death in the family.

Mr. RUSH (at the request of Mr. GEPHARDT) for today, on account of business in the district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Members (at the request of ENGEL) to revise and extend their remarks and include extraneous material:

Ms. NORTON, for 5 minutes, today.

Mr. BERRY, for 5 minutes, today.

Mrs. MALONEY of New York, for 5 minutes, today.

Mr. FARR, for 5 minutes, today.

Mr. SERRANO, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

The following Members (at the request of Mr. SMITH of Michigan) to revise and extend their remarks and include extraneous material:

Mr. RIGGS, for 5 minutes each day, on today and February 25.

Mr. LATOURETTE, for 5 minutes, today.

Mr. GUTKNECHT, for 5 minutes, on February 25.

Mr. TIAHRT, for 5 minutes, on February 25.

Mr. DELAY, for 5 minutes, today.

Mr. HAYWORTH, for 5 minutes, today.

Mr. MCCOLLUM, for 5 minutes, today.

The following Member (at his own request) to revise and extend their remarks and include extraneous material:

Mr. KINGSTON, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

The following Members (at the request of Mr. ENGEL) and to include extraneous matter:

Mr. LANTOS.

Ms. SANCHEZ.

Mr. PASCRELL.

Mr. SHERMAN.

Mr. FAZIO of California.

Mr. BOYD.

Mr. UNDERWOOD.

Mr. KUCINICH.

Mr. SABO.

Ms. MCCARTHY of Missouri.

Mr. VENTO.
Mr. SCHUMER.
Mr. NEAL.
Ms. BROWN of Florida.
Mr. KLECZKA.
Ms. SLAUGHTER.
Mrs. KENNELLY of Connecticut.
Mr. STOKES.
Mr. DOYLE.
Mr. TIERNEY.
Mr. CARDIN.
Mr. KIND.
Mr. MCGOVERN.
Mr. GEJDENSON.

The following Members (at the request of Mr. SMITH of Michigan) and to include extraneous matter:

Mr. GOODLING.
Mr. MCINTOSH.
Mr. RADANOVICH.
Mr. BOEHNER.
Mr. MCHUGH.
Mr. CRANE.
Mr. TALENT.
Mr. SHUSTER.
Mr. PAPPAS.
Mr. DELAY.
Mr. SOLOMON.
Mr. DAN SCHAEFER of Colorado.
Mr. GILMAN.

The following Members (at the request of Mr. SMITH of Michigan) and to include extraneous matter:

Mr. SHERMAN.
Ms. BROWN of Florida.
Mr. BOYD.
Mr. CRANE.
Ms. MCCARTHY of Missouri.
Mr. VENTO.
Mr. CONYERS.
Mr. MCGOVERN.

ADJOURNMENT

Mr. SMITH of Michigan. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 54 minutes p.m.) the House adjourned until tomorrow, Wednesday, February 25, 1998, at 10 a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports and amended reports concerning the foreign currencies and U.S. dollars utilized for official foreign travel during the second, third and fourth quarters of 1997, by various Committees of the House of Representatives, pursuant to Public Law 95–384, as well as a consolidated report of foreign currencies and U.S. dollars utilized for Speaker-authorized official travel in the fourth quarter of 1997 are as follows:

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON BANKING AND FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPTEMBER 30, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Mark Foley	6/13	6/16	Haiti	[3] 651.60		542.45					[3] 1,194.05
Sean Peterson	9/21	9/25	Hong Kong	607.08		4,372.45					4,979.53
Committee total				1,258.68		4,914.90					6,173.58

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Amended.

JIM LEACH, Chairman, Oct. 1997.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Bob Smith	12/2	12/7	New Zealand		1,346.50		(3)		156.25		1,502.75
Hon. Bob Smith	12/7	12/14	Australia		2,079.00		(3)		156.25		2,235.25
Hon. Bill Barrett	12/2	12/7	New Zealand		1,346.50		(3)		156.25		1,502.75
Hon. Bill Barrett	12/7	12/14	Australia		2,079.00		(3)		156.25		2,235.00
Hon. Richard Pombo	12/2	12/7	New Zealand		1,346.50		(3)		156.25		1,502.75
Hon. Richard Pombo	12/7	12/14	Australia		2,079.00		(3)		156.25		2,235.25
Hon. Tom Ewing	12/2	12/7	New Zealand		1,346.50		(3)		156.25		1,502.75
Hon. Tom Ewing	12/7	12/14	Australia		2,079.00		(3)		156.25		2,757.25
Hon. Frank Lucas	12/2	12/7	New Zealand		1,346.50		(3)		156.25		1,502.75
Hon. Frank Lucas	12/7	12/14	Australia		2,079.00		(3)		156.25		2,235.25
Hon. Sam Farr	12/2	12/7	New Zealand		1,346.50		(3)		156.25		1,502.75
Hon. Sam Farr	12/7	12/14	Australia		2,079.00		[4] 493.00		156.25		2,728.25
Hon. Eva Clayton	12/2	12/7	New Zealand		1,346.50		(3)		156.25		1,502.75
Hon. Eva Clayton	12/7	12/14	Australia		2,079.00		(3)		156.25		2,235.25
Hon. Gary Condit	12/2	12/7	New Zealand		1,346.50		(3)		156.25		1,502.75
Hon. Gary Condit	12/7	12/14	Australia		2,079.00		(3)		156.25		2,235.25
Hon. John Boehner	12/2	12/7	New Zealand		1,346.50		(3)		156.25		1,502.75
Hon. John Boehner	12/7	12/14	Australia		2,079.00		(3)		156.25		2,235.25
Hon. Collin Peterson	12/2	12/7	New Zealand		1,346.50		(3)		156.25		1,502.75
Hon. Collin Peterson	12/7	12/14	Australia		2,079.00		(3)		156.25		2,235.25
Paul Unger	12/2	12/7	New Zealand		1,346.50		(3)		156.25		1,502.75
Paul Unger	12/7	12/14	Australia		2,079.00		(3)		156.25		2,235.25
Andrew Baker	12/2	12/7	New Zealand		1,346.50		(3)		156.25		1,502,75
Andrew Baker	12/7	12/14	Australia		2,079.00		(3)		156.25		2,235.25
Lynn Gallagher	12/2	12/7	New Zealand		1,346.50		(3)		156.25		1,502.75
Lynn Gallagher	12/7	12/14	Australia		2,079.00		(3)		156.25		2,235.25
Bryce Quick	12/2	12/7	New Zealand		1,346.50		(3)		156.25		1,502.75
Bryce Quick	12/7	12/14	Australia		2,079.00		(3)		156.25		2,235.25
Jason Vaillancourt	12/2	12/7	New Zealand		1,346.50		(3)		156.25		1,502.75
Jason Vaillancourt	12/7	12/14	Australia		2,079.00		(3)		156.25		2,235.25
William O'Conner	12/2	12/7	New Zealand		1,346.50		(3)		156.25		1,502.75
William O'Conner	12/7	12/14	Australia		2,079.00		(3)		156.25		2,235.25
Committee total					54,808.00		1,015.00		5,000.00		60,823.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.
[4] Military air transportation except for amount stated.

BOB SMITH, Chairman, Jan. 29, 1998.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON BANKING AND FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Jesse Jackson, Jr	10/2	10/4	Spain		350.00		(3)				350.00
	10/4	10/6	Italy		650.00		(3)				650.00
Gregory Wierzynski	12/1	12/5	England		1,650.00		591.90				2,241.90
Ellen Kuo	12/10	12/14	Switzerland		1,423.73		973.20				2,396.93
Hon. Maurice Hinchey	12/17	12/20	Denmark		816.75		6,469.00				7,285.75
Committee total					4,890.48		8,034.10				12,924.58

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

JIM LEACH, Chairman, Jan. 30, 1998.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON COMMERCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Dennis Fitzgibbons	12/4	12/11	Japan		1,794.00		5,460.00				7,254.00
Sue Sheridan	10/26	10/31	Germany		1,150.00		1,177.90				2,327.90
Troy Timmons	10/26	11/01	Germany		1,338.00		1,129.90				2,467.00
Linda Dallas Rich	12/10	12/14	Switzerland		992.00		1,139.90				2,131.90
Robert Gordon	12/10	12/14	Switzerland		992.00		1,139.90				2,131.90
Catherine Van Way	12/3	12/13	Japan		2,691.00		5,460.00				8,151.00
Hon. Ron Klink	10/2	10/4	Spain		350.00		(3)				350.00
	10/4	10/6	Italy		650.00		(3)				650.00
Committee total					9,957.00		15,506.70				25,463.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

TOM BLILEY, Chairman, Jan. 30, 1998.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Gary Ackerman	8/8	8/10	Taiwan		532.00						532.00
	8/10	8/13	China		753.00						753.00
	8/13	8/14	Thailand		217.00						217.00
	8/14	8/18	India		1,424.00						1,424.00
	8/18	8/19	Jordan		251.00						251.00
	8/19	8/22	Israel		1,075.00						1,075.00
Commercial airfare							2,339.95				2,339.95
David Adams	8/8	8/10	Taiwan		532.00						532.00
	8/10	8/13	China		753.00						753.00
	8/13	8/14	Thailand		217.00						217.00
	8/14	8/18	India		1,424.00						1,424.00
	8/18	8/19	Jordan		251.00						251.00
	8/19	8/22	Israel		1,075.00						1,075.00
	8/25	8/27	Panama		258.00						258.00
	8/27	8/29	Guatemala		278.00						278.00
Commercial airfare							1,874.95				1,874.95
Hon. Cass Ballenger	8/1	8/3	Venezuela		[3] 73.00						73.00
	8/3	8/5	Colombia		[3] 271.90						271.90
	8/5	8/8	Nicaragua		[3] 66.50						66.50
	8/8	8/11	Costa Rica		[3] 210.00						210.00
Paul Berkowitz	8/8	8/10	Taiwan		532.00						532.00
	8/10	8/13	China		753.00						753.00
	8/13	8/18	India		1,651.00						1,651.00
	8/18	8/19	Jordan		251.00						251.00
	8/19	8/22	Israel		1,075.00						1,075.00
Commercial airfare							1,136.00				1,136.00
	9/18	9/22	Cook Islands		817.00						817.00
Commercial airfare							4,049.45				4,049.45
Deborah Bodlander	8/12	8/17	Israel		[3] 1,391.00						1,391.00
	8/17	8/19	Jordan		[3] 442.00						442.00
	8/19	8/22	Israel		936.00						936.00
Commercial airfare							2,444.00				2,444.00
Paul Bonicelli	8/1	8/3	Venezuela		289.00						289.00
	8/3	8/5	Colombia		[3] 544.00						544.00
	8/5	8/8	Nicaragua		[3] 550.50						550.50
Commercial airfare							640.95				640.95
Parker Brent	8/8	8/10	Taiwan		532.00						532.00
	8/10	8/13	China		753.00						753.00
	8/13	8/14	Thailand		217.00						217.00
	8/14	8/18	India		[3] 1,324.00						1,324.00
	8/18	8/19	Jordon		251.00						251.00
	8/19	8/22	Israel		1,075.00						1,075.00
Elana Broitman	6/27	7/2	Thailand		835.00						835.00
Commercial airfare							4,135.95				4,135.95
Peter Brookes	8/8	8/10	Taiwan		532.00						532.00
	8/10	8/13	China		753.00						753.00
	8/13	8/14	Thailand		217.00						217.00
	8/14	8/18	India		1,424.00						1,424.00
	8/18	8/19	Jordan		251.00						251.00
	8/19	8/22	Israel		1,075.00						1,075.00
Hon. Tom Campbell	9/5	9/8	Haiti		434.50						434.50
	9/18	9/21	Canada		[3] 443.56				324.00		767.56
Commercial airfare							1,038.60				1,038.60
Jodi Christiansen	8/1	8/3	Venezuela		[3] 239.00						239.00
	8/3	8/5	Colombia		[3] 546.00						546.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1997—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	8/5	8/8	Nicaragua		[3] 592.00						592.00
	8/8	8/11	Costa Rica		[3] 274.00						274.00
Hon. Eni F.H. Faleomavaega	8/8	8/10	Taiwan		532.00						532.00
	8/10	8/13	China		753.00						753.00
	8/13	8/14	Thailand		217.00						217.00
	8/14	8/18	India		1,424.00						1,424.00
	8/18	8/19	Jordan		251.00						251.00
	8/19	8/22	Israel		1,075.00						1,075.00
	9/18	9/22	Cook Islands		650.00						650.00
Commerical airfare							3,344.49				3,344.49
Martin Gage	6/29	7/4	Russia		[3] 1,410.00						1,410.00
	7/4	7/4	Poland		[3] 88.00						88.00
Commercial airfare							2,831.70				2,831.70
	8/4	8/14	Russia		[3] 2,385.00						2,385.00
Commercial airfare							6,469.68				6,469.68
Richard Garon	8/8	8/10	Taiwan		532.00						532.00
	8/10	8/13	China		753.00						753.00
	8/13	8/14	Thailand		217.00						217.00
	8/14	8/18	India		[3] 1,184.00						1,184.00
	8/18	8/19	Jordan		251.00						251.00
	8/19	8/22	Israel		1,075.00						1,075.00
Hon. Benjamin Gilman	8/8	8/10	Taiwan		532.00						532.00
	8/10	8/13	China		753.00						753.00
	8/13	8/14	Thailand		217.00						217.00
	8/14	8/18	India		1,424.00						1,424.00
	8/18	8/19	Jordan		251.00				1,573.22		1,824.22
	8/19	8/22	Israel		1,075.00				5,287.00		6,362.00
Hon. Alcee Hastings	8/8	8/10	Taiwan		532.00						532.00
	8/10	8/13	China		753.00						753.00
	8/13	8/14	Thailand		217.00						217.00
	8/14	8/18	India		1,424.00						1,424.00
	8/18	8/19	Jordan		251.00						251.00
	8/19	8/22	Israel		1,075.00						1,075.00
	9/19	9/25	Uzbekistan		1,750.00						1,750.00
Commercial airfare							6,508.65				6,508.65
Hon. Earl Hilliard	6/30	7/2	Haiti		351.00						351.00
Commercial airfare							708.95				708.95
	8/1	8/3	Venezuela		150.00						150.00
	8/3	8/5	Colombia		579.00						579.00
	8/5	8/8	Nicaragua		186.50						186.50
	8/8	8/11	Costa Rica		300.00						300.00
Amos Hochstein	8/14	8/17	Japan		861.00						861.00
	8/18	8/19	China		[3] 352.00						352.00
	8/20	8/26	North Korea		1,778.00						1,778.00
	8/27	8/27	China		251.00						251.00
Commercial airfare							4,624.95				4,624.95
Mark Kirk	8/14	8/17	Japan		861.00						861.00
	8/18	8/19	China		502.00						502.00
	8/20	8/26	North Korea		1,778.00						1,778.00
	8/27	8/27	China		251.00						251.00
	8/28	8/30	South Korea		867.00						867.00
Commercial airfare							4,817.95				4,817.95
Clifford Kupchan	6/29	7/4	Russia		[3] 1,480.00						1,480.00
Commercial airfare							2,831.70				2,831.70
	8/4	8/14	Russia		2,435.00						2,435.00
Commercial airfare							6,469.68				6,469.68
John Mackey	6/29	7/4	Russia		1,500.00						1,500.00
Commercial airfare							4,285.35				4,285.35
	8/8	8/10	Taiwan		532.00						532.00
	8/10	8/13	China		753.00						753.00
	8/13	8/14	Thailand		217.00						217.00
	8/14	8/17	India		1,424.00						1,424.00
	8/19	8/23	Italy		1,072.00						1,072.00
Commercial airfare							1,958.65				1,958.65
Caleb McCarry	9/5	9/8	Haiti		[3] 291.50						291.50
Denis McDonough	6/29	7/1	Haiti		[3] 306.00						306.00
	7/1	7/7	Mexico		[3] 1,187.50						1,187.50
Commercial airfare							553.80				553.80
	8/25	8/27	Panama		258.00						258.00
	8/27	8/29	Guatemala		278.00						278.00
Commercial airfare							1,874.95				1,874.95
Hon. Robert Menendez	8/1	8/3	Venezuela		[3] 125.00						125.00
	8/3	8/5	Colombia		[3] 379.00						379.00
	8/5	8/8	Nicaragua		[3] 161.50						161.50
	8/8	8/11	Costa Rica		[3] 250.00						250.00
Vincent Morelli	8/25	8/27	Panama		258.00						258.00
	8/27	8/29	Guatemala		278.00						278.00
Commercial airfare							1,874.95				1,874.95
Lester Munson	8/21	8/23	Cameroon		386.00						386.00
	8/23	8/25	Chad		328.00						328.00
	8/25	8/26	Cameroon		149.00						149.00
	8/26	8/29	Nigeria		852.00						852.00
	8/29	8/30	Cote d'Ivoire		[3] 162.00						162.00
	8/30	8/30	Senegal		185.00						185.00
Commercial airfare							5,492.75				5,492.75
Roger Noriega	6/29	7/1	Haiti		351.00						351.00
	7/1	7/7	Mexico		1,587.50						1,587.50
Commercial airfare							553.80				553.80
Hon. Donald Payne	7/4	7/8	Kenya		570.00						570.00
Commercial airfare							6,085.65				6,085.65
Grover Joseph Rees	6/27	7/2	Thailand		835.00						835.00
Commercial airfare							4,135.95				4,135.95
	8/9	8/16	Kenya		[3] 1,400.00						1,400.00
	8/16	8/17	Sudan								
	8/17	8/19	Kenya								
Commercial airfare							6,797.55				6,797.55
Thomas Sheehy	8/24	8/29	Nigeria		[3] 808.82						808.82
	8/29	8/30	Cote d'Ivoire		[3] 324.00						324.00
Commercial airfare							4,592.95				4,592.95
Gregory Simpkins	8/24	8/29	Nigeria		[3] 808.82						808.82
	8/29	8/30	Cote d'Ivoire		[3] 324.00						324.00
Commercial airfare							4,592.95				4,592.95
Committee total					85,036.10		99,066.90		7,184.22		191,287.22

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Represents refund of unused per diem.

BEN GILMAN, Chairman, Jan. 16, 1998.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Sheila Jackson Lee	5/26	5/28	South Africa		501.00		([3])				501.00
	5/28	5/30	Angola		688.00						688.00
	5/30	6/2	Zimbabwe		701.00						701.00
Committee total					1,890.00						1,890.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HENRY J. HYDE, Chairman, Jan. 13, 1998.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON NATIONAL SECURITY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Visit to United Kingdom, Italy, Hungary, Bosnia and Germany, October 10–16, 1997:											
Hon. Gene Taylor	10/10	10/11	United Kingdom								
	10/11	10/12	Italy		163.00						163.00
	10/12	10/14	Hungary		404.00						404.00
	10/14	10/14	Bosnia								
	10/14	10/16	Germany		441.00						441.00
Commercial airfare							4,111.10				4,111.10
Dudley L. Tademy	10/10	10/11	United Kingdom								
	10/11	10/12	Italy		163.00						163.00
	10/12	10/14	Hungary		404.00						404.00
	10/14	10/14	Bosnia								
	10/14	10/16	Germany		441.00						441.00
Commercial airfare							4,111.10				4,111.10
Visit to Russia, October 12–16, 1997:											
Hon. Sonny Bono	10/12	10/16	Russia		1,400.00						1,400.00
Commercial airfare							6,924.20				6,924.20
Visit to Ukraine and Russia, October 14–19, 1997:											
Hon. Mac Thornberry	10/14	10/15	Ukraine		285.00						285.00
	10/15	10/19	Russia		1,380.00						1,380.00
Commercial airfare							3,905.00				3,905.00
Hon. Vic Snyder	10/14	10/15	Ukraine		285.00						285.00
	10/15	10/19	Russia		1,380.00						1,380.00
Commercial airfare							4,711.00				4,711.00
Visit to Turkey, Azerbaijan, Kazakstan, Uzbekistan, Turkmenistan and Norway, November 15–25, 1997:											
Hon. Floyd D. Spence	11/15	11/17	Turkey		516.00						516.00
	11/17	11/19	Azerbaijan		645.00						645.00
	11/19	11/21	Kazakstan		606.00						606.00
	11/21	11/23	Uzbekistan		688.00						688.00
	11/23	11/24	Turkmenistan		241.00						241.00
	11/24	11/25	Norway		304.00						304.00
Visit to Russia, November 16–19, 1997:											
Hon. Curt Weldon	11/16	11/19	Russia		1,050.00						1,050.00
Commercial airfare							5,388.40				5,388.40
Visit to Japan, November 18–22, 1997:											
Hon. Norman Sisisky	11/18	11/22	Japan		796.35				6.00		802.35
Commercial airfare							7,876.77				7,876.77
Committee total					11,592.35		37,027.57		6.00		48,625.92

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

FLOYD SPENCE, Chairman, Jan. 30, 1998.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RESOURCES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Lloyd Jones	10/12	10/17	Turkey		1,250.00		5,344.54		350.00		6,944.54
William Simmons	10/12	10/17	Turkey		1,250.00		5,344.54		350.00		6,944.54
Jeffrey Petrich	10/12	10/17	Turkey		1,250.00		5,899.54		350.00		7,499.54
Bonnie Bruce	11/15	11/22	Spain		1,296.00		703.60				1,999.60
Jean Flemma	11/15	11/22	Spain		1,296.00		703.80				1,999.80
Daniel Weiss	12/05	12/11	Japan		1,494.00		5,454.00		300.00		7,248.00
Committee total					7,836.00		23,450.02		1,350.00		32,636.02

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DON YOUNG, Chairman, Jan. 26, 1998.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RULES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 14 AND NOV. 25, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Gerald B.H. Solomon	11/15	11/17	Turkey		516.00						516.00
	11/17	11/19	Azerbaijan		645.00						645.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RULES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 14 AND NOV. 25, 1997—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	11/19	11/21	Kazakstan		606.00						606.00
	11/21	11/23	Uzbekistan		688.00						688.00
	11/23	11/24	Turkmenistan		241.00						241.00
	11/24	11/25	Norway		304.00						304.00
Bryan H. Roth	11/15	11/17	Turkey		516.00						516.00
	11/17	11/19	Azberbaijan		645.00						645.00
	11/19	11/21	Kazakstan		606.00						606.00
	11/21	11/23	Uzbekistan		688.00						688.00
	11/23	11/24	Turkmenistan		241.00						241.00
	11/24	11/25	Norway		304.00						304.00
Jim Dornan	11/15	11/17	Turkey		516.00						516.00
	11/17	11/18	Azerbaijan		322.00						322.00
David Hobbs	11/15	11/17	Turkey		516.00						516.00
	11/17	11/19	Azerbajian		645.00						645.00
	11/19	11/21	Kazakstan		606.00						606.00
	11/21	11/23	Uzbekistan		688.00						688.00
	11/23	11/24	Turkmenistan		241.00						241.00
	11/24	11/25	Norway		304.00						304.00
Scott Palmer	11/15	11/17	Turkey		516.00						516.00
	11/17	11/19	Azerbaijan		645.00						645.00
	11/19	11/21	Kazakstan		606.00						606.00
	11/21	11/23	Uzbekistan		688.00						688.00
	11/23	11/24	Turkmenistan		241.00						241.00
	11/24	11/25	Norway		304.00						304.00
Al Santoli	11/15	11/17	Turkey		516.00						516.00
	11/17	11/19	Azerbaijan		645.00						645.00
	11/19	11/21	Kazakstan		606.00						606.00
	11/21	11/23	Uzbekistan		688.00						688.00
	11/23	11/24	Turkmenistan		241.00						241.00
	11/24	11/25	Norway		304.00						304.00
Hon. Tony Hall (OH)	10/11	10/13	Japan		387.00						387.00
	10/14	10/17	DPRK		510.00						510.00
							(3)				
									879.00		879.00
Committee total					16,735.00				879.00		17,614.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

JERRY B.H. SOLOMON, Chairman, Jan. 5, 1998.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN SEPT. AND DEC. 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Michael Rodemeyer	10/25	11/1	Germany		1,338.00		692.10				2,030.10
Harlan Watson	10/25	11/1	Germany		1,338.00		830.10				2,168.10
Todd Schultz	12/5	12/11	Japan		5,460.00		1,794.00				7,254.00
Bill Smith	12/5	12/11	Japan		4,345.00		1,794.00				6,139.00
Harlan Watson	11/29	12/12	Japan		4,924.00		4,186.00				9,110.00
Committee total					17,405.00		9,296.20				26,701.20

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

F. JAMES SENSENBRENNER, Jr., Chairman, Dec. 22, 1997.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 17 AND NOV. 25, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Ziad Ojakli	11/18	11/19	Israel		624.00						624.00
	11/19	11/20	Kuwait	69,070	231.00					69,070	231.00
	11/20	11/21	Bahrain	139,075	369.00					139,075	369.00
	11/23	11/24	Turkey		258.00						258.00
	11/24	11/27	Greece	757,952	215.00					757,952	215.00
Committee total					1,697.00						1,697.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JIM TALENT, Chairman, Jan. 27, 1998.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Sam Johnson	11/15	11/17	Turkey		516.00		(3)				516.00
	11/17	11/19	Azerbaijan		645.00						645.00
	11/19	11/21	Kazakstan		606.00						606.00
	11/21	11/23	Uzbekistan		688.00						688.00
	11/23	11/24	Turkmenistan		241.00						241.00
	11/24	11/25	Norway		304.00						304.00
Angela Ellard	12/8	12/9	France		299.00						299.00
	12/9	12/13	Switzerland		1,218.72						1,218.72
Commercial airfare							4,150.90				4,150.90

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1997—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Committee total					4,517.72		4,150.90				8,668.62

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

BILL ARCHER, Chairman, Jan. 16, 1998.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Diane Roark	6/18	7/3	Europe		2,025.00						2,025.00
Commercial airfare							4,980.85				4,980.85
L. Christine Healey	6/30	7/6	Europe		1,240.00						1,240.00
Commercial airfare							4,153.15				4,153.15
Hon. Porter J. Goss	8/6	8/15	Asia		2,415.00						2,415.00
Hon. Bill McCollum	8/6	8/15	Asia		2,415.00						2,415.00
Hon. Charles F. Bass	8/6	8/15	Asia		2,415.00						2,415.00
Hon. Jim Gibbons	8/6	8/15	Asia		2,415.00						2,415.00
Hon. Sanford D. Bishop	8/6	8/15	Asia		2,415.00						2,415.00
Hon. Nancy Pelosi	8/8	8/14	Asia		1,624.00						1,624.00
Commercial airfare							5,262.75				5,262.75
Hon. Jane Harman	8/8	8/14	Asia		1,624.00						1,624.00
Commercial airfare							3,500.95				3,500.95
John Millis	8/6	8/15	Asia		2,415.00						2,415.00
Tom Newcomb	8/6	8/15	Asia		2,415.00						2,415.00
Wendy Selig	8/6	8/15	Asia		2,415.00						2,415.00
Calvin Humphrey	8/6	8/15	Asia		2,415.00						2,415.00
L. Christine Healey	8/7	8/15	Asia		2,164.00						2,164.00
Commercial airfare							2,024.00				2,024.00
Patrick Murray	8/6	8/15	Asia		2,415.00						2,415.00
Commercial airfare							1,790.00				1,790.00
Brett O'Brien	8/13	8/19	South America		1,467.00						1,467.00
Commercial airfare							3,532.95				3,532.95
Catherine Eberwein	8/17	8/26	Europe		1,890.00		34.00				1,924.00
Commercial airfare							3,215.09				3,215.09
Michael W. Sheehy	8/18	8/20	North America		400.00						400.00
Commercial airfare							1,080.70				1,080.70
Michael Meermans	8/18	8/20	North America		400.00						400.00
Commercial airfare							1,080.70				1,080.70
Committee total					36,984.00		30,655.14				65,615.14

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

PORTER J. GOSS.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO AFRICA, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 21 AND AUG. 31, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Jim Kolbe	8/21	8/23	Ivory Coast		424.00		(3)				
Hon. Bernard Sanders	8/21	8/23	Ivory Coast		424.00		(3)				
Hon. William Jefferson	8/21	8/23	Ivory Coast		424.00		(3)				
Hon. Scott Klug	8/21	8/23	Ivory Coast		424.00		(3)				
Hon. Jim Greenwood	8/21	8/23	Ivory Coast		424.00		(3)				
Hon. Steve Chabot	8/21	8/23	Ivory Coast		424.00		(3)				
Hon. Melvin Watt	8/21	8/23	Ivory Coast		424.00		(3)				
Hon. Karen Thurman	8/21	8/23	Ivory Coast		424.00		(3)				
Everett Eissenstat	8/21	8/23	Ivory Coast		424.00		(3)				
Ron Lasch	8/21	8/23	Ivory Coast		424.00		(3)				
Meredith Broadbent	8/21	8/23	Ivory Coast		424.00		(3)				
Hon. Jim Kolbe	8/23	8/25	South Africa		512.00		(3)				
Hon. Bernard Sanders	8/23	8/25	South Africa		512.00		(3)				
Hon. William Jefferson	8/23	8/25	South Africa		512.00		(3)				
Hon. Scott Klug	8/23	8/25	South Africa		512.00		(3)				
Hon. Jim Greenwood	8/23	8/25	South Africa		512.00		(3)				
Hon. Steve Chabot	8/23	8/25	South Africa		512.00		(3)				
Hon. Melvin Watt	8/23	8/25	South Africa		512.00		(3)				
Hon. Karen Thurman	8/23	8/25	South Africa		512.00		(3)				
Everett Eissenstat	8/23	8/25	South Africa		512.00		(3)				
Ron Lasch	8/23	8/25	South Africa		512.00		(3)				
Meredith Broadbent	8/23	8/25	South Africa		512.00		(3)				
Hon. Jim Kolbe	8/25	8/26	South Africa		207.00		(3)				
Hon. Bernard Sanders	8/25	8/26	South Africa		207.00		(3)				
Hon. William Jefferson	8/25	8/26	South Africa		207.00		(3)				
Hon. Scott Klug	8/25	8/26	South Africa		207.00		(3)				
Hon. Jim Greenwood	8/25	8/26	South Africa		207.00		(3)				
Hon. Steve Chabot	8/25	8/26	South Africa		207.00		(3)				
Hon. Melvin Watt	8/25	8/26	South Africa		207.00		(3)				
Hon. Karen Thurman	8/25	8/26	South Africa		207.00		(3)				
Everett Eissenstat	8/25	8/26	South Africa		207.00		(3)				
Ron Lasch	8/25	8/26	South Africa		207.00		(3)				
Meredith Broadbent	8/25	8/26	South Africa		207.00		(3)				
Hon. Jim Kolbe	8/26	8/28	Zimbabwe		468.00		(3)				
Hon. Bernard Sanders	8/26	8/28	Zimbabwe		468.00		(3)				
Hon. William Jefferson	8/26	8/28	Zimbabwe		468.00		(3)				
Hon. Scott Klug	8/26	8/28	Zimbabwe		468.00		(3)				
Hon. Jim Greenwood	8/26	8/28	Zimbabwe		468.00		(3)				
Hon. Steve Chabot	8/26	8/28	Zimbabwe		468.00		(3)				
Hon. Melvin Watt	8/26	8/28	Zimbabwe		468.00		(3)				
Hon. Karen Thurman	8/26	8/28	Zimbabwe		468.00		(3)				
Everett Eissenstat	8/26	8/28	Zimbabwe		468.00		(3)				

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO AFRICA, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 21 AND AUG. 31, 1997—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Ron Lasch	8/26	8/28	Zimbabwe		468.00		(3)				
Meredith Broadbent	8/26	8/28	Zimbabwe		468.00		(3)				
Hon. Jim Kolbe	8/28	8/29	Zimbabwe		223.00		(3)				
Hon. Bernard Sanders	8/28	8/29	Zimbabwe		223.00		(3)				
Hon. William Jefferson	8/28	8/29	Zimbabwe		223.00		(3)				
Hon. Scott Klug	8/28	8/29	Zimbabwe		223.00		(3)				
Hon. Jim Greenwood	8/28	8/29	Zimbabwe		223.00		(3)				
Hon. Steve Chabot	8/28	8/29	Zimbabwe		223.00		(3)				
Hon. Melvin Watt	8/28	8/29	Zimbabwe		223.00		(3)				
Hon. Karen Thurman	8/28	8/29	Zimbabwe		223.00		(3)				
Everett Eissenstat	8/28	8/29	Zimbabwe		223.00		(3)				
Ron Lasch	8/28	8/29	Zimbabwe		223.00		(3)				
Meredith Broadbent	8/28	8/29	Zimbabwe		223.00		(3)				
Hon. Jim Kolbe	8/29	8/31	Uganda		546.00		(3)				
Hon. Bernard Sanders	8/29	8/31	Uganda		546.00		(3)				
Hon. William Jefferson	8/29	8/31	Uganda		546.00		(3)				
Hon. Scott Klug	8/29	8/31	Uganda		546.00		(3)				
Hon. Jim Greenwood	8/29	8/31	Uganda		546.00		(3)				
Hon. Steve Chabot	8/29	8/31	Uganda		546.00		(3)				
Hon. Melvin Watt	8/29	8/31	Uganda		546.00		(3)				
Hon. Karen Thurman	8/29	8/31	Uganda		546.00		(3)				
Everett Eissenstat	8/29	8/31	Uganda		546.00		(3)				
Ron Lasch	8/29	8/31	Uganda		546.00		(3)				
Meredith Broadbent	8/29	8/31	Uganda		546.00		(3)				
Committee total					26,180.00						

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

JIM KOLBE, Sept. 29, 1997.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO GERMANY, AUSTRIA, BOSNIA, FRANCE, UNITED KINGDOM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 30 AND SEPT. 11, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Gardner G. Peckham	9/1	9/1	Germany		200.00						200.00
	9/1	9/2	Austria	2,814.32	221.00						221.00
	9/2	9/7	Bosnia		1,755.00						1,755.00
	9/7	9/9	France	3,432.80	560.00						560.00
	9/9	9/11	United Kingdom	436.30	692.00						692.00
Commercial airfare							2,322.05				2,322.05
					[3] −475.00						−475.00
Charles G. Boyd	9/1	9/1	Germany		200.00						200.00
	9/1	9/2	Austria	2,814.32	221.00						221.00
	9/2	9/7	Bosnia		1,755.00						1,755.00
	9/7	9/9	France	3,432.80	560.00						560.00
	9/9	9/11	United Kingdom	436.30	692.00						692.00
Commercial airfare							2,322.05				2,322.05
Committee total					6,381.00		4,644.10				11,025.10

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Excess per diem; returned to the U.S. Treasury.

GARDNER G. PECKHAM, Sept. 29, 1997.
CHARLES G. BOYD, Nov. 23, 1997.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO OSLO, NORWAY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN SEPT. 6 AND SEPT. 8, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Jack Quinn	9/6	9/8	Norway		224.00		1,497.65				1,721.65
Dan Skopec	9/6	9/8	Norway		224.00		1,497.65				1,721.65
Committee total					448.00		2,995.00				3,443.30

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JACK QUINN.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO INDIA, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN SEPT. 12 AND SEPT. 15, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Christopher Cox	9/12	9/15	India		575.00						575.00
Hon. Jon D. Fox	9/12	9/15	India		575.00						575.00
Hon. Sue Myrick	9/12	9/15	India		575.00						575.00
Hon. Michael R. McNulty	9/12	9/15	India		575.00						575.00
Hon. Frank Pallone	9/12	9/15	India		575.00						575.00
Hon. Sherrod Brown	9/12	9/15	India		575.00						575.00
J. Dean McGrath	9/12	9/15	India		575.00						575.00
Committee total					4,025.00						4,025.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

CHRIS COX, Oct. 8, 1997.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO THE NORTH ATLANTIC ASSEMBLY VISIT TO BUCHAREST, ROMANIA AND LISBON, PORTUGAL, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 9 AND OCT. 17, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Doug Bereuter	10/10	10/14	Romania		1,380.00						
	10/14	10/17	Portugal		768.00						2,148.00
Hon. Gerald Solomon	10/10	10/14	Romania		1,380.00						
	10/14	10/17	Portugal		768.00						2,148.00
Hon. Tom Bliley	10/10	10/14	Romania		1,380.00						
	10/14	10/17	Portugal		768.00						2,148.00
Hon. Sherwood Boehlert	10/10	10/14	Romania		1,380.00						
	10/14	10/17	Portugal		768.00						2,148.00
Hon. Ralph Regula	10/10	10/14	Romania		1,380.00						
	10/14	10/17	Portugal		768.00						2,148.00
Hon. Herb Bateman	10/10	10/14	Romania		1,380.00						
	10/14	10/17	Portugal		768.00						2,148.00
Hon. Marge Roukema	10/10	10/14	Romania		1,380.00						
	10/14	10/17	Portugal		768.00						2,148.00
Hon. Mike Bilirakis	10/10	10/14	Romania		1,380.00						
	10/14	10/17	Portugal		768.00						2,148.00
Hon. Porter Goss	10/10	10/14	Romania		1,230.00						
	10/14	10/17	Portugal		680.00						1,910.00
Hon. Paul Gilmor	10/10	10/14	Romania		1,380.00						
	10/14	10/17	Portugal		768.00						2,148.00
Hon. Joel Hefley	10/10	10/14	Romania		1,380.00						
	10/14	10/17	Portugal		768.00						2,148.00
Hon. Dennis Hastert	10/10	10/14	Romania		1,380.00						
	10/14	10/17	Portugal		512.00						1,892.00
Hon. Scott McInnis	10/10	10/14	Romania		1,380.00						
	10/14	10/17	Portugal		768.00						2,148.00
Hon. Vern Ehlers	10/10	10/14	Romania		1,380.00						
	10/14	10/17	Portugal		768.00						2,148.00
Susan Olson	10/19	10/14	Romania		1,380.00						
	10/14	10/17	Portugal		768.00		2,609.60				4,757.60
Jo Weber	10/9	10/14	Romania		1,380.00						
	10/14	10/17	Portugal		768.00		2,609.60				4,757.60
Michael Ennis	10/10	10/14	Romania		1,380.00						
	10/14	10/17	Portugal		768.00						2,148.00
Bill Cox	10/10	10/14	Romania		1,380.00						
	10/14	10/17	Portugal		768.00						2,148.00
Ronald Dasch	10/10	10/14	Romania		1,380.00						
	10/14	10/17	Portugal		768.00		2,609.60				4,757.60
Linda Pedigo	10/10	10/14	Romania		1,380.00						
	10/14	10/17	Portugal		768.00						2,148.00
Robin Evans	10/9	10/14	Romania		1,380.00						
	10/14	10/17	Portugal		768.00		2,609.60				4,757.60
Scott Palmer	10/10	10/14	Romania		1,380.00						
	10/14	10/17	Portugal		768.00						2,148.00
Bob King	10/10	10/14	Romania		1,380.00						
	10/14	10/17	Portugal		768.00						2,148.00
John Walker Robert	10/10	10/13	Romania		1,035.00		1,035.00				
Total					49,945.00		10,438.40				60,383.40

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DOUG BEREUTER, Nov. 20, 1997.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO UKRAINE AND RUSSIA, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 13 AND OCT. 19, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Jeffrey Clay Sell	14/10	15/10	Ukraine		285.00						
	15/10	19/10	Russia		1,380.00						1,380.00
Commercial airfare							3,652.00				3,652.00
Committee total					1,665.00		3,652.00				5,317.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JEFFREY CLAY SELL, Nov. 18, 1997.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO IRELAND, SCOTLAND, ENGLAND, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 16 AND NOV. 23, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Benjamin Gilman	11/16	11/20	Ireland		1,112.00						1,112.00
	11/20	11/22	Scotland		196.00						196.00
Hon. James Walsh	11/16	11/20	Ireland		1,112.00						1,112.00
	11/20	11/22	Scotland		196.00						196.00
	11/22	11/23	England		335.00						335.00
Hon. Jennifer Dunn	11/16	11/20	Ireland		1,112.00						1,112.00
	11/20	11/22	Scotland		688.00						688.00
	11/22	11/23	England		335.00						335.00
Hon. Clifford Stearns	11/16	11/20	Ireland		1,112.00						1,112.00
	11/20	11/22	Scotland		688.00						688.00
	11/22	11/23	England		335.00						335.00
Hon. Michael McNulty	11/16	11/20	Ireland		1,112.00						1,112.00
	11/20	11/22	Scotland		688.00						688.00
	11/22	11/23	England		335.00						335.00
Hon. Richard Neal	11/16	11/20	Ireland		1,112.00						1,112.00
	11/20	11/22	Scotland		688.00						688.00
	11/22	11/23	England		335.00						335.00
Hon. Thomas Ewing	11/16	11/20	Ireland		1,112.00		2,066.33				3,178.33
Hon. James Moran	11/16	11/20	Ireland		1,112.00						1,112.00
	11/20	11/22	Scotland		688.00						688.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO IRELAND, SCOTLAND, ENGLAND, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 16 AND NOV. 23, 1997—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	11/22	11/23	England		335.00						335.00
Hon. Peter King	11/16	11/20	Ireland		1,112.00						1,112.00
	11/20	11/22	Scotland		688.00						688.00
	11/22	11/23	England		335.00						335.00
Hon. Martin Meehan	11/16	11/20	Ireland		1,112.00						1,112.00
	11/20	11/22	Scotland		688.00						688.00
	11/22	11/23	England		335.00						335.00
Hon. Matt Salmon	11/16	11/20	Ireland		1,112.00						1,112.00
	11/20	11/22	Scotland		688.00						688.00
	11/22	11/23	England		335.00						335.00
Hon. Michael Doyle	11/16	11/20	Ireland		1,112.00						1,112.00
	11/20	11/22	Scotland		688.00						688.00
	11/22	11/23	England		335.00						335.00
John Mackey	11/16	11/20	Ireland		1,112.00						1,112.00
	11/20	11/22	Scotland		688.00						688.00
	11/22	11/23	England		335.00						335.00
Lester Munson	11/16	11/20	Ireland		1,112.00						1,112.00
	11/20	11/22	Scotland		688.00						688.00
	11/22	11/23	England		335.00						335.00
Allison Kiernan	11/16	11/20	Ireland		1,112.00						1,112.00
	11/20	11/22	Scotland		688.00						688.00
	11/22	11/23	England		335.00						335.00
James O'Connor		11/20	Ireland		1,112.00						1,112.00
	11/20	11/22	Scotland		688.00						688.00
	11/22	11/23	England		335.00						335.00
John Feehery	11/16	11/20	Ireland		1,112.00						1,112.00
		11/22	Scotland		688.00						688.00
	11/22	11/23	England		335.00						335.00
Marti Thomas	11/16	11/20	Ireland		1,112.00						1,112.00
	11/20	11/22	Scotland		688.00						688.00
	11/22	11/23	England		335.00						335.00
Daniel Turton	11/16	11/20	Ireland		1,112.00						1,112.00
	11/20	11/22	Scotland		688.00						688.00
	11/22	11/23	England		335.00						335.00
William Tranghese	11/16	11/20	Ireland		1,112.00						1,112.00
	11/20	11/22	Scotland		688.00						688.00
	11/22	11/23	England		335.00						335.00
John Simmons	11/16	11/20	Ireland		1,112.00						1,112.00
	11/20	11/22	Scotland		688.00						688.00
	11/22	11/23	England		335.00						335.00
Committee total					42,158.00		2,066.33				44,224.33

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JAMES T. WALSH, Dec. 22, 1997.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO OTTAWA, CANADA, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN DEC. 2 AND DEC. 3, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Lane Evans	12/2	12/3	Canada	279.48	234.31		853.58			279.48	1,087.89
Tom O'Donnell	12/2	12/3	Canada	279.48	234.31		470.04			279.48	704.35
Hon. Jack Quinn	12/2	12/3	Canada	106.40	79.50		470.04				549.54
Dan Skopec	12/2	12/3	Canada	279.48	209.25		470.04				679.29
Committee total					757.37		2,263.70				3,021.07

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

LANE EVANS, Dec. 23, 1997.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO KYOTO, JAPAN, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN DEC. 5 AND DEC. 12, 1977

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. F. James Sensenbrenner	12/5	12/11	Japan		1,794.00		5,460.00				7,254.00
Hon. Ralph Regula	12/5	12/11	Japan		1,794.00		5,373.00				7,167.00
Hon. Dan Schaefer	12/5	12/11	Japan		1,794.00		5,232.00				7,026.00
Hon. Joe Barton	12/6	12/10	Japan		1,495.00		5,567.00				7,062.00
Hon. Dennis Hastert	12/7	12/11	Japan		1,495.00		5,579.00				7.074.00
Hon. Ken Calvert	12/5	12/10	Japan		1,495.00		4,171.00				5,666.00
Hon. Joe Knollenberg	12/5	12/10	Japan		1,495.00		5,286.00				6,781.00
Hon. Jo Ann Emerson	12/5	12/11	Japan		1,794.00		5,454.00				7,248.00
Hon. John Dingell	12/7	12/11	Japan		1,196.00		5,286.00				6,482.00
Hon. George E. Brown	12/5	12/11	Japan		1,794.00		4,171.00				5,965.00
Hon. George Miller	12/5	12/11	Japan		1,794.00		4,171.00				5,965.00
Hon. Henry Waxman	12/5	12/11	Japan		1,794.00		4,171.00				5,965.00
Hon. Ron Klink	12/5	12/10	Japan		1,495.00		5,456.00				6,951.00
Hon. Karen McCarthy	12/5	12/11	Japan		1,794.00		5,284.00				7,078.00
Rob Hood	12/5	12/11	Japan		1,794.00		4,845.00				6,639.00
Andrew Weinstein	12/3	12/11	Japan		2,392.00		4,460.00				7,852.00
Jim Hawley	12/5	12/12	Japan		1,794.00		4,256.00				6,050.00
Committee total					29,003.00		85,222.00				114,225.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

F. JAMES SENSENBRENNER, Dec. 22, 1997.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO HONG KONG, MACAU, SHENZHEN AND BEIJING, CHINA, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN DEC. 13 AND DEC. 20, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Doug Bereuter	12/13	12/17	Hong Kong, Macau		1,472.00						1,472.00
	12/17	12/20	China		671.00						671.00
Hon. Alcee Hastings	12/13	12/17	Hong Kong, Macau		1,422.00						1,422.00
	12/17	12/20	China		621.00						621.00
Hon. Donald Manzullo	12/13	12/17	Hong Kong, Macau		1,052.00						1,052.00
	12/17	12/20	China		362.00						362.00
Gardner Peckham	12/13	12/17	Hong Kong, Macau		1,477.00						1,477.00
	12/17	12/20	China		676.00						676.00
Richard Kessler	12/13	12/17	Hong Kong, Macau		1,477.00						1,477.00
	12/17	12/20	China		676.00						676.00
Daniel Martz	12/13	12/17	Hong Kong, Macau		1,492.00						1,492.00
	12/17	12/20	China		691.00						691.00
Total					12,089.00						12,089.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DOUGLAS BEREUTER, Chairman, Feb. 5, 1998.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, TRAVEL TO SPAIN AND ITALY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND OCT 6, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Judith Wolverton	10/2	10/4	Spain		350.00						350.00
	10/4	10/6	Italy		650.00						650.00
Committee total					1,000.00						1,000.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JUDITH WOLVERTON, Oct. 8, 1997.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, TRAVEL TO GERMANY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN DEC. 14 AND DEC. 17, 1997

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Mac Collins	12/14	12/17	Germany [3]		400.00		4,966.80				5,366.80
Committee total					400.00		4,966.80				5,366.80

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Includes day trip to Bosnia.

MAC COLLINS.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, TRAVEL TO ASIA PACIFIC PARLIAMENTARY FORUM, SEOUL, KOREA, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 5 AND JAN. 10, 1998

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Robert Van Wicklin	1/6	1/10	Korea	1,545,840	912.00		4,180.00			1,545,840	5,092.00
Committee total					912.00		4,180.00				5,092.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

ROBERT VAN WICKLIN, Feb. 10, 1998.

NOTICE OF ADOPTION OF AMENDMENTS TO REGULATIONS

U.S. CONGRESS,
OFFICE OF COMPLIANCE,
Washington, DC, February 9, 1998.

Hon. NEWT GINGRICH,
Speaker of the House, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to Section 303 of the Congressional Accountability Act of 1995, 2 U.S.C. §1383, I am transmitting the enclosed Notice of Adoption of Amendments (amending procedural rules previously adopted) for publication in the Congressional Record.

The Congressional Accountability Act specifies that the enclosed notices be published on the first day on which both Houses are in session following this transmittal.

Sincerely yours,

RICKY SILBERMAN,
Executive Director.

Enclosure.

OFFICE OF COMPLIANCE

The Congressional Accountability Act of 1995: Amendments to Procedural Rules.

NOTICE OF ADOPTION OF AMENDMENTS

Summary: The Executive Director of the Office of Compliance (''Office''), with the approval of the Board of Directors (''Board''), having considered comments received in response to the Notice of Proposed Rulemaking (''NPRM'') published on October 1, 1997, 143 Cong. Rec. S10291 (daily ed. Oct. 1, 1997), has amended the Procedural Rules of the Office of Compliance to cover the General Accounting Office (''GAO'') and the Library of Congress (''Library'') and their employees under the rules governing: *(1)* proceedings involving Occupational Safety and Health inspections, citations, and variances under section 215 of the Congressional Accountability Act of 1995 (''CAA''), and *(2) ex parte* communications.

The NPRM also proposed to extend the Procedural Rules to cover GAO and the Library and their employees for purposes of processing allegations of violation of sections 204–206 of the CAA, which apply rights and protections of the Employee Polygraph Protection Act of 1988 (''EPPA''), the Worker Adjustment and Retraining Notification Act (''WARN Act''), and the Uniformed Services

Employment and Reemployment Rights Act of 1994 (''USERRA''), and of section 207 of the CAA, which prohibits employing offices from intimidating or taking reprisal against covered employees for exercising rights under the CAA. However, by a recently published Supplementary Notice of Proposed Rulemaking, 143 Cong. Rec. S86 (daily ed. Jan. 28, 1998), the Office is requesting further comment on whether the Procedural Rules should be extended to cover GAO and the Library with respect to alleged violations of sections 204–207, and no final action will be taken on this question until the comments have been received and considered.

Availability of comments for public review: Copies of comments received by the Office in response to the NPRM are available for public review at the Law Library Reading Room, Room LM–201, Law Library of Congress, James Madison Memorial Building, Washington, D.C., Monday through Friday, between the hours of 9:30 a.m. and 4:00 p.m.

For further information contact: Executive Director, Office of Compliance, at (202) 724–9250 (voice), (202) 426–1912 (TTY). This notice will also be made available in large print or braille or on computer disk upon request to the Office of Compliance.

SUPPLEMENTARY INFORMATION

The Congressional Accountability Act of 1995 (''CAA'' or the ''Act''), Pub. L. 104–1, 2 U.S.C. §§ 1301–1438, applies the rights and protections of eleven labor, employment, and public access laws to certain defined ''covered employees'' and ''employing offices'' in the Legislative Branch. The CAA expressly includes GAO and the Library and their employees within the definitions of ''covered employees'' and ''employing offices'' for purposes of four sections of the Act: *(a)* section 204, making applicable the rights and protections of the Employee Polygraph Protection Act of 1988 (''EPPA''); *(b)* section 205, making applicable the rights and protections of the Worker Adjustment and Retraining Notification Act (''WARN Act''); *(c)* section 206, making applicable the rights and protections of section 2 of the Uniformed Services Employment and Reemployment Rights Act of 1994 (''USERRA''); and *(d)* section 215, making applicable the rights and protections of the Occupational Safety and Health Act of 1970 (''OSHAct''). These four sections go into effect by their own terms with respect to GAO and the Library one year after transmission to Congress of the study under section 230 of the CAA. The study was transmitted to Congress on December 30, 1996, and sections 204–206 and 215 therefore went into effect at GAO and the Library on December 30, 1997.

The purpose of the NPRM was to extend the Procedural Rules of the Office to cover GAO and the Library and their employees for purposes of any proceedings in which GAO or the Library or their employees may be involved. To accomplish this, the NPRM proposed to cover GAO and the Library and their employees in four respects: *(1)* Sections 401–408 of the CAA establish administrative and judicial procedures for considering alleged violations of part A of Title II of the CAA, which includes sections 204–206, and the NPRM proposed to extend the Procedural Rules to include GAO and the Library and their employees for the purpose of resolving any allegation of a violation of sections 204–206. *(2)* Section 207 prohibits employing offices from intimidating or taking reprisal against any covered employee for exercising rights under the CAA, and the NPRM proposed to extend the Procedural Rules to include GAO and the Library and their employees for the purpose of resolving any allegation of intimidation or reprisal prohibited under section 207. *(3)* Section 215 specifies the procedures by which the Office conducts inspections, issues citations, grants variances, and otherwise enforces section 215, and the NPRM proposed to extend the Procedural Rules to cover GAO and the Library and their employees for purposes of proceedings involving section 215. *(4)* Section 9.04 of the Procedural Rules governs *ex parte* communications, and the NPRM proposed to extend the Procedural Rules to cover these instrumentalities and employees for purposes of section 9.04.

In the only comment received in response to the NPRM, the library argued that ''Congress expressly excluded the Library and other instrumentalities of Congress from the application of Titles I, III, IV and V of the CAA,'' which include the administrative and judicial procedures established in sections 401–408. (The Office of Compliance has made the Library's entire submission available for public review in the Law Library Reading Room of the Law Library of Congress, at the address and times stated at the beginning of this Notice.) As to whether GAO and the Library and their employees are covered by the procedures mandated by sections 401–408 when a violation of sections 204–207 is alleged, the Library's comments raise issues of statutory construction upon which the Office seeks further comment. To solicit such comments, the Office recently published a Supplementary Notice of Proposed Rulemaking, 143 Cong. Rec. S86 (daily ed. Jan. 28, 1998), and will make no decision as to whether the Procedural Rules will be amended to cover GAO and the Library and their employees for purposes of resolving allegations of violations of sections 204–207 until after the comments are received and considered.

The issues of statutory construction raised by the Library's comments are not pertinent, however, to proceedings under section 215 and to rules regarding *ex parte* communications. The procedures under section 215 expressly cover GAO and the Library and their employees because section 215(a)(2)(C)–(D) explicitly includes these instrumentalities and employees within the definitions of ''employing office'' and ''covered employee'' for purposes of applying the OSHAct ''under this section [215].'' As to *ex parte* communications, section 9.04 of the Procedural Rules includes within its coverage any covered employee and employing office ''who is or may reasonably be expected to be involved in a proceeding or rulemaking.'' The CAA explicitly authorizes GAO and the Library and their employees to be involved in proceedings under section 215(c), as described above, and the Library itself has exercised its right to be involved in the Office's rulemaking proceedings.

The Library further notes that the substantive regulations adopted by the Board to implement section 215 have not yet been approved by the House and Senate pursuant to section 304 of the CAA and argues: ''Since all OSHA regulations must follow the procedures for adopting substantive rules under section 304 of the Act, including approval by Congress, it would seem more appropriate to delete the reference to the coverage of the Library for purposes of section 215 of the CAA, in order to avoid confusion over the effect of possible Congressional approval of these proposed rules but not the underlying provisions applying to OSHA procedures.'' However, the Library's assumption that ''all OSHA regulations,'' including provisions of the Procedural Rules describing the Office's procedures under section 215, are subject to Congressional approval is incorrect. Congressional approval under section 304 is required only for the regulations adopted by the Board under section 215(d) of the CAA, which must generally be the same as the substantive regulations promulgated by the Secretary of Labor to implement section 5 of the OSHAct. The Board adopted such regulations for employing offices other than GAO and the Library and submitted the regulations to Congress for approval under section 304, *see* 143 Cong. Rec. S61 (daily ed. Jan. 7, 1997), and recently amended those regulations to cover GAO and the Library and submitted the amendments to Congress for approval, *see* 143 Cong. Rec. S11663 (daily ed. Nov. 4, 1997). However, the Procedural Rules, including provisions describing the Office's procedures under section 215 of the CAA, were adopted under section 303 of the CAA, which authorizes the Executive Director, subject to the approval of the Board, to adopt rules governing the procedures of the Office. *See* 143 Cong. Rec. H1879, H1879–90 (daily ed. Apr. 24, 1997). The amendments in this Notice are likewise adopted under section 303, so the Library's expressed concern is unfounded.

Finally, although no comments were received regarding the specific language of the proposed amendments to the rules, the final adopted rules differ slightly from the text of the proposed amendments. The preamble to the NPRM explained that the purpose of the rulemaking was to cover GAO and the Library and their employees ''for purposes of any proceedings in which GAO and the Library or their employees may be involved as employing offices or covered employees,'' and, with respect to section 215, the preamble stated that GAO and the Library would be covered ''for the purposes of proceedings involving section[] . . . 215 of the CAA . . . .'' 143 Cong. Rec. S10291, S10292 col. 1 (daily ed. Oct. 1, 1997). However, the proposed rules in the NPRM described specific kinds of proceedings under section 215, *i.e.*, enforcement of inspection and citation provisions of the CAA and the granting of variances, and stated that GAO and the Library would be covered for purposes of those specific proceedings. *Id.* at S10292 col. 2. To avoid any confusion, the final rules have been simplified and revised to make clear that they cover GAO and the Library for purposes of ''[a]ny proceeding under section 215.'' Section 102(q)(1) of the Procedural Rules, as amended by this Notice.

Signed at Washington, D.C., on this 9th day of February, 1998.

RICKY SILBERMAN,
Executive Director,
Office of Compliance.

The Executive Director of the Office of Compliance hereby amends section 1.02 of the Procedural Rules of the Office of Compliance by revising paragraphs (b) and (h) and by adding at the end of the section a new paragraph (q) to read as follows:

§ 1.02 Definitions.

''Except as otherwise specifically provided in these rules, for purposes of this Part:

* * * * *

''(b) *Covered employee.* The term 'covered employee' means any employee of

''(1) the House of Representatives;

''(2) the Senate;

''(3) the Capitol Guide Service;

''(4) the Capitol Police;

''(5) the Congressional Budget Office;

''(6) the Office of the Architect of the Capitol;

''(7) the Office of the Attending Physician;

''(8) the Office of Compliance; or

''(9) for the purposes stated in paragraph (q) of this section, the General Accounting Office or the Library of Congress.

* * * * *

''(h) *Employing Office.* The term 'employing office' means:

''(1) the personal office of a Member of the House of Representatives or a Senator;

''(2) a committee of the House of Representatives or the Senate or a joint committee;

''(3) any other office headed by a person with the final authority to appoint, hire, discharge, and set the terms, conditions, or privileges of the employment of an employee of the House of Representatives or the Senate;

''(4) the Capitol Guide Board, the Capitol Police Board, the Congressional Budget Office, the Office of the Architect of the Capitol, the Office of the Attending Physician, and the Office of Compliance; or

''(5) for the purposes stated in paragraph (q) of this section, the General Accounting Office and the Library of Congress.

* * * * *

''(q) *Coverage of the General Accounting Office and the Library of Congress and their Employees.* The term 'employing office' shall include the General Accounting Office and the Library of Congress, and the term 'covered employee' shall include employees of the General Accounting Office and the Library of Congress, for purposes of the proceedings and rulemakings described in subparagraphs (1) and (2):

''(1) Any proceeding under section 215 of the Act. Section 215 of the Act applies to covered employees and employing offices certain rights and protections of the Williams-Steiger Occupational Safety and Health Act of 1970.

''(2) Any proceeding or rulemaking, for purposes of section 9.04 of these rules.''

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

7268. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Peanuts Marketed in the United States; Relaxation of Handling Regulations [Docket Nos. FV97–997–1 IFR and FV97–998–1 IFR] received February 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7269. A letter from the Federal Register Liaison Officer, Bureau of Land Management, transmitting the Bureau's final rule—Federal Timber Contract Payment Modification [WO–330–1030–02–24 1A] (RIN: 1004–AC69) received January 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7270. A letter from the Deputy Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Distribution of Risk Disclosure Statements By Futures Commission Merchants and Introducing Brokers [17 CFR Parts 1, 30, 33, and 190] received February 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7271. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Bifenthrin; Pesticide Tolerance; Correction of Effective Date Under Congressional Review Act (CRA) [FRL–5959–6] received February 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7272. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Thiodicarb; Pesticides Tolerance [OPP–300541; FRL–5739–7] (RIN: 2070–AB78) received February 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7273. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Bifenthrin; Pesticide Tolerance [PP 5F4485/R2232; FRL–5364–3] (RIN: 2070–AB78) received February 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7274. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Bensulfuron Methyl (methyl-2[[[[[(4,6-dimethoxypyrimidin-2-yl) amino] carbonyl] amino] sulfonyl] methyl] Benzoate; Pesticide Tolerance [OPP–300603; FRL–5766–4] (RIN: 2070–AB78) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7275. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Kaolin; Exemption from the Requirement of a Tolerance [OPP–300614; FRL–5769–9] (RIN: 2070–AB78) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7276. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Vinclozolin; Revocation of Certain Tolerances [OPP–300540A; FRL–5769–2] (RIN: 2070–AB78) received February 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7277. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Benoxacor; Pesticide Tolerances [OPP–300617; FRL–5771–1] (RIN: 2070–AB78) received February 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7278. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Lambda-cyhalothrin; Pesticide Tolerances [OPP–300608; FRL–5767–7] (RIN: 2070–AB78) received February 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7279. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Flammability Labeling Requirements for Total Release Fogger Pesticides [OPP–36189; FRL–5748–7] (RIN: 2070–AC60) received February 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7280. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Department's final rule—Norflurazon; Extension of Tolerance for Emergency Exemptions [OPP–300615; FRL–5770–8] (RIN: 2070–AB78) received February 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7281. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Thiabendazole; Pesticide Tolerances for Emergency Exemptions [OPP–300607; FRL–5767–6] (RIN: 2070–AB78) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7282. A letter from the Administrator, Farm Service Agency, transmitting the Agency's final rule—Special Combinations for Tobacco Allotments and Quotas (RIN: 0560–AE13) received February 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7283. A communication from the President of the United States, transmitting his requests for emergency and nonemergency FY 1998 appropriations for the Departments of Agriculture, Energy, the Interior, and the Treasury; the National Aeronautics and Space Administration; and, the National Transportation Safety Board, pursuant to 31 U.S.C. 1107; (H. Doc. No. 105—216); to the Committee on Appropriations and ordered to be printed.

7284. A communication from the President of the United States, transmitting a report of 24 proposed rescissions of budgetary resources, totaling $20 million, pursuant to 2 U.S.C. 683(a)(1); (H. Doc. No. 105—215); to the Committee on Appropriations and ordered to be printed.

7285. A letter from the Under Secretary, Acquisition and Technology, Department of Defense, transmitting the annual report detailing test and evaluation activities of the Foreign Comparative Testing Program during FY 1997, pursuant to 10 U.S.C. 2350a(g); to the Committee on National Security.

7286. A letter from the Under Secretary, Acquisition and Technology, Department of Defense, transmitting the fiscal year 1997 annual report on operations of the National Defense Stockpile, pursuant to 50 U.S.C. 98h—5; to the Committee on National Security.

7287. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Restructuring Costs [DFARS Case 97–D313] received February 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

7288. A letter from the Under Secretary, Acquisition and Technology, Department of Defense, transmitting a plan or directive that sets forth the specific procedures for the conduct of competitions among private and public sector entities for such depot-level maintenance and repair workloads, pursuant to Public Law 105—85, section 359(b); to the Committee on National Security.

7289. A letter from the Under Secretary, Acquisition and Technology, Department of Defense, transmitting a report identifying the percentage of funds that were expanded during the preceding fiscal year for performance of depot-level maintenance and repair workloads by the public and private sectors, pursuant to Public Law 105—85, section 358; to the Committee on National Security.

7290. A letter from the Under Secretary, Acquisition and Technology, Department of Defense, transmitting a report describing the proposed allocation of certain depot-level maintenance and repair workloads that were performed at the closed or realigned installations as of July 1, 1995, pursuant to Public Law 105—85, section 359(b) and (c); to the Committee on National Security.

7291. A letter from the Director, Administration and Management, Department of Defense, transmitting the Department's final rule—Technical Assistance for Public Participation in Defense Environmental Restoration Activities (RIN: 0790–AG14) received February 13, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

7292. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation to authorize military construction and related activities of the Department of Defense, pursuant to 31 U.S.C. 1110; to the Committee on National Security.

7293. A communication from the President of the United States, transmitting the annual certification of the nuclear weapons stockpile by the Secretaries of Defense and Energy and accompanying report; to the Committee on National Security.

7294. A letter from the Secretary of Defense, transmitting a progress update report on the event-based decision making for the

F–22 aircraft program for the FY 1998 and FY 1999 decisions, pursuant to section 218 of the National Defense Authorization Act for FY 1997; to the Committee on National Security.

7295. A letter from the Secretary of Defense, transmitting the five-year plan (FY99–FY03) for the Manufacturing Technology (ManTech) Program, pursuant to Public Law 105—85, section 211(b); to the Committee on National Security.

7296. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule—Organization and Operations of Federal Credit Unions [12 CFR Part 701] received February 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7297. A letter from the Administrator, Legislative and Regulatory Activities Division, Office of the Currency, transmitting the Office's final rule—Fiduciary Activities of National Banks [Docket No. 98–02] (RIN: 1557–AB63) received February 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7298. A letter from the Under Secretary, Food, Nutrition and Consumer Services, Department of Agriculture, transmitting the Department's ''Major'' final rule—Child and Adult Care Food Program: Improved Targeting of Day Care Home Reimbursements (RIN: 0584–AC42) received February 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7299. A letter from the Under Secretary, Food, Nutrition and Consumer Services, Department of Agriculture, transmitting the Department's ''Major'' final rule—Child Nutrition and WIC Reauthorization Act Amendments (RIN: 0584–AC20) received February 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7300. A letter from the Secretary of Health and Human Services, transmitting the Thirtieth Annual Report of the United States-Japan Cooperative Medical Science Program for the period of July 1995 to July 1996, pursuant to 22 U.S.C. 2103(h); to the Committee on Commerce.

7301. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Clean Air Act Promulgation of Extension of Attainment Date for Ozone Nonattainment Area; Ohio; Kentucky; Correction of Effective Date Under Congressional Review Act (CRA)[FRL–5958–9] received February 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7302. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Control of Air Pollution; Removal and Modification of Obsolete, Superfluous or Burdensome Rules; Correction of Effective Date Under Congressional Review Act (CRA) [FRL–5960–3] received February 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7303. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Approval and Promulgation of Implementation of State Air Quality Plans for Disignated Facillities and Pollutants, New Mexico; Control of Landfill Gas Emissions From Existing Municipal Solid Waste Landfills; Correction for Same, Louisiana; Correction of Effective Date Under Congressional Review Act (CRA) [FRL–5961–3] received Februry 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7304. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Approval and Promulgation of Implementation Plans; State of Missouri; Correction of Effective Date Under Congressional Review Act (CRA) [FRL–5961–2] received February 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7305. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Approval and Promulgation of Implementation Plan; Minnesota; Correction of Effective Date Under CongressionalReview Act (CRA) [FRL–5961–1] received February 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7306. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Minor Amendments to Inspection/Maintenance Program Requirements; Correction of Effective Date Under Congressional Review Act (CRA) [FRL–5960–9] received February 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7307. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Approval and Promulgation of Implementation Plans; Ohio; Correction of Effective Date Under Congressional Review Act (CRA) [FRL–5960–8] received February 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7308. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Approval and Promulgation of Implementation Plans: Washington; Correction of Effective Date Under Congressional Review Act (CRA) [FRL–5960–7] received February 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7309. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Approval and Promulgation of Implementation Plans; State of Missouri; Correction of Effective Date Under Congressional Review Act (CRA) [FRL–5960–6] received February 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7310. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Approval and Promulgation of Maintenance Plan Revisions; Ohio; Correction of Effective Date Under Congressional Review (CRA) [FRL–5960–5] received February 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7311. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Standards of Performance for New Stationary Sources National Emission Standards for Hazardous Air Pollutants Addition of Method 29 to Appendix A of Part 60 and Amendments to Method 101A of Appendix B of Part 61; Correction of Effective Date Under Congressional Review Act (CRA) [FRL–5960–4] received February 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7312. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Clean Air Act Final Interim Approval of Operating Permits Program; Delegation of Section 112 Standards; State of Massachusetts; Correction; Correction of Effective Date Under Congressional Review Act (CRA) [FRL–5959–1] received February 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7313. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Hydrochloric Acid; Toxic Chemical Release Reporting; Community Right-to-Know; Correction of Effective Date Under Congressional Review Act (CRA) [FRL–5959–7] received February 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7314. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Cyclohexanecarbonitrile, 1,3,3-trimethyl-5oxo-; Revocation of a Significant New Use Rule; Correction of Effective Date Under Congressional Review Act (CRA) [FRL–5959–5] received February 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7315. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Ethane, 1,1,1 Trifluoro-; Revocation of a Significant New Use Rule; Correction of Effective Date Under Congressional Review Act (CRA) [FRL–5959–4] received February 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7316. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Thiodicarb; Pesticide Tolerance; Correction of Effective Date Under Congressional Review Act (CRA) [FRL–5959–3] received February 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7317. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Alabama: Final Authorization to State's Hazardous Waste Management Program; Correction of Effective Date Under Congressional Review Act (CRA) [FRL–5959–2] received February 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7318. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Acquisition Regulation; Coverage on Information Resources Management (IRM); Correction of Effective Date Under Congressional Review Act (CRA) [FRL–5959–9 received February 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7319. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to West Virginia; Final Approval of State Underground Storage Tank Program; Correction of Effective Date Under Congressional Review Act (CRA) [FRL–5960–2] received February 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7320. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical

Amendments to Acquisition Regulation; Correction of Effective Date Under Congressional Review Act (CRA) [FRL–5960–1] received February 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7321. A letter from the Information Management Specialist, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Plans, Texas; Revision to the Texas State Implementation Plan (SIP); Alternative Reasonably Available Control Technology (ARACT) Demonstration for Raytheon TI Systems, Inc. [TX–85–1–7344a; FRL–5955–8] received February 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7322. A letter from the Information Management Specialist, Environmental Protection Agency, transmitting the Agency's final rule—National Ambient Air Quality Standard for Particulate Matter and Revised Requirements for Designation of Reference and Equivalent Methods for PM2.5 and Ambient Air Quality Surveillance for Particulate Matter [AD-FRL–5963–3] (RIN: 2060–AE66) received February 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7323. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Ethane, 1,1,1 Trifluoro-; Revocation of a Significant New Use Rule [OPPTS–50608D; FRL–5372–1] received February 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7324. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Acquisition Regulation [FRL–5919–4] received February 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7325. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Alabama: Final Authorization of Revisions to State's Hazardous Waste Management Program [FRL–5925–8] received February 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7326. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Cyclohexanecarbonitrile, 1,3,3-trimethyl-5-oxo-; Revocation of a Significant New Use Rule [OPPTS–50601H; FRL–5371–7] received February 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7327. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Hydrochloric Acid; Toxic Chemical Release Reporting; Community Right-To-Know [OPPTS–400062A; FRL–5372–3] received February 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7328. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Final Interim Approval of Operating Permits Program; Delegation of Section 112 Standards; State of Massachusetts [AD-FRL–5522–9] received February 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7329. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Standards of Performance for New Stationary Sources National Emission Standards for Hazardous Air Pollutants Addition of Method 29 to Appendix A of Part 60 and Amendments to Method 101A of Appendix B of Part 61 [AD-FRL 5407–4] received February 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7330. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Acquisition Regulation; Coverage on Information Resources Management (IRM) [FRL–5525–6] received February 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7331. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—West Virginia; Final Approval of State Underground Storage Tank Program [FRL–5896–7] received February 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7332. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Control of Air Pollution; Removal and Modification of Obsolete, Superfluous or Burdensome Rules [FRL–5526–2] received February 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7333. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants, New Mexico; Control of Landfill Gas Emissions From Existing Municipal Solid Waste Landfills; Correction for Same, Louisiana [NM–33–1–7331a; LA–39–1–7332; FRL–5910–9] received February 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7334. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [MO 034–1034(a); FRL–5886–3] February 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7335. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plan: Minnesota [MN54–01–7279a; FRL–5913–3] received February 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7336. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Minor Amendments to Inspection/Maintenance Program Requirements [FRL–5610–4] received February 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7337. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Ohio [OH106–1a; FRL–5890–9] received February 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7338. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans: Washington [WA56–7131a; FRL–5603–7] received February 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7339. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [MO–006–1006(a); FRL–5542–6] received February 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7340. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Maintenance Plan Revisions; Ohio [OH104–1A; FRL–5877–9] received February 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7341. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Standards of Performance for New Stationary Sources National Emission Standards for Hazardous Air Pollutants Addition of Method 29 to Appendix A of Part 60 and Amendments to Method 101A of Appendix B of Part 61 [AD-FRL–5407–4] received February 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7342. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Indian Tribes: Air Quality Planning and Management [OAR-FRL–5964–2] (RIN: 2060–AF79) received February 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7343. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Sole Source Aquifer Designation of Poolesville Area Aquifer System, Lower Western Montgomery County, MD [FRL 5952–3] received February 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7344. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Illinois [IL147–1a, IL156–1a; FRL–5965–1] received February 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7345. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Reclassification; Texas-Dallas/Fort Worth Nonattainment Area; Ozone [TX89–1–7370; FRL–5967–4] received February 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7346. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Implementation Plans; Michigan [MI58–01–7266; FRL–5967–3] received February 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7347. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Bay Area Air Quality Management District [CA 179–0066; FRL–5963–1] received February 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7348. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Acquisition Regulation: Administrative Amendments [FRL–5968–9] received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7349. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Organotin Lithium Compound; Final Significant New Use

Rule [OPPTS–50615C; FRL–5757–2] (RIN: 2070–AB27) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7350. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Finding of Failure to Submit Required State Implementation Plans for Particulate Matter; Arizona; Phoenix PM–10 Nonattainment Area [AZ–006–FON; FRL–5969–8] received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7351. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Significant New Uses of Certain Chemical Substances; Correction [OPPTS–50628A; FRL–5770–7] (RIN: 2070–AB27) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7352. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Revocation of Significant New Use Rules for Certain Chemical Substances [OPPTS–50629A; FRL–5769–1] (RIN: 2070–AB27) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7353. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Recycled Used Oil Management Standards [FRL–5969–4] received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7354. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Implementation Plans (SIP) for Louisiana: Motor Vehicle Inspection and Maintenance (I/M) Program; Correction [LA–33–1–7374; FRL–5955–9] received January 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7355. A letter from the AMD-PERM, Federal Communications Commission, transmitting the Commission's final rule—Rulemaking to Amend Parts 1, 2, 21, and 25 of the Commission's Rules to Redesignate the 27.5–29.5 GHz Frequency Band, to Reallocate the 29.5–30.0 GHz Frequency Band, to Establish Rules and Policies for Local Multipoint Distribution Service and for Fixed Satellite Services [CC Docket No. 92–297] received February 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7356. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's ''Major'' final rule—Reallocation of Television Channels 60–69, the 746–806 MHz Band [ET Docket No. 97–157] received February 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7357. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Billed Party Preference for InterLATA 0 Calls [CC Docket No. 92–77] received February 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7358. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule—Rules of Practice [16 CFR Part 3] received February 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7359. A letter from the Director, Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Indirect Food Additives: Polymers [Docket No. 97F–0181] received February 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7360. A letter from the Director, Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Direct and Secondary Direct Food Additives; Sodium Mono- and Dimethyl Naphthalene Sulfonates [Docket No. 96F–0076] received February 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7361. A letter from the Director, Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Indirect Food Additives: Polymers [Docket No. 97N–0301] received February 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7362. A letter from the Director, Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Investigational New Drug Applications and New Drug Applications [Docket No. 95N–0010] received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7363. A letter from the Director, Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Medical Devices; Reclassification and Codification of Suction Lipoplasty System for Aesthetic Body Contouring [Docket No. 88P–0439] received February 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7364. A letter from the Secretary of Commerce, transmitting the Spectrum Reallocation Report, as required under Title III of the Balanced Budget Act of 1997; to the Committee on Commerce.

7365. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's ''Major'' final rule—Offshore Offers and Sales [RELEASE NO. 33–7505; 34–39668; FILE NO. 1118] (RIN: 3235–AG34) received February 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7366. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Commission Statement of Policy on the Establishment and Improvement of Standards Related to Auditor Independence [Release No. 33–7507; 34–39676; IC–23029; FR–50] received February 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7367. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Exemption of Issuance and Sale of Securities By Public Utility and Nonutility Subsidiary Companies of Registered Public Utility Holding Companies; Rescission of Statements of Policy [Release No. 35–26826, File No. S7–11–95] (RIN: 3235–AG45) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7368. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Commission Procedures for Filing Applications for Orders for Exemptive Relief Pursuant to Section 36 of the Exchange Act [Rel. No. 34–39624] received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7369. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially to Taiwan (Transmittal No. DTC–108–97), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

7370. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the preliminary ''Report on U.S. Government Assistance to and Cooperative Activities with the New Independent States of the former Soviet Union,'' pursuant to Public Law 102—511, section 104; to the Committee on International Relations.

7371. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Amendment to the International Traffic in Arms Regulations (Bureau of Political-Military Affairs) [22 CFR Part 121] received February 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

7372. A communication from the President of the United States, transmitting notification terminating the suspensions pertaining to the Chinasat-8 satellite program, pursuant to Public Law 101—246, section 902(b)(2) (104 Stat. 85); to the Committee on International Relations.

7373. A letter from the Senior Vice President and Chief Financial Officer, Potomac Electric Power Company, transmitting a copy of the Balance Sheet of Potomac Electric Power Company as of December 31, 1997, pursuant to D.C. Code section 43—513; to the Committee on Government Reform and Oversight.

7374. A letter from the Comptroller General, Government Accounting Office, transmitting a copy of his report for FY 1997 on each instance a Federal agency did not fully implement recommendations made by the GAO in connection with a bid protest decided during the fiscal year, pursuant to 31 U.S.C. 3554(e)(2); to the Committee on Government Reform and Oversight.

7375. A letter from the Executive Director, Committee For Purchase From People Who Are Blind or Severely Disabled, transmitting the Committee's final rule—Additions to and Deletions from the Procurement List [98–002] received February 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

7376. A letter from the Assistant Attorney General for Administration, Department of Justice, transmitting the Department's final rule—Exemption of Records Systems Under the Privacy Act [AAG/A Order No. 137–97] February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

7377. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Privacy Act; Implementation [Docket No. OST–96–1472] (RIN: 2105–AC68) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

7378. A letter from the Executive Director, District of Columbia Financial Responsibility and Management Assistance Authority, transmitting a report entitled ''Graduating to a Better Future: Public Higher Education in the District of Columbia''; to the Committee on Government Reform and Oversight.

7379. A letter from the Agency Freedom of Information Officer (1105), Environmental Protection Agency, transmitting a report of activities under the Freedom of Information Act for 1997, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

7380. A letter from the Active Director of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting the report in compliance with the Government in the Sunshine Act for 1997, pursuant to 5 U.S.C. 552b(j); to the

Committee on Government Reform and Oversight.

7381. A letter from the Chairman, Federal Mine Safety and Health Review Commission, transmitting the report in compliance with the Government in the Sunshine Act for 1997, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform and Oversight.

7382. A letter from the Acting Comptroller General, General Accounting Office, transmitting a monthly listing of new investigations, audits, and evaluations; to the Committee on Government Reform and Oversight.

7383. A letter from the Director, National Counterintelligence Center, transmitting a report of activities under the Freedom of Information Act for 1997, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

7384. A letter from the President, National Endowment for Democracy, transmitting a report of activities under the Freedom of Information Act for 1997, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

7385. A letter from the Acting Director, Office of Federal Housing Enterprise Oversight, transmitting the Office's final rule—Implementation of the Privacy Act of 1974 (RIN: 2550–AA05) received February 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

7386. A letter from the Director, Office of Management and Budget, transmitting the Office's performance plan for fiscal year 1999, pursuant to Public Law 103—62; to the Committee on Government Reform and Oversight.

7387. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Prevailing Rate Systems; Redefinition of the Orlando, FL, Appropriated Fund Wage Area (RIN: 3206–AI13) received February 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

7388. A letter from the Administrator, U.S. Agency for International Development, transmitting the FY 1997 report pursuant to the Federal Managers' Financial Integrity Act, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

7389. A letter from the Deputy Associate Director for Royalty Management, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Resources.

7390. A letter from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting notice on leasing systems for the Central Gulf of Mexico, Sale 169, scheduled to be held in March 1998, pursuant to 43 U.S.C. 1337(a)(8); to the Committee on Resources.

7391. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a report regarding the authorization of the Alpha Phi Alpha Fraternity to establish a memorial to Martin Luther King, Jr. in the District of Columbia, pursuant to Public Law 104—333, section 508; to the Committee on Resources.

7392. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone off Alaska; Atka MACKerel in the Eastern Aleution District and Bering Sea subarea of the Bering Sea and Aleutian Islands [Docket No. 971208296–7296–01; I.D. 013098B] received February 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7393. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 [Docket No. 971208295–7295–01; I.D. 013098A] received February 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7394. A letter from the Deputy Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Framework Adjustment 18 [Docket No. 970829217–8025–02; I.D. 081597E] (RIN: 0648–AJ79) received February 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7395. A letter from the Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Multispecies Community Development Quota Program; Eastern Gulf of Alaska No Trawl Zone [Docket No. 970703166–8021–02; I.D. 060997A] (RIN: 0648–AH65) received February 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7396. A letter from the Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Catch Specifications [Docket No. 970930235–8028–02; I.D. 090397A] (RIN: 0648–AJ12) received February 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7397. A letter from the Director, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Final List of Fisheries for 1998 [Docket No. 970515117–8020–02; I.D. 040996D] (RIN: 0648–AJ85) received February 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7398. A letter from the Director, Office of Surface Mining Reclamation and Enforcement, transmitting the Office's final rule—Oklahoma Abandoned Mine Land Reclamation Plan [SPATS No. OK–023–FOR] received February 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7399. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting a draft of proposed legislation to repeal the provisions of the Bankruptcy Judges, United States Trustees, and Family Farmer Bankruptcy Act of 1986 which provide for the establishment of an electronic case management demonstration project; to the Committee on the Judiciary.

7400. A letter from the Director, Federal Bureau of Prisons, transmitting the Bureau's final rule—Progress Reports: Triennial Preparation [BOP–1067–F] (RIN: 1120–AA63) received February 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7401. A letter from the Secretary of Transportation, transmitting the Department's annual report on the progress in implementing the Coast Guard Environmental Compliance and Restoration Program for fiscal year 1996, pursuant to Public Law 101—225, section 222(a) (103 Stat. 1918); to the Committee on Transportation and Infrastructure.

7402. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments (Federal Aviation Administration) [Docket No. 29122; Amdt. No. 1849] (RIN: 2120–AA65) received February 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7403. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–100, -200, -300, -400, and -500 Series Airplanes (Federal Aviation Administration) [Docket No. 98–NM–09–AD; Amendment 39–10301; AD 98–03–09] (RIN: 2120–AA64) received February 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7404. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A330 and A340 Series Airplanes (Federal Aviation Administration) [Docket No. 97–NM–320-ad; Amendment 39–10297; AD98–03–05] (RIN: 2120–AA64) received February 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7405. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Model 328–100 Series Airplanes (Federal Aviation Administration) [Docket No. 97–NM–114–AD; Amendment 39–10299; AD 98–03–07] (RIN: 2120–AA64) received February 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7406. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 and A300–600 Series Airplanes (Federal Aviation Administration) [Docket No. 97–NM–178–AD; Amendment 39–10298; AD 98–03–06] (RIN: 2120–AA64) received February 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7407. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model CL–600–1A11 and CL–600–2A12 Series Airplanes (Federal Aviation Administration) [Docket No. 97–NM–256–AD; Amendment 39–10294; AD 98–03–02] (RIN: 2120–AA64) received February 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7408. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A330 and A340 Series Airplanes (Federal Aviation Administration) [Docket No. 97–NM–3011–AD; Amendment 39–10296; AD 98–03–04] (RIN: 2120–AA64) received February 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7409. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737, 747, 757, and 767 Series Airplanes (Federal Aviation Administration) [Docket No. 97–NM–334–AD; Amendment 39–10302; AD 98–03–10] (RIN: 2120–AA64) received February 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7410. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class D and Class E Airspace and Removal of Class E Airspace; Belleville, IL (Federal Aviation Administration) [Airspace Docket No. 97–AGL–42] (RIN: 2120–AA66) received February 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7411. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Bottineau, ND (Federal Aviation Administration) [Airspace Docket

No. 97–AGL–43] (RIN: 2120–AA66) received February 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7412. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Mankato, MN (Federal Aviation Administration) [Airspace Docket No. 97–AGL–45] (RIN: 2120–AA66) received February 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7413. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Encino, TX (Federal Aviation Administration) [Airspace Docket No. 97–ASW–16] (RIN: 2120–AA66) received February 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7414. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modifications of the Legal Descriptions of Federal Airways in the Vicinity of Colorado Springs, CO (Federal Aviation Administration) [Airspace Docket No. 97–ANM–9] (RIN: 2120–AA66) received February 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7415. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; New Braunfels Municipal, TX (Federal Aviation Administration) [Airspace Docket No. 97–ASW–21] (RIN: 2120–AA66) received February 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7416. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class D and E Airspace; McKinney, TX (Federal Aviation Administration) [Airspace Docket No. 97–ASW–22] (RIN: 2120–AA66) received February 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7417. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Camden, AR (Federal Aviation Administration) [Airspace Docket No. 97–ASW–20] (RIN: 2120–AA66) received February 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7418. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Regulated Transactions Involving Documented Vessels and Other Maritime Interests; Elimination of Mortgagee and Trustee Restrictions (Maritime Administration) [Docket No. R–170] (RIN: 2133–AB29) received February 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7419. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; EXTRA Flgzeugbau GmbH Models EA–300 and EA–300/S Airplanes (Federal Aviation Administration) [Docket No. 97–CE–85–AD; Amendment 39–10307; AD 98–03–14] (RIN: 2120–AA64) received February 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7420. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revisions to Minimum IFR Altitudes & Change Over Points Amendment 407 (Federal Aviation Administration) [Docket No. 29123] (RIN: 2120–AA65) received February 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7421. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments (Federal Aviation Administration) [Docket No. 29121; Amdt. No. 1848] (RIN: 2120–AA65) received February 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7422. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Cessna Aircraft Company Model 172R Airplanes (Federal Aviation Administration) [Docket No. 98–CE–06–AD] (RIN: 2120–AA64) received February 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7423. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300, A310, and A300–600 Series Airplanes (Federal Aviation Administration) [Docket No. 97–NM–188–AD; Amdt 39–10303; AD 98–03–11] (RIN: 2120–AA64) received February 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7424. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Model 328–10 Series Airplanes (Federal Aviation Administration) [Docket No. 97–NM–154–AD; Amdt 39–10304; AD 98–03–12] (RIN: 2120–AA64) received February 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7425. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Short Brothers Model SD3–60 SHERPA and SD3 SHERPA Series Airplanes (Federal Aviation Administration) [Docket No. 97–NM–118–AD] (RIN: 2120–AA64) received February 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7426. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Primary Category Seaplanes (Federal Aviation Administration) [Docket No. 27641; Amdt No. 21–75] (RIN: 2120–AG39) received February 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7427. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Stability and Control of Medium and Heavy Vehicles During Braking (National Highway Traffic Safety Administration) [Docket NHTSA–98–3345] (RIN: 2127–AG06) received February 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7428. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Hartzell Propeller Inc. ()HC-()(2,3)(X,V)()—() Series and HA-A2V20–1B Series Propellers with Aluminum Blades (Federal Aviation Administration) [Docket No. 96–ANE–40; Amdt. 39–10112; AD 97–18–02] (RIN: 2120–AA64) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7429. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767 Series Airplanes (Federal Aviation Administration) [Docket No. 97–NM–25–AD; Amdt. 39–10093; AD 97–16–03] (RIN: 2120–AA64) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7430. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Saab Model SAAB SF340A Series Airplanes (Federal Aviation Administration) [Docket No. 96–NM–130–AD; Amdt. 39–10095; AD 97–16–04] (RIN: 2120–AA64) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7431. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Gulfstream Aerospace Corporation Model G–159 (G-I) Airplanes (Federal Aviation Administration) [Docket No. 97–NM–18–AD; Amdt. 39–10096; AD 97–16–05] (RIN: 2120–AA64) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7432. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Robinson Helicopter Company Model R44 Helicopters (Federal Aviation Administration) [Docket No. 97–SW–19–AD; Amdt. 39–100–92; AD 97–16–02] (RIN: 2120–AA64) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7433. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; AlliedSignal Inc. ALF502 and LF507 Series Turbofan Engines (Federal Aviation Administration) [Docket No. 96–ANE–36; Amdt. 39–10091; AD 97–05–11R1] (RIN: 2120–AA64) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7434. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Transport Category Airplanes, Technical Amendments and Other Miscellaneous Corrections (Federal Aviation Administration) [Docket No. 29147, Amdt. No. 25–94] (RIN: 2120–ZZ07) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7435. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Cumberland, WI (Federal Aviation Administration) [Airspace Docket No. 97–AGL–60] (RIN: 2120–AA66) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7436. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Friendship (Adams), WI (Federal Aviation Administration) [Airspace Docket No. 97–AGL–51] (RIN: 2120–AA66) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7437. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; St. Paul, MN (Federal Aviation Administration) [Airspace Docket No. 97–AGL–57] (RIN: 2120–AA66) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7438. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Escanaba, MI (Federal Aviation Administration) [Airspace Docket No. 97–AGL–58] (RIN: 2120–AA66) received February 20, 1998, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7439. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modifications of the Houston Class B Airspace Area; TX (Federal Aviation Administration) [Airspace Docket No. 95–AWA–1] (RIN: 2120–AA66) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7440. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Osceola, WI; Correction (Federal Aviation Administration) [Airspace Docket No. 97–AGL–49] (RIN: 2120–AA66) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7441. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Alliance, NE (Federal Aviation Administration) [Airspace Docket No. 97–ACE–29] (RIN: 2120–AA66) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7442. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Realignment of VOR Federal Airway; Dallas/Fort Worth, TX (Federal Aviation Administration) [Airspace Docket No. 97–ASW–13] (RIN: 2120–AA66) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7443. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; The New Piper Aircraft Corporation Models PA–23, PA–23–160, PA–23–235, PA–23–250, PA–30, PA–40, PA–31, PA–31–300, PA–31–325, PA–31–350, PA–34–200, PA–34–200T, PA–34–220T, PA–42, PA–42–720, PA–42–1000 Airplanes (Federal Aviation Administration) [Docket No. 97–CE–61–AD; Amdt. 39–10339; AD 98–04–27] (RIN: 2120–AA64) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7444. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model CL–215–1A10 and CL–215–6B11 Series Airplanes (Federal Aviation Administration) [Docket No. 97–NM–332–AD; Amdt. 39–10321; AD 98–04–08] (RIN: 2120–AA64) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7445. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fairchild Aircraft Incorporated Models SA226–TC, SA226–T, SA226–T(B), and SA226–AT Airplanes (Federal Aviation Administration) [Docket No. 96–CE–58–AD; Amdt. 39–10318; AD 98–04–05] (RIN: 2120–AA64) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7446. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 and A300–600 Series Airplanes (Federal Aviation Administration) [Docket No. 97–NM–240–AD; Amdt. 39–10323; AD 98–04–10] (RIN: 2120–AA64) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7447. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 727 Series Airplanes (Federal Aviation Administration) [Docket No. 96–NM–78–AD; Amdt. 39–10341; AD 98–04–29] (RIN: 2120–AA64) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7448. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rolls-Royce Limited Dart Series Turboprop Engines (Federal Aviation Administration) [Docket No. 94–ANE–43; Amdt. 39–10325; AD 98–04–13] (RIN: 2120–AA64) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7449. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A320 and A321 Series Airplanes (Federal Aviation Administration) [Docket No. 97–NM–150–AD; Amdt. 39–10324; AD 98–04–11] (RIN: 2120–AA64) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7450. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Cessna Aircraft Company Models T303, 310R, T310R, 335, 340A, 402B, 402C, 404, F406, 414, 414A, 421B, 421C, 425, and 441 Airplanes (Federal Aviation Administration) [Docket No. 97–CE–63–AD; Amdt. 39–10340; AD 98–04–28] (RIN: 2120–AA64) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7451. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; The New Piper Aircraft Corporation Models Pa-46–310P and PA–46–350P Airplanes (Federal Aviation Administration) [Docket No. 97–CE–60–AD; Amdt. 39–10338; AD 98–04–26] (RIN: 2120–AA64) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7452. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Aircraft Company Model 2000 Airplanes (Federal Aviation Administration) [Docket No. 97–CE–59–AD; Amdt. 39–10337; AD 98–04–25] (RIN: 2120–AA64) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7453. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Aircraft Company Models E55, E55A, 58, 58A, 58P, 58PA, 58TC, 58TCA Airplanes, and 60, 65–B80, 65–B90, 90, F90, 100, 300, and B300 Series Airplanes (Federal Aviation Administration) [Docket No. 97–CE–58–AD; Amdt. 39–10336; AD 98–04–24] (RIN: 2120–AA64) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7454. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Aerostar Aircraft Corporation Models PA–60–600, PA–60–601, PA–60–601P, PA–60–602P, and PA–60–700P Airplanes (Federal Aviation Administration) [Docket No. 97–CE–56AD; Amdt. 39–10355; AD 98–04–23] (RIN: 2120–AA64) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7455. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; SOCATA— Groupe AEROSPATIALE, Model TBM 700 Airplanes (Federal Aviation Administration) [Docket No. 97–CE–55–AD; Amdt. 39–10334; AD 98–04–22] (RIN: 2120–AA64) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7456. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pilatus Britten-Norman Limited Models BN–2A, BN–2B, and BN–2T Airplanes (Federal Aviation Administration) [Docket No. 97–CE–54–AD; Amdt. 39–10333; AD 98–04–21] (RIN: 2120–AA64) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7457. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Partenavia Costruzioni Aeronauticas, S.p.A. Model P68, AP68TP 300, AP68TP 600 Airplanes (Federal Aviation Administration) [Docket No. 97–CE–51–AD; Amdt. 39–10332; AD 98–04–20] (RIN: 2120–AA64) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7458. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Harbin Aircraft Manufacturing Corporation Model Y12 IV Airplanes (Federal Aviation Administration) [Docket No. 97–CE–50–AD; Amdt. 39–10331; AD 98–04–19] (RIN: 2120–AA64) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7459. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; AeroSpace Technologies of Australia Pty Ltd. Models N22B and N24A Airplanes (Federal Aviation Administration) [Docket No. 97–CE–49–AD; Amdt. 39–10330; AD 98–04–18] (RIN: 2120–AA64) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7460. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pilatus Aircraft Ltd. Models PC–12 and PC–12/45 Airplanes (Federal Aviation Administration) [Docket No. 97–CE–45–AD; Amdt. 39–10328; AD 98–04–16] (RIN: 2120–AA64) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7461. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pilatus Britten-Norman Ltd. BN–2, BN–2A, and BN–2B Series Airplanes (Federal Aviation Administration) [Docket No. 97–CE–12–AD; Amdt. 39–10329; AD 98–04–17] (RIN: 2120–AA64) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7462. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Atlantic Intracoastal Waterway, North Carolina (Coast Guard) [CGD05–97–072] (RIN: 2115–AE47) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7463. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Clarification and Rearrangement of Puget Sound Vessel Traffic Service Regulated Navigation Area (RNA) Regulations (Coast Guard) [CGD 13–98–002] (RIN: 2115–AE84) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the

Committee on Transportation and Infrastructure.

7464. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Salvage and Firefighting Equipment; Vessel Response Plans (Coast Guard) [USCG 98–3417] (RIN: 2115–AF60) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7465. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety/Security Zone Regulations; Colorado River, Bluewater Marina to La Paz County Park, Parker, AZ [COTP San Diego, 98–001] (RIN: 2115–AA97) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7466. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—National Standards for Traffic Control Devices; Revision of the Manual on Uniform Traffic Control Devices; Temporary Traffic Signals (Federal Highway Administration) [FHWA Docket No. FHWA–97–2314] (RIN: 2125–AD45) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7467. A letter from the Administrator, Federal Aviation Administration, transmitting the Administration's list of the foreign aviation authorities to which the Administrator provided services in the preceding fiscal year, pursuant to Public Law 103—305, section 202; to the Committee on Transportation and Infrastructure.

7468. A letter from the Secretary of Commerce, transmitting the 1997 Annual Report of the Visiting Committee on Advanced Technology of the National Institute of Standards and Technology (NIST), U.S. Department of Commerce, pursuant to Public Law 100—418, section 5131(b) (102 Stat. 1443); to the Committee on Science.

7469. A letter from the Acting Deputy Director, National Institute of Standards and Technology, transmitting the Institute's final rule—Precision Measurement Grants [Docket No. 971201285–7285–01] (RIN: 0693–ZA18) received February 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

7470. A letter from the the Director, National Legislative Commission, The American Legion, transmitting the proceedings of the 79th National Convention of the American Legion, held in Orlando, Florida from September 2, 3 and 4, 1997 as well as a report on the Organization's activities for the year preceding the Convention, pursuant to 36 U.S.C. 49; (H. Doc. No. 105—214); to the Committee on Veterans' Affairs and ordered to be printed.

7471. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rulings and determination letters [Rev. Proc. 98–21] received February 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7472. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Classification of taxes collected by the Internal Revenue Service [Rev. Proc. 98–18] received February 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7473. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Examination of returns and claims for refund, credit for abatement; determination of correct tax liability [Rev. Proc. 98–23] received February 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7474. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Conversion to the Euro by Members of the European Union [Announcement 98–18] received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7475. A letter from the Program Manager, Pentagon Renovation, Department of Defense, transmitting certification that the total cost for the planning, design, construction, and installation of equipment for the renovation of the Pentagon will not exceed $1,118,000,000, pursuant to Public Law 105—56, section 8070; jointly to the Committees on National Security and Appropriations.

7476. A letter from the Secretary of Defense, transmitting a report on the military requirements and costs of NATO enlargement pursuant to the FY98 Department of Defense Authorization and Appropriations Acts and the FY98 Military Construction Appropriations Act; jointly to the Committees on National Security and Appropriations.

7477. A letter from the Secretary of Health and Human Services, transmitting the Department's ''Major'' final rule—Medicaid Program; State Allotments for Payment of Medicare Part B Premiums for Qualifying Individuals: Federal Fiscal Year 1998 [HCFA–2005–NC] (RIN: 0938–AI39) received February 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Commerce and Ways and Means.

7478. A letter from the Director, Defense Security Assistance Agency, transmitting a report authorizing the transfer of up to $100M in defense articles and services to the Government of Bosnia-Herzegovina, pursuant to Public Law 104—107, section 540(c) (110 Stat. 736); jointly to the Committees on International Relations and Appropriations.

7479. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on allocation of funds the Executive Branch intends to make available from funding levels established in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1998 as enacted in Public Law 105–118, pursuant to 22 U.S.C. 2413(a); jointly to the Committees on International Relations and Appropriations.

7480. A letter from the Executive Director, Office of Compliance, transmitting notice of adoption of amendments to regulations under section 303 of the Congressional Accountability Act of 1995 for publication in the Congressional RECORD, pursuant to Public Law 104—1, section 303(b) (109 Stat. 28); jointly to the Committees on House Oversight and Education and the Workforce.

7481. A letter from the Secretary of Transportation, transmitting notification of the actions the Secretary has taken regarding security measures at Port-au-Prince International Airport, Port-au-Prince, Haiti, pursuant to 49 U.S.C. 44907(d)(3); jointly to the Committees on Transportation and Infrastructure and International Relations.

7482. A letter from the Secretary of Health and Human Services, transmitting the Department's ''Major'' final rule—Medicare and Medicaid Programs; Salary Equivalency Guidelines for Physical Therapy, Respiratory Therapy, Speech Language Pathology, and Occupational Therapy Services [HCFA–1808–F] (RIN: 0938–AG70) received February 10, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LEACH. Committee on Banking and Financial Services. H.R. 3116. A bill to address the Year 2000 computer problems with regard to financial institutions, to extend examination parity to the Director of the Office of Thrift Supervision and the National Credit Union Administration, and for other purposes; with an amendment (Rept. 105–417). Referred to the Committee of the Whole House on the State of the Union.

Mr. MCCOLLUM. Committee on the Judiciary. H.R. 2460. A bill to amend title 18, United States Code, with respect to scanning receivers and similar devices; with an amendment (Rept. 105–418). Referred to the Committee of the Whole House on the State of the Union.

Mr. DIAZ-BALART. Committee on Rules. House Resolution 366. Resolution providing for consideration of the bill (H.R. 2181) to ensure the safety of witnesses and to promote notification of the interstate relocation of witnesses by States and localities engaging in that relocation, and for other purposes (Rept. 105–419). Referred to the House Calendar.

Mr. MCINNIS. Committee on Rules. House Resolution 367. Resolution The title of this measure is not available (Rept. 105–420). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of Rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. GOODLING (for himself, Mr. FAWELL, and Mr. TALENT):

H.R. 3246. A bill to assist small businesses and labor organizations in defending themselves against government bureaucracy; to ensure that employees entitled to reinstatement get their jobs back quickly; to protect the right of employers to have a hearing to present their case in certain representation cases; and, to prevent the use of the National Labor Relations Act for the purpose of disrupting or inflicting economic harm on employers; to the Committee on Education and the Workforce.

By Mr. NEY (for himself, Mr. LATOURETTE, Mr. HOBSON, Mr. BROWN of Ohio, Mr. SAWYER, and Mr. HALL of Ohio):

H.R. 3247. A bill to amend title XI of the Social Security Act to provide a safe harbor under the anti-kickback statute for hospital restocking of certain ambulance drugs and supplies; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PITTS (for himself, Mr. GOODLING, Mr. ARMEY, Mr. DELAY, Mr. BOEHNER, Mr. HOEKSTRA, Mr. GRAHAM, Mr. BLUNT, Mr. HILLEARY, Mrs. EMERSON, Mr. WATTS of Oklahoma, Mr. TALENT, Mr. REDMOND, Mr. CHAMBLISS, Mr. HEFLEY, Mr. RYUN, Mr. ISTOOK, Mr. WELDON of Florida, Mr. MANZULLO, Mr. SMITH of Michigan, Mr. SENSENBRENNER, Mr. ENGLISH of Pennsylvania, Mr. ROYCE, Mrs. LINDA SMITH of Washington, Mr. SOLOMON, Mr. ROGAN, Mr. SAM JOHNSON, Mr. CHABOT, Mrs. MYRICK, Mr. COOKSEY, Mr. BRYANT, Mr. COBURN, Mr. BACHUS, Mr. GILLMOR, Mr. COOK, Mr. PICKERING, Mr. KINGSTON, Mr. NORWOOD, Mr. SPENCE, Mr. HAYWORTH, Mr. BAKER, Mr. PETERSON of Pennsylvania, Mr. SNOWBARGER,

Mr. LARGENT, Mr. DICKEY, Mrs. CHENOWETH, Mr. LIVINGSTON, Mr. BASS, Mr. MCINTOSH, and Mr. SESSIONS):

H.R. 3248. A bill to provide dollars to the classroom; to the Committee on Education and the Workforce.

By Mr. MICA (for himself, Mr. CUMMINGS, Mrs. MORELLA, Mr. PAPPAS, Mr. SESSIONS, Mr. GILMAN, Mr. LEACH, and Mr. FORD):

H.R. 3249. A bill to provide for the rectification of certain retirement coverage errors affecting Federal employees, and for other purposes; to the Committee on Government Reform and Oversight, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DICKEY:

H.R. 3250. A bill to designate a highway bypass in Pine Bluff, Arkansas, as the ''Wiley A. Branton, Sr. Memorial Highway''; to the Committee on Transportation and Infrastructure.

By Mr. HOYER (for himself, Mr. WOLF, Mr. CUMMINGS, Mr. DAVIS of Virginia, Mr. FORD, Mr. WYNN, Ms. NORTON, Mr. MORAN of Virginia, Ms. PELOSI, Mrs. MORELLA, Mrs. MEEK of Florida, Mr. SISISKY, Mr. JEFFERSON, Mr. FILNER, Mr. CARDIN, and Mr. WAXMAN):

H.R. 3251. A bill to modify the conditions that must be met before certain alternative pay authorities may be exercised by the President with respect to Federal employees; to the Committee on Government Reform and Oversight.

By Mrs. JOHNSON of Connecticut:

H.R. 3252. A bill to amend title 38, United States Code, to establish an advisory board to review requests for waivers of eligibility requirements for burial in Arlington National Cemetary submitted to the Secretary of the Army; to the Committee on Veterans' Affairs.

By Mr. MANTON:

H.R. 3253. A bill to amend title 18, United States Code, to provide penalties for murders of armored car crew members; to the Committee on the Judiciary.

By Mr. RIGGS:

H.R. 3254. A bill to amend the Individuals with Disabilities Education Act to clarify the requirements relating to reducing or withholding payments to States under that Act; to the Committee on Education and the Workforce.

By Ms. SLAUGHTER (for herself and Mr. HOUGHTON):

H.R. 3255. A bill to amend title XVIII of the Social Security Act to require universal product numbers on claims forms submitted for reimbursement of durable medical equipment and other items under the Medicare Program; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SOLOMON:

H.R. 3256. A bill to establish an index of economic freedom to evaluate on an annual basis the level of economic freedom of countries receiving United States development assistance and to provide for a phase-out of that assistance based on the index, and for other purposes; to the Committee on International Relations, and in addition to the Committee on Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER (for himself, Mr. OBEY, Mr. PETRI, Mr. KLECZKA, Mr. KLUG, Mr. BARRETT of Wisconsin, Mr. NEUMANN, Mr. JOHNSON of Wisconsin, and Mr. KIND of Wisconsin):

H. Con. Res. 223. Concurrent resolution honoring the sesquicentennial of Wisoncsin statehood; to the Committee on Government Reform and Oversight.

By Mr. SMITH of Oregon (for himself, Mr. STENHOLM, Mr. COMBEST, and Mr. DOOLEY of California):

H. Res. 365. A resolution regarding the bill S. 1150, the Agricultural Research, Extension, and Education Reauthorization Act of 1998; considered under suspension of the rules and agreed to.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

250. The SPEAKER presented a memorial of the Senate of the Commonwealth of Massachusetts, relative to Resolutions supporting the ''Charter for Change'' in Northern Ireland and recommending due consideration of its principles as part of the Anglo-Irish peace process; to the Committee on International Relations.

251. Also,a memorial of the Legislature of the Territory of Guam, relative to Resolution No. 196 calling upon Congress to expedite the return of the unused Federal land to the people of Guam and calling for the closure of the wildlife refuge overlay in Guam and the return of lands included therein to the people of Guam for immediate transfer to the original landowners; to the Committee on Resources.

252. Also,a memorial of the Senate of the Commonwealth of Pennsylvania, relative to urging the Congress of the United States to take action on the comprehensive multiyear transportation funding legislation; to the Committee on Transportation and Infrastructure.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII,

Mr. METCALF introduced A bill (H.R. 3257) for the relief of Richard W. Schaffert; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mrs. LOWEY, Ms. SANCHEZ, Mr. DIXON, Mr. FORD, Ms. PELOSI, and Mr. MALONEY of Connecticut.

H.R. 45: Mr. CLYBURN and Mr. CRAMER.

H.R. 54: Mr. EVANS.

H.R. 192: Mr. KENNEDY of Massachusetts.

H.R. 198: Mrs. EMERSON.

H.R. 334: Mr. BLUNT.

H.R. 339: Mr. LINDER.

H.R. 371: Mr. MARTINEZ, Mrs. MYRICK, Mr. HUNTER, and Mr. MATSUI.

H.R. 372: Mr. JACKSON, Mr. ABERCROMBIE, and Mr. ADAM SMITH of Washington.

H.R. 450: Mr. KENNEDY of Rhode Island.

H.R. 611: Mr. STRICKLAND and Ms. DEGETTE.

H.R. 715: Ms. WOOLSEY.

H.R. 716: Mr. DELAY and Mr. DOOLITTLE.

H.R. 758: Mr. CAMP.

H.R. 815: Mr. BOEHLERT and Mr. TURNER.

H.R. 859: Mr. SANDLIN.

H.R. 883: Mr. HILLEARY.

H.R. 884: Mr. ENGEL.

H.R. 900: Mr. WYNN.

H.R. 919: Mr. TIERNEY.

H.R. 979: Mr. WELDON of Pennsylvania, Mr. GILLMOR, Mr. OLVER, and Mrs. MEEK of Florida.

H.R. 981: Ms. ROS-LEHTINEN.

H.R. 1023: Mr. QUINN and Mr. ETHERIDGE.

H.R. 1036: Mr. ENSIGN.

H.R. 1063: Mr. PEASE, Mr. ROEMER, Mr. KENNEDY of Rhode Island, Mr. HOEKSTRA, Mr. TALENT, Ms. MILLENDER-MCDONALD, and Mr. SANDLIN.

H.R. 1114: Mr. KILDEE and Mr. DAVIS of Illinois.

H.R. 1126: Mr. MANZULLO and Mr. DEAL of Georgia.

H.R. 1151: Mr. GINGRICH, Mr. MOLLOHAN, Mr. GREEN, Mr. WAXMAN, Ms. BROWN of Florida, and Mrs. CHENOWETH.

H.R. 1166: Mr. MCINTYRE and Mr. LEWIS of Kentucky.

H.R. 1173: Mr. PALLONE, Mr. HILLEARY, Mr. COSTELLO, and Mr. BENTSEN.

H.R. 1176: Mr. ROEMER.

H.R. 1231: Mr. LANTOS, Mr. PETERSON of Minnesota, and Mr. RAHALL.

H.R. 1283: Mr. SMITH of New Jersey and Mr. GIBBONS.

H.R. 1356: Mr. ENGEL, Mr. METCALF, Ms. BROWN of Florida, Ms. CHRISTIAN-GREEN, Mr. WYNN, Mr. TOWNS, Mr. LOBIONDO, Mr. KENNEDY of Massachusetts, Mr. RIGGS, Mr. ABERCROMBIE, and Mr. BARCIA of Michigan.

H.R. 1361: Ms. KAPTUR.

H.R. 1371: Mr. NETHERCUTT and Mr. HUNTER.

H.R. 1375: Mr. ROYCE, Mr. FAZIO of California, Mr. WEXLER, Ms. NORTON, Mr. ANDREWS, Mr. UPTON, and Mr. PAYNE.

H.R. 1387: Mr. PAPPAS.

H.R. 1401: Mr. SHAW.

H.R. 1415: Mr. LEACH.

H.R. 1432: Mr. WYNN.

H.R. 1481: Ms. STABENOW and Mr. SAWYER.

H.R. 1515: Mr. WEXLER.

H.R. 1518: Mr. PAUL.

H.R. 1524: Mr. CANNON and Mr. COOK.

H.R. 1539: Mr. HAMILTON.

H.R. 1549: Mr. KENNEDY of Massachusetts.

H.R. 1595: Mr. DELAY and Mr. SNOWBARGER.

H.R. 1601: Mr. SHERMAN, Ms. KAPTUR, Mr. ROTHMAN, Mr. DOYLE, and Mr. DINGELL.

H.R. 1608: Mrs. EMERSON.

H.R. 1679: Mr. BILBRAY.

H.R. 1689: Mr. HOEKSTRA, Mr. FORD, and Mr. MCCRERY.

H.R. 1690: Mr. COBLE.

H.R. 1766: Mr. BAESLER, Mr. BARTON of Texas, Mr. BATEMAN, Mr. BOUCHER, Mr. CALVERT, Mr. DEUTSCH, Ms. ESHOO, Mr. EVANS, Mr. FRELINGHUYSEN, Mr. FROST, Mr. GIBBONS, Mr. GILCHREST, Mr. GOODLING, Mr. GORDON, Mr. GOSS, Mr. GREENWOOD, Mr. HANSEN, Mr. HASTINGS of Washington, Mr. HILLEARY, Mr. HOLDEN, Mr. JENKINS, Mr. KLECZKA, Mr. LANTOS, Mr. LEWIS of Georgia, Ms. LOFGREN, Mr. LUCAS of Oklahoma, Mrs. MEEK of Florida, Mr. MORAN of Kansas, Mr. PITTS, Mr. POSHARD, Mr. RAHALL, Ms. RIVERS, Mr. SANDLIN, Mr. SHERMAN, Mr. SNOWBARGER, Mr. STARK, Mr. TALENT, Mr. TORRES, Mr. TRAFICANT, Mr. UNDERWOOD, Mr. WELDON of Pennsylvania, Mr. YATES, Mr. YOUNG of Alaska, Ms. NORTON, and Mr. MCNULTY.

H.R. 1812: Mr. ISTOOK and Mr. DOOLITTLE.

H.R. 1872: Ms. DUNN of Washington.

H.R. 1951: Ms. DANNER and Mr. HAMILTON.

H.R. 1972: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 2019: Mr. PORTER, Mr. BAKER, Mrs. KELLY, and Mr. BLILEY.

H.R. 2070: Mr. WALSH.

H.R. 2094: Mrs. MALONEY of New York.

H.R. 2145: Mr. POMBO and Mr. SOLOMON.

H.R. 2173: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 2183: Mr. GREENWOOD.
H.R. 2224: Mrs. THURMAN, Ms. DANNER, and Mr. COLLINS.
H.R. 2313: Mr. ROHRABACHER.
H.R. 2365: Mr. ACKERMAN, Mr. MANTON, Mr. TOWNS, and Mrs. MALONEY of New York.
H.R. 2374: Mr. SERRANO and Mrs. MALONEY of New York.
H.R. 2409: Mr. FROST, Mr. LUTHER, Mr. OLVER, and Mr. KENNEDY of Massachusetts.
H.R. 2449: Mr. WATKINS.
H.R. 2460: Mr. SESSIONS.
H.R. 2474: Mr. JOHNSON of Wisconsin, Mr. LIPINSKI, and Mr. ENSIGN.
H.R. 2477: Mr. REDMOND.
H.R. 2478: Mr. REDMOND.
H.R. 2499: Ms. KILPATRICK, Mr. BONIOR, Mr. GOODLING, Mr. PAUL, Mr. TAYLOR of North Carolina, Mr. FROST, Mr. DOOLITTLE, Mr. LATOURETTE, Mr. RUSH, Mr. ROEMER, Mr. BLILEY, and Mr. BILBRAY.
H.R. 2500: Mr. HOSTETTLER, Mr. TALENT, and Mr. UPTON.
H.R. 2524: Mr. YATES and Mr. OLVER.
H.R. 2541: Mr. HOYER, Mr. FRANK of Massachusetts, and Mr. ABERCROMBIE.
H.R. 2568: Mr. BUYER.
H.R. 2609: Mr. CALLAHAN, Mrs. EMERSON, and Mr. GOODLING.
H.R. 2611: Mr. BARTON of Texas.
H.R. 2713: Ms. BROWN of Florida and Mr. OLVER.
H.R. 2718: Mrs. MYRICK.
H.R. 2720: Mr. PITTS.
H.R. 2723: Ms. DUNN of Washington.
H.R. 2754: Mr. WEXLER, Mr. RAHALL, Mr. NEY, Mr. FRANK of Massachusetts, Mr. MILLER of California, and Mrs. MALONEY of New York.
H.R. 2789: Mr. YATES, Mr. FORBES, Mr. ANDREWS, Mr. FORD, Mr. FRANK of Massachusetts, Mr. KUCINICH, Mr. LANTOS, Mr. ACKERMAN, Mr. BONIOR, Mr. FRANKS of New Jersey, and Mr. MARTINEZ.
H.R. 2817: Mr. PETERSON of Pennsylvania and Mr. MATSUI.
H.R. 2819: Mr. EVANS and Ms. HOOLEY of Oregon.
H.R. 2821: Mr. CLYBURN, Ms. LOFGREN, and Mr. FALEOMAVAEGA.
H.R. 2836: Mr. FRANK of Massachusetts.
H.R. 2854: Mr. WEXLER and Mr. MARTINEZ.
H.R. 2870: Mr. LEACH and Mr. SHAYS.
H.R. 2884: Mr. GOODLING, Mr. COBLE, and Mr. MCCOLLUM.
H.R. 2885: Mr. LANTOS.
H.R. 2891: Mr. STEARNS.
H.R. 2908: Mr. THOMPSON, Mrs. MCCARTHY of New York, Mr. SAXTON, Mr. WATKINS, Mr. BARCIA of Michigan, Mr. ENSIGN, Mr. BLUMENAUER, Mr. SHIMKUS, Mr. OLVER, Ms. STABENOW, Mr. CAMP, and Mr. FROST.
H.R. 2912 Mr. FRANK of Massachusetts, Mr. HAMILTON, Ms. BROWN of Florida, Mr. BALDACCI, Mr. GREEN, Mr. WATT of North Carolina, and Mr. FOLEY.
H.R. 2923: Ms. WOOLSEY, Ms. SLAUGHTER, and Mr. FOLEY.
H.R. 2955: Ms. KILPATRICK.
H.R. 2960: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 2970: Mr. NEUMANN and Mr. WOLF.
H.R. 2987: Mr. WATTS of Oklahoma, Mrs. MINK of Hawaii, Ms. FURSE, Mr. ABERCROMBIE, and Mrs. MEEK of Florida.
H.R. 2990: Mr. GALLEGLY, Mr. HINOJOSA, Mr. DICKS, Mr. FATTAH, Mr. BROWN of California, Mr. JONES, Mr. HEFNER, Mr. BONIOR, Mr. WELDON of Pennsylvania, Mr. ALLEN, Ms. ROYBAL-ALLARD, Mr. BLUMENAUER, Ms. HARMAN, Mr. ETHERIDGE, Ms. KILPATRICK, and Mr. FRANK of Massachusetts.
H.R. 3014: Mr. DREIER.
H.R. 3016: Mr. WEXLER.
H.R. 3048: Mr. BROWN of Ohio, Mr. PICKETT, Mr. PETERSON of Minnesota, Mr. NORWEOD, Mr. DEFAZIO, Mr. PALLONE, Mr. RAMSTAD, Mr. BALGOJEVICH, Mr. LATOURETTE, Mr. TOWNS, Ms. BROWN of Florida, Mr. SHAYS, Mr. WICKER, Mr. RAHALL, and Mr. OWENS.
H.R. 3094: Mr. POMBO.
H.R. 3099: Mr. SHAYS and Mr. FRANK of Massachusetts.
H.R. 3100: Mr. KENNEDY of Rhode Island and Mr. SHERMAN.
H.R. 3107: Mr. CUNNINGHAM, Mr. FILNER, and Mr. DAVIS of Virginia.
H.R. 3114: Mr. HAMILTON, Mr. BENTSEN, and Mrs. MALONEY of New York.
H.R. 3120: Mr. LIVINGSTON.
H.R. 3127: Mr. TALENT, Mr. GUTKNECHT, Mr. THORNBERRY, Mr. GILLMOR, Mr. DELAY, Mr. BRYANT, Ms. FURSE, Mr. NORWOOD, Mr. BLAGOJEVICH, Mr. BLUMENAUER, Mr. BALDACCI, Mr. FROST, and Mr. BARCIA of Michigan.
H.R. 3131: Mr. FROST AND MR. DAVIS of Virginia.
H.R. 3152: Mr. WOLF, Mr. GILLMOR, Mr. BARRETT of Wisconsin, Mr. GOODE, Mr. WAXMAN, Mr. WELDON of Flroida, and Mr. FALEOMAVAEGA.
H.R. 3153: Mr. LANTOS.
H.R. 3155: Mrs. MCCARTHY of New York, and Mr. HASTINGS of Florida.
H.R. 3156: Mr. WALSH, Mr. GEJDENSON, Mr. MCHUGH, Mr. ENGEL, Mr. KING of New York, Ms. CARSON, Mr. QUINN, Mr. BROWN of Ohio, Mr. BLUNT, Mr. MCNULTY, Mrs. KELLY, Mrs. MCCARTHY of New York, Mr. FORBES, Mr. BERMAN, Mr. WYNN, Ms. DANNER, Mr. SCHUMER, Mr. WEXLER, Mr. ACKERMAN, Mr. LAFALCE, Mr. SHERMAN, Mr. NADLER, Mr. MANTON, Mrs. LOWEY, Mr. FALEOMAVAEGA, Mrs. MALONEY of New York, Mr. MARTINEZ, Mr. GREEN, Mr. CUNNINGHAM, Mr. BISHOP, Mr. BOEHLERT, Mr. DAVIS of Illinois, and Mr. LAZIO of New York.
H.R. 3164: Mr. DELAHUNT.
H.R. 3166: Mr. WICKER, Mr. NETHERCUTT, Mr. PETERSON of Pennsylvania, Mr. LIPINSKI, Mr. BUNNING of Kentucky, Mr. EWING, Mr. GALLEGLY, and Mr. SENSENBRENNER.
H.R. 3179: Mr. ENGEL.
H.R. 3181: Ms. BROWN of Florida, Mr. WEXLER, Ms. KILPATRICK, Mr. LAFALCE, and Mr. SNYDER.
H.R. 3208: Mr. ROHRABACHER and Mr. BARTLETT of Maryland.
H.R. 3218: Mr. COX of Califorina.
H.R. 3229: Mr. LARGENT, Mr. MCINTOSH, Mr. DOOLITTLE, Mr. GOODLATTE, and Mr. CRANE.
H.R. 3230: Mr. LARGENT, Mr. MCINTOSH, Mr. DOOLITTLE, Mr. GOODLATTE, and Mr. CRANE.
H.R. 3241: Mr. LARGENT.
H.J. Res. 100: Mr. UNDERWOOD, Mr. HASTERT, Mr. SHERMAN, Mr. HERGER, Mr. ADAM SMITH of Washington, Mr. SKELTON, Mrs. FOWLER, Mr. WEXLER, Mr. HUNTER, Mr. TAYLOR of Mississippi, Mr. LEWIS of Kentucky, and Mr. PETRI.
H.J. Res. 102: Mr. BLAGOJEVICH, Mr. BORSKI, Mr. CHRISTENSEN, Mr. CLEMENT, Mr. CONDIT, Mr. CRANE, Mr. CUNNINGHAM, Mr. FORBES, Mr. FOSSELLA, Mr. FRANKS of New Jersey, Mr. HOLDEN, Mrs. KENNELLY of Connecticut, Mr. KENNEDY of Massachusetts, Mr. MCGOVERN, Mr. MCINNIS, Mr. MCINTYRE, Mr. MANTON, Mr. MEEHAN, Mr. OLVER, Mr. PASCRELL, Mrs. ROUKEMA, Mr. SHAYS, Ms. SLAUGHTER, Mr. WATTS of Oklahoma, and Mr. WELDON of Florida.
H. Con. Res. Mr. FRANKS of Massachusetts and Mr. ANDREWS.
H. Con. Res. 126: Mr. DUNCAN, Mr. REDMOND, Mr. VENTO, Mr. CALVERT, Mr. COOK, Mr. LANTOS, Mr. COMBEST, and Mr. MCCOLLUM.
H. Con. Res. 127: Mr. BRYANT.
H. Con. Res. 181: Mr. GREEN, Mr. BATEMAN, Mr. KLINK, Mr. LEVIN, Ms. SANCHEZ, Ms. RIVERS, and Mrs. MYRICK.
H. Con. Res. 188: Mr. MCGOVERN and Mr. PALLONE.
H. Con. Res. 203: Mr. BATEMAN and Mr. ACKERMAN.
H. Con. Res. 210: Mr. FOLEY.
H. Con. Res. 211: Mr. WELDON of Florida.
H. Res. 37: Ms. ROYBAL-ALLARD, Mr. MOAKLEY, Mr. SANDERS, Mr. PALLONE,1 AND MR. MATSUI.
H. Res. 279: Mr. RODRIGUEZ AND MS. CHRISTIAN-GREEN.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1748: Mr. WATTS of Oklahoma.
H.R. 3073: Mr. HASTINGS of Washington.
H. Res. 358: Mr. DOGGETT.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the clerk's desk and referred as follows:

41. The SPEAKER presented a petition of the Military Order of the World Wars, Alexandria, Virginia, relative to urging Congress to vigorously investigate the lease of the Long Beach Naval Base to determine whether the national security interests of the United States might have been compromised or jeopardized; and to take appropriate action; to the Committee on National Security.

42. Also, a petition of the Military Order of the World Wars, Alexandria, Virginia, relative to urging the Congress and the Department of Defense to continue to fund collegiate ROTC and high school JROTC programs as being in the nation's best interests; to the Committee on National Security.

43. Also, a petition of the Military Order of the World Wars, Alexandria, Virginia, relative to urging Congressional action to assure that the Department of Defense limit the procurement of military equipment, supplies and weapons systems and their components to domestic manufacturing and assembly sources, so as to reduce U.S. reliance on foreign-produced defense items which might not be available during a global crisis; to the Committee on National Security.

44. Also, a petition of the Military Order of the World Wars, Alexandria, Virginia, relative to urging the Congress to assure that National Guard and Reserves are realistically manned, structured, equipped, trained, fully deployable and maintained at high readiness levels in order to accomplish their indispensable missions; to the Committee on National Security.

45. Also, a petition of the Military Order of the World Wars, Alexandria, Virginia, relative to urging the Congress to more adequately recognize the national defense requirements of the United States by significantly increasing defense budgets, force structures and military end strengths over those recommended in the Quadrennial Defense Review; to the Committee on National Security.

46. Also, a petition of the Military Order of the World Wars, Alexandria, Virginia, relative to urging the Administration and Congress to preserve America's defense industrial base by continuing to fund research, development and acquisition budgets so as to retain our technological edge in the 21st century and to ensure production can surge whenever U.S. military power is committed; to the Committee on National Security.

47. Also, a petition of the Military Order of the World Wars, Alexandria, Virginia, relative to reaffirming its position that the

President and the Congress, in order to assure military readiness, must fund operations, training and maintenance accounts so that material and personnel of the fighting forces are kept combat ready at sufficient levels, to include funds for modernization, so that vital weapons systems can be acquired to maintain technological advantage over potential enemies; to the Committee on National Security.

48. Also, a petition of the Military Order of the World Wars, Alexandria, Virginia, relative to urging the United States Government to honor its full obligations to all service members, veterans, military retirees, and their families, who have served the ideals of this nation through numerous sacrifices, often paying the ultimate price in defense of the United States and its vital national interests; to the Committee on National Security.

49. Also, a petition of the Military Order of the World Wars, Alexandria, Virginia, relative to urging the United States Government to adopt the following principles as an integral part of its national security and foreign policy decision-making process, when considering the commitment of U.S. military forces: a clear definition of vital national interests as they relate to all military operations; insisting that only Congress approve the commitment of U.S. troops to peacekeeping or humanitarian operations; and specifying that U.S. military personnel not be placed under foreign or United Nations operations control, except in those unusual to the Committee on International Relations.

50. Also, a petition of the Military Order of the World Wars, Alexandria, Virginia, relative to supporting legislation to amend the Soldiers and Sailor's Civil Relief Act of 1940 to guarantee the right of all active duty military personnel and their dependents to vote in Federal, State, and local elections, and, for the purposes of voting for an office of the United States or of an individual State, any person who is absent from a State in compliance with competent military or naval orders shall not be considered to have lost a residence or domicile solely by reason of that absence; to the Committee on House Oversight.

51. Also, a petition of the Military Order of the World Wars, Alexandria, Virginia, relative to reaffirming its support of the efforts of the American Battle Monuments Commission to create a World War II Memorial in accordance with decisions of site and design by competent and legal authority; to the Committee on Resources.

52. Also, a petition of the Military Order of the World Wars, Alexandria, Virgina, relative to urging the Administration and the Congress to fully fund the United States Coast Guard to carry out its numerous vital missions, including law enforcement, environmental protection, maritime safety, national security, and other missions as assigned; to the Committee on Transportation and Infrastructure.

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PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, SECOND SESSION

Vol. 144 WASHINGTON, TUESDAY, FEBRUARY 24, 1998 No. 14

Senate

The Senate met at 9:30 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:

Gracious God, You have planned perfectly for the balance of our listening and speaking. Help us to do both well. You have called us to listen to You in prayerful meditation on Your truth revealed in the Bible. You also speak through Your Spirit to our inner being. Sometimes You shout to our conscience; other times it is a still small voice that whispers to our souls. The world around us asks, ''Is there any word from the Lord? What does He want? Is what we are doing in plumb with His plans?''

When we have listened to You, what we have to say cuts to the core of issues. We are decisive and bold. Our voices ring with reality and relevance.

The psalmist longed for this equipoise. He prayed, ''Let the words of my mouth and the meditation of my heart be acceptable in Your sight, O Lord, my strength and my Redeemer.''—Psalm 19:14.

Bless the men and women of this Senate with the grace to hear Your voice and then speak with an echo of Your guidance and wisdom.

Now we join our hearts in intercession for the people of central Florida whose homes and communities have been devastated by tornados. Bless Senators BOB GRAHAM and CONNIE MACK as they care for their people. Especially, be with those families that have lost loves ones. Comfort and strengthen them. Through our Lord and Saviour. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader, Senator LOTT of Mississippi, is recognized.

Mr. LOTT. Thank you, Mr. President.

SCHEDULE

Mr. LOTT. Mr. President, this morning the Senate will be in a period of morning business until 10:30 a.m., as under the previous consent order. At 10:30 a.m., the Senate will resume consideration of S. 1663, the campaign finance reform bill. Also, under the previous unanimous consent order, the time from 10:30 a.m. until 12:30 p.m. will be equally divided between the opponents and proponents of the legislation.

In addition, by consent, from 12:30 p.m. to 2:15 p.m., the Senate will recess for the weekly policy luncheons to meet. Following those luncheons, at 2:15 p.m., the Senate will resume consideration of the campaign finance reform bill, with the time then going until 4 o'clock being equally divided between the opponents and proponents.

Following that debate, at 4 p.m., the Senate will proceed to a vote in relation to the pending McCain-Feingold amendment. Therefore, the first rollcall vote today will occur at 4 p.m. Senators can also anticipate the possibility of additional votes after that vote on the McCain-Feingold amendment. But we do not have a definite time agreement on that presently. Before the 4 o'clock vote, we will notify Senators about the schedule for the remainder of the day.

I yield the floor, Mr. President.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business.

Mr. BOND addressed the Chair.

The PRESIDENT pro tempore. The Senator is recognized.

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

(The remarks of Mr. BOND pertaining to the introduction of S. 1669 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER (Mr. BOND). The able Senator from West Virginia.

THE HIGHWAY BILL

Mr. BYRD. Mr. President, other Senators and I have spoken numerous times over the past several weeks about the significant problems that will arise in States across the country if the Senate further delays action on the highway bill. Each day we delay adds to the burden of commuters sitting in traffic that is often moving at a crawl or brought to a complete stop because many of our highways are simply overcrowded. Each day we delay brings us closer to the May 1 deadline—just 39 session days away from today. That includes today—39 days. The time bomb is ticking. Senate session days remaining before May 1 deadline: 39. That includes May 1 as it includes today.

Since 1969, the number of trips per person taken over our roadways increased by more than 72 percent and the number of miles traveled increased by more than 65 percent.

The combination of traffic growth and deteriorating road conditions has led to an unprecedented level of congestion, not just in our urban centers but in our suburbs and rural areas as well. Congestion is literally choking our roadways as our constituents seek to travel to work, travel to the shopping center, to the child care center, and to the churches. According to the Department of Transportation, more travelers, in more areas, during more hours are facing high levels of congestion and delay than at any time in our

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

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history. And these congested conditions make us more susceptible to massive traffic jams as the result of even the most minor of accidents. The DOT tells us that, during peak travel hours, almost 70 percent or the urban interstates and just under 60 percent of other freeways and expressways are either moderately or extremely congested. That is lost man hours, reduced productivity, wasted fuel, and wasted time.

The worsening congestion is taking a horrible toll on our economic prosperity. I direct the attention of my colleagues to a study conducted by the Texas Transportation Institute at Texas A&M University. According to the Institute's study, the annual cost of highway congestion in our nation's 50 most congested cities has grown from $26.6 billion in 1982 to almost $53 billion in 1994. In other words, it has doubled. Delay accounted for 85 percent of this cost, while fuel consumption accounted for 15 percent. While more recent data are still being collected, the Institute's researchers state that, in the last four years, the cost of congestion in these cities has only continued to grow. This multi-billion dollar hemorrhage is found not only in our largest cities where eight of the top ten cities had total annual congestion costs exceeding $1 billion; we find congestion taxing severely the economies of several small- and medium-sized cities as well. According to the Institute, the economy of Albuquerque, New Mexico endures an estimated annual cost of congestion approaching $150 million per year; Memphis, Tennessee— almost $150 million per year; Nashville, Tennessee—almost $200 million per year; Norfolk, Virginia— more than $350 million per year; Columbus, Ohio— more than a quarter of a billion dollars per year; Jacksonville, Florida—more than $350 million per year; and San Bernadino-Riverside, California—over $1 billion per year.

There are a lot of explanations for traffic congestion's growing impact on our cities, but a principal cause of congestion, clearly, is the fact that road mileage has not kept pace with a growing population, a growing work force, and an American lifestyle in which the personal mobility afforded by automobiles is as essential to daily life as are eating and sleeping. Many people say that Americans have a love affair with their cars. More than a love affair, however, Americans simply depend on their cars to squeeze their myriad chores and activities into a busy work day.

A vehicle is one tool that many American workers cannot do without. They do not just drive to and from work anymore. Americans stop at the day care, the grocery store, the dry cleaners, the PTA meeting, the gymnasium, and at volunteer programs, all in the course of driving to and from work. Transportation researchers call this phenomenon ''trip-chaining,'' and it is a trend that continues to grow and shows no sign of slowing.

While the size of our highway network has remained relatively static for years, the condition and performance of those roads has deteriorated. Poor road and bridge conditions must share part of the blame for our nation's congestion problem. According to a 1995 U.S. Department of Transportation's report to Congress, 28 percent of the most heavily traveled U.S. roads are in poor or mediocre condition. That means that those roads need work now—work now—to remain open and protect the safety of the traveling public. And more than 181,000 bridges, or 32 percent of our nations' 575,000 bridges, are in need of repair or replacement, including 70,000 bridges built in the 1960's and designed to last 30 years under 1960's travel conditions. These roads and bridges that have outlived their useful life or that are falling apart from under-investment often are traffic choke-points that can be corrected with the proper repairs.

And Senators don't have to travel very far away to see the traffic choke-points, as they attempt to cross the bridges, get on the bridges and cross the Potomac every morning and every evening. It took me an hour and 15 minutes to get from my home in McLean, 10 miles away, this morning, to get to my office because of traffic congestion feeding into the streets, and feeding on and feeding off the bridges. We have to get across that Potomac. As I say to my colleagues, we don't have to travel far to see these choke-points working against us, against the traveling public.

If Senators would like examples of a choke points, they need look no further than the bridges that cross the Potomac River. Most of these bridges were not designed to carry the traffic that accompanies the morning and evening rush hours. As a result, traffic jams back up for miles every work day, in both directions. That is the gridlock that poor roads and bridges can cause. I am sure that if Senators contact their own state transportation departments, they will find numerous examples of traffic choke-points in their own states where a new bridge, smoother pavements, where an additional lane would alleviate the problem and get people and freight moving again.

And congestion means more than just economic costs. Obviously, congestion costs Americans time that could otherwise be spent with the family, with those children who are coming in from school and times that otherwise could be spent at work, time that could be otherwise spent in school or elsewhere. According to a study by the Texas Transportation Institute, commuters in the country's 50 largest urban areas lose an average of 34 hours each year idling in traffic. Now that is not only time wasted, it is not only gasoline wasted, it is pollution in the air.

Another, and equally important, cost of congestion is, as I say, its impact on air quality. As cars and trucks are slowed by traffic congestion, they emit more pollutants, thereby impeding efforts in many parts of the country to come into compliance with federal air quality standards. Road improvements aimed at smoothing the flow of traffic can reduce auto-related pollutant emissions substantially. All such improvements, however, cost money. And the Senate should be doing everything possible to ensure that our state and metropolitan officials do not run out of federal highway funds that can help them relieve congestion and improve air quality.

Today, Mr. President, Americans rely on automobiles for 90 percent or more of all trips. In many areas of the country, we need additional highway capacity to accommodate that travel. And federal highway funds are often a critical source of capital for these projects.

What can we do about congestion, Mr. President? What can Congress do to help eliminate the $53 billion annual burden borne by commuters in our large cities? What can we do to give people more time at home with their families or on the job instead of stuck in traffic? What can Congress do to our cities and counties to help their air quality?

Probably the single most important action Congress can take to help alleviate these problems is the prompt enactment of the 6-year highway bill. That bill is on the Senate calendar, ready to go, and the country cannot afford to wait any longer. The May 1 deadline after which States will have no more Federal money—the Governors are in town and I hope that some of them are watching the Senate at this moment—the May 1 deadline after which States will be unable to obligate any more money, and if there is any doubt as to whether or not the States may obligate any more money after midnight, May 1, take a look at what the law says, public law 105–130, the Surface Transportation Extension Act of 1997, which is the short-term highway authorization that Congress passed last November before adjourning Sine die.

Here is what it says. This is the law. ''. . . a State shall not''—it doesn't say it may not—''. . . a State shall not obligate any funds for any Federal-aid highway program project after May 1, 1998 . . . .''

There it is. That is the law. Unless a new law is passed that will be the law on midnight, May 1, all the highway departments throughout the country, the Governors and mayors and other officials and the employees of the various highway agencies throughout the country, will feel the pinch. So the May 1 deadline, after which States cannot obligate new Federal money to finance congestion relief projects, as I say and I repeat it, is just 39 session days away—including today and including May 1. It is drawing nearer with every passing minute.

Mr. President, we cannot afford to delay. Our constituents stuck in traffic

jams need our help. They want their highway taxes used to get them out of gridlock, but we cannot do that while the Senate is stuck in legislative gridlock. I urge the majority leader to get the Senate—and the country—out of gridlock by calling up the highway bill now.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, February 23, 1998, the Federal debt stood at $5,519,492,792,898.57 (Five trillion, five hundred nineteen billion, four hundred ninety-two million, seven hundred ninety-two thousand, eight hundred ninety-eight dollars and fifty-seven cents).

Five years ago, February 23, 1993, the Federal debt stood at $4,195,090,000,000 (Four trillion, one hundred ninety-five billion, ninety million).

Ten years ago, February 23, 1988, the Federal debt stood at $2,472,592,000,000 (Two trillion, four hundred seventy-two billion, five hundred ninety-two million).

Fifteen years ago, February 23, 1983, the Federal debt stood at $1,207,534,000,000 (One trillion, two hundred seven billion, five hundred thirty-four million).

Twenty-five years ago, February 23, 1973, the Federal debt stood at $452,993,000,000 (Four hundred fifty-two billion, nine hundred ninety-three million) which reflects a debt increase of more than $5 trillion—$5,066,499,792,898.57 (Five trillion, sixty-six billion, four hundred ninety-nine million, seven hundred ninety-two thousand, eight hundred ninety-eight dollars and fifty-seven cents) during the past 25 years.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SMITH of New Hampshire). The clerk will call the roll.

The assistant legislative clerk proceeded to call.

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

The PRESIDING OFFICER (Mr. SMITH of New Hampshire). Without objection, it is so ordered.

CAMPAIGN FINANCE REFORM

Mr. DASCHLE. Mr. President, I want to thank those who have participated thus far in this debate about campaign reform. I am sure that many of those who view C-SPAN with any regularity are experiencing a sense of deja vu about this debate, wondering whether or not we haven't already had debate very similar to this and whether we are not stuck in the same spot, whether we are ever going to stop talking about it and actually start moving toward some resolution. Today we are about to find out. This will give us the opportunity for the first time to vote this afternoon at 4 o'clock to indicate to the American people that, indeed, we have resolved to deal with the extraordinary problems that we have in campaign finance today. This is probably going to be our best chance in a generation for meaningful campaign reform, and a clear-cut vote is something that will allow us to move to that next step toward resolution. We do not need any procedural excuses, no amendment trees, no obfuscation. This will be clearly an up-or-down vote on the McCain-Feingold bill, through a tabling motion, that we have sought now for some time.

The vote on Senator MCCAIN's amendment answers the question, are you for reform or not? A vote against McCain-Feingold is a vote, in my view, to end reform, at least for this Congress, once again. I am very proud of the fact that each one of the members of the Democratic caucus will stand up and be counted. And my hope is that a number of Republicans will join us in this effort. The only question is how many Republicans and Democrats will come together in the middle to make this a reality this afternoon.

I believe the fate of campaign reform rests in the hands of those who have not yet publicly taken their positions with regard to campaign reform. It has been a generation since the last time we passed any meaningful legislation having to do with campaigns. In 1971 and in 1974, Congress enacted major reforms that first limited the amount of money in politics and, second, required candidates for the first time to disclose how they got their money. Today those laws are outdated and virtually useless, and some have been circumvented by new decisions and, as a result of those decisions, loopholes that have been created in the campaign finance law.

Other aspects of that reform effort in 1971 and 1974 today are unenforced or completely unenforceable because of the systematic defunding of the FEC, the Federal Election Commission. Still others have been overturned by narrow and, many believe, incorrect court decisions. Many reforms were thrown out by the Supreme Court in 1974 in the 5-to-4 ruling, a very controversial ruling, in Buckley v. Valeo.

So, for the last 23 years now, Democrats have tried to overcome obstacles put in place by the Buckley ruling and to pass a campaign finance reform modification, a realization that what happened in 1974, and what was addressed in that Court decision, needs to be addressed with clarification in statute.

So, consider the record of a decade, beginning in 1988. At the opening of the 100th Congress, then majority leader ROBERT BYRD introduced a bill to limit spending and reduce special interest influence. We had a record-setting eight cloture votes when that happened. Democratic sponsors modified the bill to meet objections, but the fact is that it was killed in a Republican filibuster.

In the Democratic-led 101st Congress, the House and the Senate passed campaign finance bills. President Bush threatened to veto the bill, effectively killing it, because it contained voluntary spending limits.

In the 102d Congress, also a Democratically-led Congress, again the House and Senate passed campaign finance reform bills and President Bush vetoed the bill with the backing of all of his Republican filibuster.

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In the 103d Congress, again under Democratic control, we passed a campaign finance reform bill with 95 percent of the Democrats in the Senate and 91 percent of the Democrats in the House voting for reform. Again, Republicans filibustered the move to take the bill to conference.

That brings us, then, to the 104th Congress, supposedly the reform Congress. Senators MCCAIN and FEINGOLD introduced their bipartisan reform plan, and reform at that point, for the first time in almost 2 decades, actually seemed to be within reach. Republicans, again, in the Senate, filibustered the measure, while Republicans in the House introduced a bill to allow more spending—a family of four would have been able to contribute $12.4 million in Federal election. The legislation again failed to produce results of any kind. As a result of that impasse, nothing was done for the remaining months of the 104th Congress, which now brings us to this Congress and last year.

In his State of the Union Message in January of 1997, President Clinton called on Congress to pass campaign finance reform by July 4, 1997. In the House, Republicans have voted time and again against bringing campaign finance reform to the floor. Speaker GINGRICH has promised consideration this year, but also shook hands with the President on a campaign reform commission that really never came to pass. Here in the Senate, we have traveled a tough road to get here today. We forced our way to the floor and refused to yield; poison pills, amendment trees and cloture votes were all tactics used, and this is probably the last opportunity we have to do something meaningful in the 105th Congress.

The problem is really one that can be described in one word: money. The amount of money, after two decades of delay, has skyrocketed. That is the fundamental problem. We hear talk in this debate about hard money and soft money, this money and that money. They are not the core of the problem. The core of the problem is that there is just too much money in politics, period. Total congressional campaign

spending in 1975 was $115 million; in 1985, $450 million; in 1995, $765 million. We are expected, for the first time in this cycle, to exceed $1 billion in election year spending, shattering every other record we have ever seen in politics in 220 years. A 73 percent increase over the previous Presidential cycle is anticipated in the year 2000. In other words, what we spend in 2000 on Presidential politics will exceed by 73 percent what we spent in 1996 on Presidential politics. To put that in perspective, wages rose 13 percent, college tuition rose 17 percent—politics has increased in spending 73 percent.

The average cost of winning a Senate seat in 1996 was $4.5 million. To raise that much money, a Senator has to raise approximately $14,000 a week every week for 6 years. Given the current political rate of inflation, by the year 2023, in just 25 years, it will cost $145 million to run for the U.S. Senate.

We have pages on the right and left, Republican and Democratic pages. I talk to them; I look at them; I encourage them to run for public office. But how can I tell them that I want them to run if in their lifetime they will be asking the question: How do I raise $145 million to have the position you have today, Senator DASCHLE? I can't answer that. I don't know the answer to that. And I am troubled by that. What happens if the U.S. Senate is only made up of those who have $145 million to spend? Is it a truly democratic legislative body if we lose the opportunity to bring in families who pay their bills and confront all of the many, many challenges that an American family faces today and has a real appreciation of the enormity of those challenges? If that vacuum, that void, is demonstrated cycle after cycle, year after year here in the Senate, what kind of decisions will this body actually make affecting those working families? If we don't have the broad representation anticipated by our Founding Fathers, do we then have the kind of democracy so anticipated? Mr. President, I don't think we do.

So, indeed, it is not a question of soft money or hard money; it's really a question of money. Do we tell our pages, we want you to be women and men in the U.S. Senate in your lifetime, but we also expect that sometime, if you choose to do so, in order to be successful you will have to raise $145 million? I hope not.

Obviously, this legislation is not going to solve that problem entirely, but it is going to give us an opportunity to deal with it more effectively. At the very least, what we ought to do is recognize that if we do not solve this problem, we are never going to be able to encourage effectively people getting into public life, people expecting to serve in public office.

The antipathy, the skepticism, is reflected in the polls taken of the American people these days. They understand the circumstances. They understand that it is not just a question of a Senator or a Congressman spending inordinate amounts of time and effort raising money. They understand that there is a problem that goes beyond whether or not a young person today, contemplating public office, can come up with $145 million. What they understand is that just the sheer effect of money is as important as the amount of money.

In the eyes of most Americans, the current system makes Congress appear to be for sale to the highest bidder. The recent Harris poll shows it very clearly. Mr. President, 85 percent of people think special interests have more influence than voters; 85 percent, almost 9 out of 10 Americans today, said if you put a special interest and a voter side by side, there is more likelihood that a Senator is going to listen to the special interest than he is to the voter. Three-quarters of voters think Congress is largely owned by special interests. Voter turnout has plummeted, public confidence in this institution has eroded, and democracy simply can't survive with the cynical atmosphere that exists today.

It is just amazing to me as I talk to world leaders who come from all parts of the world, who have not experienced democracy until just recently—they are from countries where they have not had a chance to vote; they are from countries where totalitarian regimes are the order of the day, where their whole lives were dictated by government in large measure that had everything to do with every facet of their lives. Now they have this new-found freedom, and, in an explosion of interest in democracy and the joy of participation, we are seeing record numbers of turnout, 80, 90 percent at the polls. They come from Eastern Europe, they come from Africa, they come from Asia, all expressing to us this profound joy that they now have democracy. But do you know what they say to us? They say, what is amazing to us is that when we look at your country, you have more freedom than we even have today and yet your participation in that freedom is the lowest of any country in the world. How is it that you can be so free and yet so callous towards that freedom, so unwilling to commit to prolonging that freedom, that democracy? And they worry out loud about how long our freedom can last if no one cares; how long will it be before we lose part or all of it because we don't care.

Mr. President, it is so critical that we restore trust and confidence in our democracy, that we recognize we are dealing here with a very, very fragile institution that will rise or fall based in large measure on whether or not we care enough to make participation in democracy a real aspect of this country's future.

So that is, in part, what this is about. Do we care enough? Are we prepared to take the responsibilities seriously that we hold as U.S. Senators to bring back participation, to allow the voters more confidence that we are listening to them and not the special interests, and to deal with the reality—the reality that I can't ask a young person today to come up with $145 million when he or she is my age and wants to run for the U.S. Senate?

We also have a serious problem with regard to the ads themselves and all that comes from spending this money. It is the amount of money, the perception of to whom we are indebted, but now we also have a problem with the virulent advertising that comes from it. I believe that negative advertising is the crack cocaine of politics. We are hooked on it because it works. We are hooked on it because we win elections using it. There is no accountability, no reporting; it is publicly not tied to any candidates. And I expect that in 1998 we are going to see a meltdown of the process, because we are going to see more virulent ads than we have ever seen in our lifetimes. The crack cocaine of politics will be at work again.

Negative ads from anonymous sources push candidates to the margins. Candidates become bit players in their own races. How many times have I heard candidates actually say, ''I couldn't keep track of who was on my side. I'd watch television and I'd hear my name used pro and con, and I didn't have anything to do with those ads. I am sitting like a man at a tennis match, watching both sides play it out.'' And the debate now is defined by who has the most money; that is how it is defined.

The solution to all of this is not going to be achieved today. There are those who look at all of this and contend that nothing is wrong. Some have argued that the system is not broken, that we actually need more money in politics. We believe the system is badly broken, and so do the American people.

They don't want to be subjected to this barrage of negative advertising that we know we are going to see again. They don't want to see the dumbing down of politics year after year, in spite of the fact that we see the creeping up of costs, the explosion in increases in costs.

So it brings us really to the issue of the day: McCain-Feingold. It does not cover all the critical components of reform, overall spending limits, but it lets us at least get off dead center. If it doesn't address the central problem, it does address several problems, including banning one very, very difficult aspect of campaign finance today—soft money; setting restrictions on independent expenditures; better disclosures so people have an idea of who is giving how much to which candidate and why; and it limits the ability of the superrich to buy political office.

So we are here and all 45 Democrats stand ready to pass it. We have made a lot of changes to pick up Republican support. We have dropped spending limits, we have dropped reduced TV rate, we have dropped PAC restrictions, we codified the so-called Beck decision having to do with labor contributions.

There is no more we can do, particularly since McCain-Feingold is the least we should do. We want to do more. If we were in the majority, we would fight to cap spending. The Valeo decision, as I said, was 5 to 4. Mr. President, 126 scholars have said spending limits are constitutional. But we simply can't let the perfect be the enemy of the good. We are confronted with a systemic problem, and we need a systemic solution. We have a chance to make some changes we plainly know are needed to restore some dignity and sanity to this process.

So much time and money in this Congress has been spent already to investigate perceived abuses in the 1996 election. There are cries of outrage, cries of shock and indignation. The American people are cynical because they don't think Congress is going to do anything about it. They believe that the politicians' self-interest will again override the public good. If, after all the hearings, all the press releases, all the statements, all the reports, all the votes, we do nothing, then frankly, Mr. President, that cynicism will be justified.

The American people get it. They know the system is broken. They know we have an opportunity to fix it, but they don't think we will. We should surprise them. We need sincere bipartisan efforts to clean up our own house. We need Republicans to join with Democrats to make that happen this afternoon.

People who think they can quietly kill this effort are wrong. One day, hopefully today, but one day we will succeed. We will not give up. But this is the time to do it. If we squander this opportunity, it will not go unnoticed. If we seize this moment, we can make history and do the right thing for those people who want to be a part of the process, for all Americans, for people who want once more to participate in our Federal elections system. This is our opportunity. Let's do it right. Let's do it this afternoon. I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the hour of 10:30 a.m. having arrived, morning business is closed.

PAYCHECK PROTECTION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 1663, the Paycheck Protection Act, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1663) to protect individuals from having their money involuntarily collected and used for politics by a corporation or labor organization.

The Senate resumed consideration of the bill.

Pending:

McCain amendment No. 1646, in the nature of a substitute.

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. MCCONNELL. Mr. President, I am sorry the Democratic leader has left the floor. I did want to make a couple of observations.

First, with regard to the Buckley case, it was 9 to 0 on the issue of spending is speech. Quoting that great conservative Thurgood Marshall:

One of the points on which all Members on the Court agree is that money is essential for effective communication in a political campaign.

This was an extraordinarily important Supreme Court decision. It wasn't 5 to 4 on any of the critical issues, and, as a matter of fact, Mr. President, the Court has had an opportunity over the last 22 years to revisit the Buckley case in various subcomponent parts and has consistently expanded the areas of permissible political speech.

I heard the Democratic leader saying all of this spending is getting out of control. Bear in mind that what he is saying is that all of this speaking is getting out of control. What he is suggesting, and our dear colleagues on the other side are suggesting, is we need to get somebody in charge of all this speech and, of course, it is the Government that they want to be in charge of all this speech. The courts are not going to allow that. They didn't allow it in the mid-seventies, they haven't allowed it any time they have revisited that issue since, they are not going to allow it now, and they are not going to allow it ever, because it is not the Government's business to tell citizens how much they get to speak in the American political process.

The suggestion was made that all this spending is out of control. I always say, how much is too much? I asked my colleague from Wisconsin during the debate last October, how much is too much? I could never get an answer. Maybe today we can get that answer. How much is too much?

In the 1996 campaign, the discussion was intense. Spending did go up, the stakes were big—big indeed. It was the future of the country—a Presidential election, control of Congress. But we only spent about what the public spent on bubble gum.

Looking at it another way, Mr. President, of all the commercials that were run in 1996, 1 percent of them were about politics. Speaking too much? By any objective standard, of course not. Of course not.

It is naive in the extreme to assume everybody in this country has an equal opportunity to speak. Dan Rather gets to speak more than I do and more than the Senator from New Hampshire does, as do Tom Brokaw and Larry King and the editorial page of the Washington Post. Maybe we ought to equalize their speech. I am saying this, of course, tongue in cheek. But you can make the argument, it is the same first amendment, the same right applies to all of us.

I wonder how they would feel if we said, ''OK, you are free to say what you want on the editorial page, but, henceforth, your circulation is limited to 5,000. We haven't told you what to say, but we think you are saying it to too many people, and so the Government has concluded that this is pollution.''

I heard the Democratic leader talking about all this polluting speech—I am not sure that is the exact word he used —all this negativity, all this hostility. Most of the negativity and hostility I see is on the editorial page of the American newspapers. Maybe we ought to suggest they can't do that in the last 60 days of the election.

There isn't a court in America that is going to uphold this bill. But the good news is they are not going to get it and have the chance to uphold it.

The Democratic leader said we wanted to quietly kill it. We are not quietly killing it, we are proudly killing it. We are not apologizing for killing this unconstitutional bill. We are grateful for the opportunity to defend the first amendment. No apologies will be made, not now, not tomorrow, not ever. The Government should not be put in charge of how much American citizens as individuals or as members of groups or as political candidates or as political parties may speak to the people of this country.

I heard the Democratic leader complain that candidates can't control the campaigns. Well, it is not theirs to control. Of course we don't like issue advocacy. Of course we don't like independent expenditures. But the Supreme Court has given no indication that the political candidates are entitled to control all of the discourse in the course of a campaign. I wish I could control the two major newspapers in my State that are always against what I am doing. It irritates me in the extreme, Mr. President. But I am not trying to introduce a bill around here to shut them up the last 60 days of an election.

The good news is there has been a whole line of court cases on this question of trying to control what is called ''issue advocacy''; that is, groups talking about issues at any time they want to, up to and including proximity to an election.

The FEC has been on a mission for the last few years to try to shut these folks up. They have lost virtually every single case in court. As a matter of fact, in the fourth circuit in a case about a year and a half ago, not only did the FEC lose again, but the court required that they pay the lawyer's fees for the group they were harassing. It was pretty clear, Mr. President, there is no authority to do this.

That is really where we are in this debate. The American people are not expecting us to take away their right to speak in the political process, and the Supreme Court has made it very, very clear. Let me say it again. They have said, unless you have the ability to amplify your voice, your speech is

not worth very much. You could go door-to-door for the rest of your life in California and have no impact on the process. So the Court wisely recognized that citizens under the first amendment had to have their right either as individuals or to band together as a part of a group to amplify their voice.

Spending has been critical in the political process going back to the founding of the country. Somebody paid for those pamphlets that were distributed around the time of the American Revolution. Somebody paid for those.

It is suggested under the most recent incarnation of McCain-Feingold, ''Oh, we are not going to shut them up, we are just going to make them report their donors.'' Put another way, the price for discussing political issues at the end of a campaign is to disclose your donor list. The courts have already dealt with that issue in 1958 in an NAACP case in Alabama, that a group cannot be compelled to disclose its donor list as a condition for criticizing all of us.

This kind of effort to quash speech, to shut up the critics of candidates is not only going nowhere in the Senate, it is going nowhere in the courts. There has been an effort around the country, financed by some very wealthy people. George Soros, when he is not financing a referenda to legalize marijuana, is also financing this effort. And Jerome Goldberg, one of the wealthy financiers on Wall Street, has been providing money to go out and try and get these kinds of referenda on the ballot and approved around the country.

The good news is they are all getting struck down. Even if they are passed, they are getting struck down. It happened in California a couple weeks ago. It happened in Wisconsin. The courts understand the law, and the law is clear, and no effort to circumvent the first amendment, either in Washington in the Congress or community by community or State by State around the country is going to succeed, because the law is clear.

We are not apologetic in defeating this bill. It richly deserves to be defeated. For the moment—I see that there are some colleagues here who wish to speak—let me just recount some of the points from the Buckley case as a way of beginning today's discussion.

As I said earlier, the great conservative Thurgood Marshall said:

> One of the points on which all Members of the Court agree is that money is essential for effective communication in a political campaign.

That is not MITCH MCCONNELL or BOB SMITH, that is Thurgood Marshall. Further excerpts from the Buckley case that we ought to be aware of, the Court said:

> The first amendment denies Government the power to determine that spending to promote one's political views is wasteful, excessive or unwise.

The Government doesn't have the power to do that to individual citizens and groups.

The Court went on:

> In the free society ordained by our Constitution, it is not the Government but the people—individually as citizens and candidates and collectively as associations and political committees—who must retain control over the quantity—

How much we speak—

and range—

What we say—

of debate on public issues in a political campaign.

In other words, this is beyond the province of Government to regulate in our democracy.

The Court went on:

> A restriction on the amount of money a person or group can spend on political communication during a campaign necessarily reduces the quantity of expression by restricting the number of issues discussed, the depth of their exploration, and the size of the audience reached. This is because virtually every means of communicating ideas in today's mass society requires the expenditure of money.

It is a statement of the obvious. It is a statement of the obvious. If it did not require money to communicate, why would Common Cause be doing direct mail finance solicitations all the time? They have to have money to operate. And I do not decry them that opportunity.

The Court observed that even ''distribution of the humblest handbill'' costs money. Further, the Court stated that the electorate's increasing dependence on television and radio for news and information makes ''these expensive modes of communication indispensable''—Mr. President, this is the Supreme Court—''indispensable instruments of [free speech].''

In other words, it is a statement of the obvious. In a country of 270 million people, unless you have the ability to amplify your speech, to amplify your voice so you might have a chance of competing with Dan Rather, Tom Brokaw, and the editorial pages of your newspapers, at least during the last 30 days of your election, you do not have a chance. So we shut down all of these people, Mr. President. It is a power transfer to the broadcast industry and to the print industry in this country, which some of us think have a good deal of power as it stands now.

With regard to the appearance of corruption issue, it is frequently said that all of this money is corrupting the process. The Court held there is ''nothing invidious, improper or unhealthy'' in campaign spending money to communicate— nothing.

With regard to the growth in campaign spending, I heard the Democratic leader projecting some astronomical figure that candidates were going to have to spend in the future. Let me say, there is nobody in the Senate spending all their time raising money. That is said all the time. That is not true. Eighty percent of the money raised in Senate races is raised in the last 2 years, it is raised in the last 2 years by candidates who think they may have a contest.

What is wrong with that? We do not own these seats. If we are in trouble, we are probably going to want to express ourselves in the campaign. And if you are going to express yourself in the campaign, you are not going to write the check for it out of your own bank account. You better get busy to get the resources to communicate your message or you are history.

The Court said, with regard to the growth in campaign spending, ''. . .the mere growth in the cost of federal election campaigns in and of itself provides no basis''—no basis—''for governmental restrictions on the quantity of campaign spending. . .''—no basis.

It is often said that we need to level the playing field. How many times have we heard that? The Court addressed that issue in Buckley as well. The Court said, with regard to leveling the playing field, ''. . .the concept that government may restrict the speech of some elements of our society in order to enhance the relative voice of others is wholly foreign to the First Amendment.'' ''Wholly foreign to the First Amendment''— brilliant and thoughtful words from the Supreme Court in Buckley v. Valeo.

And the Court has never retreated from the major principles in this case, Mr. President. In fact, they are moving in the opposite direction, in the direction of more and more permissible political speech.

In fact, one of the few things in the Buckley case that the reformers liked has created one of the biggest problems in the last 20 years. The reformers liked the fact that the Court did uphold a limit on how much one could contribute to another, the contribution limit. Well, the Congress has never indexed the contribution limit. Even President Clinton said last month that the hard money contribution should be indexed to inflation. And he was absolutely right. That $1,000 set back in the mid-1970s, at a time when a Mustang cost $2,700, is now worth $320. In a medium- or small-sized State, it does not produce a huge distortion, but it is an absolute disgrace for a candidate seeking to run for office in a big State where you have a huge audience, like California or New York or Texas, to be stuck with a $320 per person contribution limit.

So ironically, Mr. President, the only part of the Buckley case that the reformers applauded has produced the biggest distortion in the process and the biggest problem for candidates running in large States.

So, Mr. President, let me just conclude this part of my remarks, as I see others here. We make no apologies for beating this terrible piece of legislation. It does not deserve to pass. It will not pass. The first amendment will be protected.

I yield the floor.

The PRESIDING OFFICER. Who seeks recognition?

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. FEINGOLD. In a moment I will yield to the Senator from Minnesota who I very much want to hear from on this issue.

Just a very brief comment with regard to the comments of the Senator from Kentucky. The language of the McCain-Feingold bill on issue advocacy was not an issue in the Wisconsin case. In fact, in that Wisconsin case the judge specifically suggested our provision on issue advocacy may be a model of what might pass constitutional muster.

The Senator made a lot of general comments on Buckley v. Valeo, but the one thing he didn't do is relate Buckley v. Valeo to our bill. Our bill was specifically crafted to be constitutional under Buckley v. Valeo. We have a letter from 126 constitutional scholars who say that our bill is in fact constitutional, especially with respect to the ban on soft money. It is 126 constitutional scholars against the mere constant repetition of the claim that our bill is unconstitutional. We have the weight of legal authorities on this issue on our side. Of course, it is our intention and belief that this would pass constitutional muster.

With that, Mr. President, I yield 10 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, it has been reported that a majority—majority; that is, Republican party—written portion of the Governmental Affairs Committee draft report reaches the following conclusion or contains the following statement: ''In 1996, the federal campaign finance system collapsed.'' I would like to associate myself with this observation by the majority members of the Governmental Affairs Committee.

Mr. President, the system did collapse. Americans witnessed a corruption, a tarnishing of our political system. And I say to my colleague from Kentucky, the Supreme Court is very clear that that in fact is a justification for reform. People saw in a very systematic way special interest money dominate the discourse. And the American people stayed home in record numbers.

It is not surprising that as this system becomes more and more dominated by big money, and regular people feel like they are locked out of involvement, and that this system dominated by money does not respond to the concerns and circumstances of their lives, they stay home.

As a matter of fact, we did not even have 50 percent of the people voting in the last Presidential election. That was the third lowest turnout in the history of our country. Some people here on the floor of the U.S. Senate may be comfortable with that reality. I am not. It is the opposite of what I live and work for. And it is the opposite, I would say to my colleagues, of real representative democracy.

Mr. President, a New York Times headline: ''1996 Campaign Left Finance Laws in Shreds.'' I agree with the judgment of this article, which I quote:

> Beneath the cloudy surface of the Senate hearings, one clear picture has emerged: The post-Watergate campaign finance laws that were passed to restrict the influence of special interests in politics have been shredded.

Mr. President, Americans know this. Some of my colleagues may not want to face up to these truths, but Americans know it. They know that every Federal Government issue that affects their lives is damaged by the way big money, special interest money has taken over our politics. It is as if there has been a hostile takeover of elections in our country, a hostile takeover of Government, whether it is health care, insurance rates, taxes, telecommunications, banking, tobacco, environment, food and agriculture, trade, oil and pharmaceutical company subsidies. What is on the table and what is not on the table, what is considered reasonable and realistic, what is not considered reasonable and realistic, what is debated, what isn't, what is distorted, what issues are even dealt with in the first place—people in the country know that this is dominated by big money. The system has collapsed. The laws that are meant to regulate it have been shredded.

What are we doing about it? We have a good bill, S. 25, the McCain-Feingold bill. It is the pending amendment. It would, A, prohibit soft money to the parties. That is maybe the biggest abuse. This might be the most single important reform that we can undertake; and, B, it restricts—restricts; not prohibits—phony ''issue'' ads which are really election ads.

My colleague from North Dakota, Senator DORGAN, read a piece yesterday on the floor of the Senate about $800,000 of so-called issue ads poured into one congressional race, one special election, by a party—$800,000 of so-called issue ads in a New York House district race last year to destroy a candidate there.

The bill would also expand disclosure requirements. It would strengthen FEC enforcement, and it would discourage wealthy candidates from spending more than $50,000 of their own money on a race.

It is a decent, worthy bill, Mr. President. I hope we can pass it. My two colleagues have worked extremely hard in order to assure that this vote could happen. And I think that the bill will receive a majority of the vote. But it is going to be filibustered. And I fear that most Members of the majority party do not want reform. They are not willing to allow an acceptable version of this bill to receive the 60 votes. Why is that?

Mr. President, the public is fed up with the current system. Congressional Quarterly summarizes this aptly. ''While polls show that the public is fed up with the current system, the public is cynical about politicians' ability to fix it.''

Mr. President, my colleague keeps talking about the first amendment. Nobody is saying you cannot spend money. Nobody is saying you cannot speak out. But what we are talking about is that we now have auctions rather than elections. We are talking about the way in which money has subverted this system, systemic corruption, when too few people have too much wealth, power and say, and too many people are left out.

Mr. President, we will also be discussing the Snowe-Jeffords proposal. I have said to my colleague from Wisconsin that I am a bit skeptical about it. I am a bit skeptical about it. I am not at all sure that I like the idea that this amendment only gets introduced if all 45 Democrats pledge allegiance to it, so that we can pick up two more Republican votes. But I know it certainly is a desirable alternative to the poison pill, the Paycheck Protection Act.

But here is what I am worried about. Maybe for tactical reasons we do it, but maybe for substantive reasons we do not. I am a little worried that we now have the following argument before us: We are desperately afraid that we cannot enact real campaign finance reform this year because the public is not angry enough and because the public is not mobilized; therefore, we should weaken the reform bill in order to excite the public. I do not think that is really going to happen. And I think we need an aroused public behind this worthy effort.

Again, I think it is desirable as a substitute for the poison pill Paycheck Protection Act, but it is also a retreat from the definitely superior express-advocacy and issue-ad provisions of the McCain-Feingold bill. Let me just remind my colleagues, that those of us who have been the reformers, we have compromised many times over already.

As a matter of fact, the provisions of the McCain-Feingold bill that would affect us most are basically out right now. We are not even talking about a piece of legislation that really affects the way we ourselves raise and spend money in Congressional races. It is an important effort. I am for it. I want it to pass. But I want to be clear, we dropped the voluntary spending limits which would have done the most to assure a more level playing field between incumbents and challengers.

In addition, we dropped the free and discounted television time. We also, as a concession, have inserted codification of the Beck language. We have gone a long ways toward trimming this down in order to try and get something passed that would at least be a positive step in the right direction, and the majority party is still stonewalling this.

Now, Mr. President, let me be clear in dealing with the provision that Senator JEFFORDS and Senator SNOWE have come up with. There is some merit to it tactically, without any doubt. I still

worry that it represents a retreat. I'm not sure we can excite people by continuing to strip this bill down to the point where it doesn't have teeth, and it doesn't do the job.

Mr. President, I ask unanimous consent to place a piece by Greg Gordon of the Star Tribune, the largest newspaper in my home State, be printed in the RECORD.

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

[From the (Minneapolis, MN) Star Tribune, Oct. 29, 1997]

TURNING NONPROFITS INTO POWERFUL POLITICAL TOOLS

(By Greg Gordon)

(Twin Cities entrepreneur Robert Cummins gave $100,000 to a nonprofit that backed a dozen GOP campaigns, including Gil Gutknecht's, a Senate panel has found. The trend, while legal, allows donors to circumvent federal election laws, observers say)

Senate investigators have obtained bank records showing that a Twin Cities entrepreneur donated $100,000 to a nonprofit group that ran ''issue ads'' last year backing a dozen Republican congressional candidates, including Minnesota Rep. Gil Gutknecht.

With his donation to the Citizens for the Republic Education Fund, Robert Cummins, chairman of Eden Prairie-based Fargo Electronics Inc., joined in a trend by both major parties to turn nonprofit groups into political weapons.

Campaign-finance experts say the practice, although legal, offers a way for donors to circumvent federal election laws that require public disclosure of their names and limit the amounts they can give. The loophole also enables corporations that are barred from directly donating to campaigns to play major roles in political races, said Democratic investigators for the Senate Governmental Affairs Committee.

Gutknecht, whose reelection campaign faced an onslaught of attack ads sponsored by labor unions, says that early last year he gave the names of several potential Minnesota donors to Triad Management Service, the Virginia company that ran the Citizens for the Republic Fund. The First District congressman declined last week to say whether Cummins, who with his wife had each already donated the maximum $2,000 to Gutknecht's campaign, was among them. Cummins, a politically active conservative, did not respond to phone calls seeking his comment.

Gutknecht said he has never heard of the Citizens for the Republic Education Fund, which spent at least $3,000 boosting his campaign in the Rochester, Minn., media market, and that he never knew about the ad.

The organization is one of three conservative-backed nonprofits that were dormant in the summer of 1996 but sprang to life shortly before the election as donations poured into their accounts, people familiar with the investigation said.

Together, Citizens for the Republic Education Fund, Citizens for Reform, which also was managed by Triad, and the Coalition for Our Children's Future spent nearly $4 million in October and November 1996 on ads that gave GOP candidates a late boost in at least 34 close House and Senate races, Senate investigators have found. The Coalition for Our Children's Future also send Republican-leaning postcards to tens of thousands of voters in at least nine Minnesota legislative districts.

Nonprofit groups are barred from expressly advocating the election or defeat of a candidate. But so-called ''issue ads,'' which stop just short of doing so, have provided political consultants with an effective alternative.

The three tax-exempt groups have refused to identify their donors. Democratic investigators said they used subpoenaed bank records to trace the identities of Cummins and several other contributors to Citizens for the Republic Education Fund and Citizens for Reform.

Other donations to the three groups were made through secret trusts represented by Gen. Ginsberg, a former general counsel to the Republican National Committee (RNC), according to Senate investigators and a former employee of one of the groups. Ginsberg failed to return phone calls seeking his comment.

Senate investigators suspect one of these trusts is shielding the identities of Charles and David Koch, brothers who run oil industry giant Koch Industries, which operates a large refinery in Rosemount, a Democratic committee aide said. Jay Rosser, a spokesman for Wichita, Kan.-based Koch, declined to comment on whether the Kochs or their money were involved. Democrats on the committee sent Charles Koch a letter this month asking to speak with him about their inquiry, but he failed to respond, according to investigators.

Thomas Mann, a campaign-finance expert who is director of governmental studies for the Brookings Institution, called the financing of politically active nonprofits ''an utter corruption of the system.''

''There is just no question that this is an effort to circumvent the rules limiting the sources and amounts of contributions to federal campaigns,'' he said. Mann said the effort is proof that ''the whole regulatory regime for campaign finance collapsed in 1996'' amid ''gaming'' by both parties.

The Senate committee has previously disclosed that aides to President Clinton and officials at the RNC referred large donors to nonprofit groups so they could avoid the publicity that often accompanies big donations to the parties. The New York Times reported last week that Twin Cities businessman Vance Opperman donated $100,000 to Vote Now '96, a nonprofit organization to which Clinton campaign and White House aides referred a number of large donors. The organization, which promoted voter turnout, apparently did not finance ''issue ads.''

Both conservative and liberal nonprofit groups have resisted committee inquiries, and the competing Republican and Democratic investigations have led to deep disagreements. Sen. John Glenn, D-Ohio, and other Democratic members complain that the panel's chairman, Sen. Fred Thompson, R-Tenn., has refused to sign subpoenas that would enable them to fully trace the funding of the conservative groups or to allow the Democrats to hold hearings where they could confront officials of Triad and the nonprofits. A Republican spokesman contended that the Democratic inquiry has been overly broad and burdensome for the nonprofit groups.

INVESTMENT ADVISER

At the center of the controversy is Triad, whose officers have declined to answer investigators' questions.

Mark Braden, a Washington lawyer for Triad, says the company served as ''an investment adviser'' that assisted clients in deciding ''where to make political, charitable and issue-related donations.'' Senate investigators say Triad helped clients who had already donated the legal maximum to a candidate find other ways to help.

Triad was formed in 1995 by Carolyn Malenick, a former political fund-raiser for Oliver North, the ex-Marine who was a central figure in the Iran-contra affair and then ran unsuccessful for a Virginia Senate seat.

In the spring of 1996, investigators found, Malenick met with Pennsylvania businessman Robert Cone, the former owner of children's products manufacturer Graco Inc., and Sen. Don Nickles, R–Okla. Cone soon sent the firm $600,000 in seed money and later gave substantially more, the investigators said.

In a promotional film in which Nickles endorses the group, Malenick talked about Republicans developing a way to quickly infuse $100,000 into a congressional race, countering labor unions' ability to provide ''rapid fire'' to Democratic candidates.

Braden said Malenick's firm sent consultants to do ''political audits'' with about 250 GOP campaigns nationwide to identify races where donors could support candidates who shared their ideological views and had ''a viable campaign.''

Braden said Triad launched the ''issue ad'' campaign through the nonprofits only to respond to the AFL–CIO's $20 million advertising blitz in the districts of vulnerable Republicans such as Gutknecht.

''The father of these ads is [AFL–CIO President] John Sweeney,'' Braden said. ''If there had been no AFL–CIO campaign, there would have been no Citizens for the Republican Education Fund issue campaign.''

Braden denied that any of the donations facilitated by Triad were illegally ''earmarked'' to specific candidates.

Another large donor was California farmer Dan Garawan, who has said publicly that he gave $100,000 to Citizens for Reform, which spent heavily on issues ads that attacked Rep. Calvin Dooley, D–Calif.

Among donors yet to be identified is a trust that donated a total of $1.3 million to citizens for the Republican Education Fund and to Citizens for Reform. Also still a mystery is the source of a $700,000 check to the Coalition for Our Children's Future, a group unrelated to Triad. Barry Bennett, the coalition's former executive director, says that the donation was arranged in September 1996 by a Houston political consultant and that Ginsberg drew up confidentiality documents.

The investigators have information ''that very strongly suggests the Koch family and Koch Industries were a major funding source for the Triad subsidiaries and the Coalition for Our Children's Future,'' one Democratic committee aide said. Koch made one direct donation to Triad of $2,000, investigators found. Triad booster Nickles, a member of the Governmental Affairs Committee, has been a major Senate ally of Koch.

Federal Election Commission records show that the Koch brothers and KochPAC donated to more than a dozen of the candidates supported by the three nonprofits, most of them located in Kansas, Oklahoma and other states where Koch has facilities.

BOOST FOR GUTKNECHT

Cummino sent a $100,000 check to the Citizens for the Republic Fund on Oct. 3, 1996, a week after Triad signed a consulting agreement with the nonprofit, investigators found.

Meredith O'Rourke, a former Triad employee, told the committee in a recent deposition that Triad officials has discussed key issues in Gutknecht's reelection race with Gutknecht or his campaign, people familiar with the inquiry said. Gutknecht acknowledged that he met with a Triad official early in his campaign, but said he only recalls discussing the ''issues they [Triad representatives] were advancing,'' not his own.

The Citizens for the Republic Fund ''issue ad'' that fall mentioned Gutknecht's name five times, without identifying his Democratic challenger, Mary Rieder, and accused

''big labor bosses in Washington'' of distorting Gutknecht's record on education.

Gutknecht dismissed disclosures about the nonprofit groups' political role as ''a joke'' and ''a desperate'' attempt by Democrats to distract public attention from Clinton's embarrassing campaign activities, such as inviting major donors to stay overnight in the Lincoln Bedroom.

''As far as I know,'' he said, ''any businesspeople who participated with Triad did not get a night in the Lincoln Bedroom. They didn't get any preferential treatment on Asian pipelines, they didn't want to block an Indian casino in Hudson, Wisconsin. All were American citizens. None were Buddhist monks.''

In the spring of 1996, three Washington-based nonprofit groups had no offices, no staffs and were inactive. By that fall, the groups had raised nearly $4 million in donations and were pouring much of the money into ''issue ads'' supporting conservative House and Senate candidates.

CITIZENS FOR REFORM

Founded by conservative activist Peter Flaherty, the nonprofit group was incorporated in May 1996 and is now run by Triad Management Services, a political consulting firm in Manassas, Va. Senate investigators say the group spent $1.4 million in October 1996 on ads in 21 House and Senate districts, including one that attacked Democratic congressional candidate Bill Yellowtail of Montana for striking his wife.

CITIZENS FOR THE REPUBLIC EDUCATION FUND

Incorporated in June 1996, the fund later obtained tax-exempt status as a political group. Also run by Triad, it is headed by former Reagan White House aide Lyn Nofziger. In October 1996, investigators say, the fund spent almost $1.5 million on ''issue ads'' in 13 House and Senate races, helping secure victories for Rep. Gil Gutknecht, R-Minn., and Republican Senate candidates Sam Brownback of Kansas and Tim Hutchinson of Arkansas.

COALITION FOR OUR CHILDREN'S FUTURE

Formed in late 1995 to air ads supporting the Balanced Budget Act, the coalition was only a shell in the fall of 1996, operating in offices at the Virginia political fund-raising firm of Odell, Roper and Simms. Then a secret trust reportedly contributed $700,000 to the coalition, which ran ''issue ads'' in Arkansas and Louisiana Senate races and three House races and blitzed voters in at least nine Minnesota legislative districts with postcards favoring GOP candidates.

Mr. WELLSTONE. He talks about turning nonprofits into powerful political tools. I'm worried about all of the ways, to quote Thomas Mann from the article, that this new practice has ''become an utter corruption of the system.'' I don't want to retreat from clear standards here.

Mr. President, since I have less than 2 minutes, I hope the McCain-Feingold bill will pass intact. I hope we will vote for it today. I hope that colleagues will not be able to block it. I hope we will be wary of ''deform'' measures, not reform measures. We have to pass something real. We have to pass something significant. I hope we get a positive vote for this piece of legislation today, and I ask people in the country, please be vigilant, please hold all of us accountable. Don't let the majority party block a reform that would restore your voice and some real democracy in this country. Don't let the U.S. Senate pass a piece of legislation which would have that made-for-Congress look, a great acronym, but will not have the enforcement teeth and would not do the job and really wouldn't get some of the big money out of politics.

The McCain-Feingold effort is not all I desire—I proposed the clean money, clean elections approach which has passed in Maine and that was also passed in Vermont—but it is a worthy piece of legislation and it ought to pass the U.S. Senate.

I yield the floor.

The PRESIDING OFFICER (Mr. ROBERTS). The Senator from Kentucky.

Mr. MCCONNELL. I understand we are under a controlled time situation without designating a controller, so I ask unanimous consent I control the time on this side.

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

Mr. MCCONNELL. I yield to the distinguished Senator from Washington such time as he may consume.

Mr. GORTON. Mr. President, the first amendment to the Constitution of the United States reads in relative part ''Congress shall make no law abridging the freedom of speech or of the press.''

Today, once again, we are engaged in a debate in which the proponents propose to limit the freedom of speech, and most particularly, to limit freedom of speech in political debate about the policy and political future of the United States.

At the time of an identical debate last fall, George Will wrote, and I wish to quote him in full:

> Nothing in American history—not the left's recent campus ''speech codes,'' nor the right's depredations during 1950s McCarthyism, or the 1920s ''red scare,'' not the Alien and Sedition Acts of the 1790s—matches the menace to the First Amendment posed by campaign ''reforms'' advancing under the protective coloration of political hygiene.

Mr. Will concludes by saying:

> As Senator MITCH MCCONNELL, the Kentucky Republican, and others filibuster to block enlargement of the Federal speech-rationing machinery, theirs is arguably the most important filibuster in American history.

Mr. President, the Senator from Minnesota has just said that fewer people vote because of cynicism about the 1996 campaign and the blatant violations of the present law that took place during the course of that campaign.

Mr. President, the cure for the blatant violations of present campaign laws is not a new set of laws. It is the simple enforcement of the laws we already have. Laws, incidentally, that were passed in 1974 with arguments identical to those that are being made here today; laws that themselves seem to have been accompanied by a drop-off in the number of people who are voting.

If we simply look at our history and desire to have more people voting, we would presumably repeal all of those laws and go back to a pre-1974 situation in which at least we had a greater participation in our election process.

So what do the proponents today ask us? They ask us to limit severely the right of political parties to raise money and to use that money in order to express the ideas that motivate those political parties. In other words, they ask us to limit the ability to communicate the freedom of speech of those organized parties that have spanned most of the history of the United States, parties that most academics studying our political system say are too weak, not too strong. Most academics in this field feel that party discipline ought to be stronger rather than weaker. Yet the heart of McCain-Feingold is the philosophy that parties should not be able to communicate their ideas to people during election campaigns in any significant fashion whatever.

The predecessors of those who make these arguments today successfully limited the ability of political candidates for Congress to raise and to spend money and now criticize the very condition that they caused by saying that candidates spend too much time in raising money. It is a paradoxical set of arguments to say that the very cause that we espoused has caused candidates to spend too much time campaigning or raising money for campaigning and therefore we ought to have more laws of exactly the same type.

Mr. President, whatever the constitutionality of limiting the right of people to contribute to political parties and the right of political parties to solicit contributions, it can hardly be proposed with a straight face that we can limit the right of third parties, of independent organizations, to express their ideas on matters of politics and on candidates and on incumbents at any time, much less in the 30 or 60 days preceding an election. There is simply no indication in any decision by the Supreme Court of the United States that such limitations are appropriate. There is also no indication that such limitations are a good idea.

I wonder what the editorial page of the New York Times would say if the proposal before the Senate today said that newspapers would be limited to one or two editorials about election-year politics and none at all in the 30 days before an election. Yet, Mr. President, unless you can say in order to make elections fair, in order to give each citizen an equal right to participate, we can and should tell the New York Times, and every other daily newspaper in the country, all television networks and television stations, that they should shut up in the 30 days before an election takes place and let the election work its way out on the basis of whatever individual candidates say—unamplified, of course, by any mass media—and that even outside of that period of time they should be strictly limited in the number of statements that they ought to make about politics because, after all, they have a much larger voice than does an individual citizen.

We know exactly what they would say. They would say that is a blatant violation of the first amendment of the Constitution. They would go to court and they would get any such statute immediately thrown out. But if the New York Times and NBC and an individual television station are free to communicate their ideas about politics and about political candidates without restraint, how, then, can an organization, whether it is the Christian Coalition, the American Civil Liberties Union, a liberal or a conservative organization, be so limited? And why, if an organization of that nature can't be limited, should a political party be limited in what it can say and how it raises money in order to make any such statement?

Mr. President, all we have done is to make political speech less responsible rather than more responsible. We limited the amount of money candidates can get, and candidates, of course, can be called to account for any misstatement they make in a political campaign or for any unfair tactics. We now propose to limit the parties to which those candidates belong, so we force those who are interested in the political system whose lives are affected by the political system to operate entirely independently of parties or of candidates and to make whatever statements they wish for which those candidates and parties will, of course, bear any responsibility whatever.

Finally, I find it extraordinarily curious that the proponents of this bill—most recently the Senator from Minnesota—will say that the original proposal before the Senate by the majority leader, Senator LOTT, is a poison pill. Now, what is that poison pill? It is the totally constitutional and totally valid requirement that a labor organization to which people in given bargaining units must belong and to which they must contribute can only use the dues and the payments of their members for political purposes with permission. Now, this is the one area which is not only obviously constitutional but obviously desirable. Why should any American, why should any American have his or her money used by an organization to which he or she is required to belong to promote an idea and candidates with which whom he or she disagrees?

I do have in this connection, Mr. President, one advantage over, I believe, every other Member in this body, except for my own colleague from the State of Washington. In 1992, at a time in which Bill Clinton won the State of Washington in his Presidential campaign, the people of my State passed Initiative No. 134 by a 73–27 percent margin.

Initiative 134 simply said that neither an employer nor a labor organization could withhold a portion of a worker's wages or salary for political contributions without receiving written permission from that worker each and every year—the so-called ''poison pill,'' which is anathema to Members on the other side. Seventy-three percent of the citizens of the State of Washington voted for that proposition, Mr. President.

Now, what happened? Let's take one such organization, the Washington Education Association. Immediately after the passage of that initiative, fewer than 20 percent of the members of the Washington Education Association gave that association permission to use their money for its political purposes. Where it had 45,000 members who were constrained to contribute to its political action committee previously, the figure, after the election was over, was 8,000. Well, that is why 45 members on the other side of the aisle feel the Lott bill to be a ''poison pill,'' because it deprives one of their principal supporters of the right to force people to contribute to their campaigns. That is a ''poison pill,'' Mr. President. It is a ''poison pill'' to restrict political parties the right to speak and the right to effectively participate in politics, or even to restrict certain other organizations.

Mr. President, I understand—and perhaps the Senator from Kentucky will enlighten me on this—that the United Kingdom had similar restrictions to those proposed here with respect to issue advocacy. If my understanding is correct, the court of the European Community has just determined that those restrictions were a violation of human rights; is that correct? I ask the Senator from Kentucky that question.

Mr. MCCONNELL. The Senator from Washington is entirely correct. Just last Thursday, February 19, the European Court of Human Rights ruled that laws banning ordinary citizens from spending money to promote or denigrate candidates in an election campaign was a breach of human rights. That was in response to a group in England that brought the suit with the argument that their voices were essentially quieted, eliminated, by British law that prohibited them from speaking, in effect, in proximity to the election. So the Europeans are heading in the direction of issue advocacy, which is something, I say to my friend from Washington—and I see my friend and colleague from Utah on his feet as well—that the Supreme Court anticipated in the Buckley case.

Mr. GORTON. I was simply going to ask that question of the Senator from Kentucky. Does the Supreme Court in Buckley versus Valeo not deal with this question of issue advocacy?

Mr. MCCONNELL. Absolutely. The Senator is correct. Our friends on the other side of the aisle act as if issue advocacy is a recent invention that has been sort of conjured up and not previously thought of. The Court said in the Buckley case, in laying out the terms for express advocacy, which is the category directly in support of a candidate, which is in the category of FEC money, so-called hard money—they were defining express advocacy, and by definition pointing out that ''it would naively underestimate the ingenuity and the resourcefulness of persons and groups to believe that they would have much difficulty devising expenditures that skirted the restrictions on express advocacy of election or defeat, but nevertheless benefited the candidate's campaign.''

Just one other quote from that same Buckley case: ''The distinction between discussion of issues and candidates and advocacy of election or defeat of candidates may often dissolve in practical application.'' That was the Supreme Court 22 years ago. ''Candidates, especially incumbents, are intimately tied to public issues involving legislative proposals and governmental actions. Not only do candidates campaign on the basis of their positions on various public issues, but campaigns themselves generate issues of public interest.''

What is the Court saying? They are saying, in effect, that there is this whole category of discussion in this country that, under the first amendment, citizens are entitled to engage in, whether candidates like it or not. I mean, the whole assumption of the argument on the other side is that somehow the candidates have a right to control the election, control the discourse, in this selected period right before the election. Well, the Court anticipated that. They have already dealt with it. You clearly can't do it. We don't own these elections. Besides, as my friend from Washington pointed out, nobody is suggesting that the newspapers shut up during that period of time. Obviously, this would enhance their power dramatically.

Now, I will stipulate and concede that all of us candidates don't like all of this discourse that we don't control. Sometimes there are people coming in trying to help us and we think they are botching the job. Sometimes people are trying to hurt us, and that is particularly offensive. But it is absolutely clear that we cannot, by statute, shut all these people up, cleanse the process of all of this discussion, and control the campaign.

Mr. GORTON. If I may conclude, I thank the Senator from Kentucky for those comments. In reflecting back on the article from which I read excerpts by George Will, if we had detailed CONGRESSIONAL RECORDS of what was said in Congress in 1797 and 1798, at the time of the Alien and Sedition Act, I think we would see a philosophy quite similar to the philosophy that is being expressed by the proponents of McCain-Feingold: People aren't smart enough to know what ought to be said or not said or to sort out the quality of what is being said and not said, unless we here in Congress tell them who can say it, when they can say it, and how much of it they can say. This bill, under those circumstances, Mr. President, does have distinguished antecedents, the most significant of which is the Alien and Sedition Act.

I yield the floor.

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, perhaps we have reached a new low in the debate on the McCain-Feingold bill, which has been characterized as a ''human rights violation'' and the ''Alien and Sedition Act.''

Perhaps the Senator from Maine can bring us back to the real discussion here. I yield her such time as she requires.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. COLLINS. Mr. President, the time has come to strike an important blow for our democracy by making some limited, but urgently needed, repairs to our campaign finance laws.

Mr. President, the legislation currently pending before this body is dramatically different from the original McCain-Feingold bill, which I cosponsored and supported. It does not seek to radically alter how we finance our campaigns. Indeed, I submit that it does not alter at all the basic framework that Congress established more than two decades ago.

Nevertheless, Mr. President, the bill before us today is vitally important.

Before us today is a bill designed to close election law loopholes that undermine the protections the American people were promised in the aftermath of Watergate. Unlike the prior version of the bill, it will not make new reforms to our campaign finance system. Rather, it will merely restore prior reforms.

Let me be more specific, Mr. President. Gone from S. 25 are the provisions intended to create a different system for financing campaigns. Gone are the voluntary limits on campaign spending. Gone is the free TV time. Gone is the discounted TV time. Gone is the reduction in PAC limits.

Most of these reforms continue to be very important, and they are reforms to which I remain personally committed. But in the interest of securing action on the major abuses in the current system, we, the proponents of the McCain-Feingold proposal, have agreed to significant compromises.

What, then, is left? The principal purpose of today's bill is to close two immense loopholes that have recently been exploited to evade the restrictions and the requirements of current law. I refer, of course, to soft-money contributions and bogus issue ads.

It is fair to ask whether these are, in fact, loopholes or whether they are practices that were contemplated when our election laws were enacted in the 1970s. To be more specific, when Congress put a $1,000 limit on campaign contributions, was it intended that individuals could make unlimited contributions to political parties that, often following a circuitous route, would wind up financing ads clearly designed to help or to harm particular candidates? Clearly, Mr. President, the answer is no. Similarly, when Congress established political action committees as a legitimate and needed mechanism for unions, corporations, and other groups to contribute to campaigns, did it intend that these entities could nevertheless also make unlimited expenditures for political attack ads as long as certain words were avoided and some reference, however flimsy, was made to an issue? Again, the answer to this question is obviously no, and history bears out this conclusion.

Go back to the early 1980s when soft money was used only for party overhead and organization expenses, and you will find that contributions totaled only a few million dollars. By contrast, in the last election cycle, when soft money took on its current role, these contributions exceeded $250 million.

Bogus issue ads were such a small element in the past, that it is impossible to find reliable estimates on the amounts expended on them. Unfortunately, that is no longer the case, and these expenditures have now become worthy of study. The most prominent of these studies estimates that as much as $150 million was spent on bogus issue ads in 1995 and 1996.

Mr. President, simple logic also shows that soft money, as it is currently used, and bogus issue ads could not have been intended by those who drafted our election laws. There would have been little purpose in limiting contributions to candidates if unlimited money could be given to parties to run ads effectively promoting those candidates. There would have been little purpose in placing monetary limits on contributions to and by PACs, as well as subjecting them to reporting requirements, if the entities for which they were designed could avoid all of that by simply running issue ads.

Mr. President, some may still ask whether any of this matters. Why should we be concerned if the campaign contribution limits have been rendered a sham by unlimited soft-money donations? Why should we care if the PAC safeguards have been eviscerated by bogus issue ads?

Starting with soft money, one need only consider the situation of the Hudson Band of Chippewa Indians, an impoverished tribe in the State of Wisconsin. Mr. President, this tribe has every reason to believe and every reason to suspect that the denial of their casino application was driven by the expectation of large soft-money donations by the wealthy tribes who opposed them.

Allowing such unlimited contributions subverts the proper operation of government or at least creates the appearance that it has been subverted. It is a sign of how extensive the corrupting effect has become that even Native Americans believe they must play the soft money to participate in our democracy.

The situation with bogus issue ads is not better. That practice undermines the two major objectives of our election laws, namely, placing limits on contributions and disclosing the identity of those making the contributions. Without such disclosure, we lose accountability. A recent study found that as accountability in political communications declines, levels of misinformation and deceit rise. Thus, it is no surprise that bogus issue ads almost always carry a negative message, something which all in this body purport to decry. The question is—are we willing to do something about it?

In my view, it is imperative that we do something real about these problems. Mr. President, I spent much of my first year as a Member of this body listening to endless hours of testimony before the Governmental Affairs Committee about the campaign finance practices in the 1996 elections. While reasonable people can disagree on the solutions, those hearings demonstrated beyond any doubt that the current system is in shambles precisely as a result of the loopholes I have described.

Mr. President, let me briefly comment on the argument that S. 25 would violate the first amendment. I personally do not believe that to be the case, but more important, there are scores of constitutional scholars who support that conclusion. But the reality is that we can play the game of dueling law professors forever, and it will not resolve the issue.

We are dealing with an area of great uncertainty. Indeed, in the seminal case of *Buckley* v. *Valeo,* a majority of the Supreme Court Justices could not agree on a single opinion. On the subject of what constitutes issue advocacy, Federal Courts of Appeals have handed down conflicting decisions. Thus, no member of this body can say with certainty how the Supreme Court will decide the issue. Our role is to craft election laws that strengthen our democracy, knowing that the Supreme Court and the Supreme Court alone will ultimately determine the constitutionality of our actions.

It is also essential to eliminate two myths about this bill. It will not stop any American, whether acting as an individual or as part of a group, from running ads advocating for or against a position on any issue. It will also not stop any American, whether acting as an individual or as part of a group, from advocating for or against the election of a candidate, as long as the contribution limits and reporting requirements of our election laws are satisfied. Statements to the contrary are false, and their constant repetition does not make them true.

Let me close, Mr. President, by returning to my original point. When I ran for a seat in this body, I advocated a major overhaul in our campaign finance laws. Regrettably, that goal must await another day. The challenge before us today is far more modest. Are we prepared to close loopholes that subvert the intent of the election laws that we enacted more than two decades ago? Are we willing to restore to the

American people the campaign finance system that rightfully belongs to them?

I sincerely hope, Mr. President, that at the end of this debate, the answer will be yes and that the Senate will take an initial step on the road to restoring public trust in government.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. MCCONNELL. Mr. President, I yield 10 minutes to the distinguished Senator from Utah.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. BENNETT. Mr. President, I thank the Senator from Kentucky and I thank my colleagues for this debate. Let me make a personal point at the beginning of my comments. While I disagree quite heartily with the position taken on behalf of those who support McCain-Feingold, I do not challenge their integrity or their motives. I believe that they are acting on the basis of the highest motives, that they honestly believe that this legislation would, in fact, be good for our political system and be good for the Republic as a whole. I disagree most heartily with that position and I do my best to try to convince them that the course they are on, however well meaning and well motivated, is, in fact, dangerous and threatening of our first amendment rights.

I learned today on the floor that in Europe it has been determined that if we went down this road we would be violating basic human rights, according to the European court. I am delighted to know that the Europeans have that much common sense. Clearly, the United States Supreme Court has made that clear and we in this body should not shirk our constitutional responsibility.

I was somewhat distressed to hear the comment that the Supreme Court and only the Supreme Court can determine what the Constitution has to say about this. I think we have a responsibility to pay attention to the Constitution in this body itself and not burden the Supreme Court with laws that are clearly unconstitutional. There is always the chance one of them might slip through. A court might not be appropriately attentive when a case comes before them, and we get unconstitutional legislation. We are the first line of defense as far as the first amendment in the Constitution is concerned, and we should take that responsibility very seriously and not say, ''Oh, well, let's pass a law because it sounds good, let's pass a law because the New York Times will give us a good editorial, and the Supreme Court will bail us out by declaring it unconstitutional.'' That is a very dangerous position to take and I want to do my best to see to it that the first line of defense of the first amendment is drawn here in this body and maintained here so that the Supreme Court can pay attention to other issues.

I want to address the two points that my friend from Maine talked about, soft money contributions and bogus issue ads. Let me reverse the order and talk about the first one, the bogus issue ads. She suggests, and I'm sure sincerely and honestly she believes, that bogus issue ads have come as a result of an attempt to get around the Watergate reforms. In fact, bogus issue ads have been with us since the beginning of the Republic and they are a free exercise of first amendment rights by Americans pre-Watergate, post-Watergate, and frankly post McCain-Feingold. Americans will find a way around that even if the Supreme Court were to allow McCain-Feingold to stand, should we pass it.

One of the most vivid memories I have in politics is, as a 17-year-old high school student, watching my father, who was running for his first term in this body, standing in the living room of my grandmother, his mother, holding a newspaper and saying, ''I can handle my enemies but, Lord, protect me from my friends''—a newspaper attacking the incumbent Senator from Utah, Elbert Thomas, as a Communist. And my father, trying to run his own campaign on other issues, was terribly distressed by this four-page attack on his opponent. There are those who wrote about that election after it was over who blamed my father for that rag. One of the professors from whom I took classes at the University of Utah, in the political science department, wrote an extensive article in the Western Political Quarterly in which he called the 1950 Senate race the dirtiest in Utah history, and blamed my father for calling his opponent a Communist and smearing him. My father had absolutely nothing to do with that particular publication and had no control over it. Mr. President, 1950 was clearly pre-Watergate. It was clearly pre- the reforms that the Senator from Maine hopes to reestablish here.

However distasteful it was, however reprehensible it may have been, it was well within the rights of the first amendment guaranteed to the people who put up the money, published the paper, and distributed it. As the Senator from Kentucky indicated, we don't like independent expenditure ads. We want to control them. They make us mad—many times from our friends, many times from our opponents. But they are part of the price we pay for a free press and free speech in this country and I, for one, am not willing, in the name of shutting down that kind of an ad, to damage the first amendment right that everyone has, including the first amendment right to be stupid, the first amendment right to be outrageous, the first amendment right to say inflammatory kinds of things. I think that right is precious and the line to protect it must be drawn here in the Senate and not let us wait until we get to the Supreme Court.

Now, the second issue, the issue of soft money contributions. Like the Senator from Maine, I sat on the Governmental Affairs Committee. I heard the testimony. Maybe I heard some different testimony than that which she heard, but one of the things that struck me most clearly was testimony from someone not of my party, not of my political persuasion, someone on the liberal end of the spectrum, who made this point historically. When Lyndon Johnson was President of the United States and prosecuting the war in Vietnam in a way that outraged huge numbers of our citizens to the point of protests in the streets, he was challenged in the electoral process within his own party by one brave Member of this body, Eugene McCarthy. McCarthy went to New Hampshire and took on an incumbent President within his own party, an unheard of kind of thing. He didn't win that primary but he came close. He came a close enough second that he shook LBJ to the point that LBJ subsequently left the race. How was the McCarthy campaign financed? It was financed with five wealthy individuals, each one of whom put up $100,000 apiece. And in 1968, $100,000 went a lot farther than it does in 1998.

In a way, he brought the Government down, not because he had $500,000 to spend but because he had a message that the people of New Hampshire responded to. Without the $500,000, however, the message could not have been heard. He and the others who were involved with him, who testified before our committee, said, ''If we had been limited to $1,000 apiece, McCarthy would never have been able to challenge Lyndon Johnson. If we had been limited to that kind of restriction, history would have been changed.'' And he quoted, I believe it was Senator McCarthy, who said, ''The Founding Fathers did not say: To this we pledge our lives, our fortunes up to $1,000, and our sacred honor.'' They went the whole way and the Constitution gives them the opportunity to go the whole way.

We have put limitations on. I happen to think that is a mistake, and I have talked about that. But we have allowed political parties to flourish by unlimited contributions to those parties. That is the terrible, awful, debilitating, corrosive soft money that we are talking about: The ability to challenge an incumbent President, the ability to expand political discourse at a time of great national concern over the direction in which an administration is going.

I ask unanimous consent I be allowed to continue for another 2 minutes.

Mr. MCCONNELL. Mr. President, I yield 2 more minutes to the Senator from Utah.

The PRESIDING OFFICER. The Senator from Utah is recognized. The Senate will suspend until we get order in the Senate.

The Senator is recognized.

Mr. BENNETT. I thank the Chair.

Mr. President, I am not a lawyer. Sometimes that is an advantage, sometimes it is a disadvantage. But I happen to have devoted a good portion of my life to trying to understand the Constitution and understand the intentions of the Founding Fathers.

I don't know what was fully intended by the passing of the Watergate reforms, because, frankly, that was a period of time when I was leaving Washington instead of paying attention to what was going on here. But I do know what was intended in the passing of the first amendment. I do know what was intended in the creation of the Constitution.

I believe that McCain-Feingold falls on two overwhelmingly significant points: No. 1, and most important, it is clearly unconstitutional; and No. 2, equally crippling, it is totally unworkable. On those two bases, I am happy and proud to be part of the group that is opposing it here today.

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. MCCONNELL. How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 12 minutes and 20 seconds.

Mr. MCCONNELL. Mr. President, if I may, I want to follow up on some observations by my friend from Utah. The underlying bill seeks to abolish what is pejoratively referred to as ''soft money.'' In fact, as the Senator from Utah and I know, soft money should not be a pejorative term. It is, in fact, everything that isn't hard money. Our two great political parties, of course, are interested in who gets to be Governor in Utah; occasionally, they are interested in who gets to be mayor of Salt Lake City. They are, in fact, Federal parties.

So, in the aftermath of McCain-Feingold, you would have a complete federalization of the American political process, I guess putting the FEC in charge of the city council races in Salt Lake City.

Mr. BENNETT. Mr. President, if I might interrupt.

Mr. MCCONNELL. I yield for a question.

Mr. BENNETT. Salt Lake City has nonpartisan races. There are no limits on contributions and there are no limits on spending, and somehow we have managed to maintain the pattern of decent mayors through that whole situation.

Mr. MCCONNELL. A good point, I say to my friend from Utah.

It has been suggested by some around here that party soft money could simply be abolished, and that is what this underlying bill seeks to do. I doubt that, Mr. President.

A law professor at Capital University in Columbus, OH, who is an expert in this field, in a recent article in a Notre Dame Law School Journal of Legislation was pointing out with regard to the prospects of eliminating non-Federal money for the parties by Federal legislative action and said, in referring to the Colorado case in 1996:

> The precedent makes clear that political parties have the rights to engage in issue advocacy—

Which is funded by the so-called ''soft money''—

> as other entities. In Colorado Republican Party v. FEC, the Republican Party ran a series of advertisements critical of the Democratic nominee for a U.S. Senate seat from Colorado. At the time the ads ran, the Republican nominee had not been determined, and the three candidates were actively seeking that nomination.

That was the fact situation in that case.

> The Court rejected the FEC's position that a political party could not make expenditures independently of a candidate's campaign.

Independent expenditures are hard money; issue advocacy is soft money. So let's get them divided.

> The Court held that the facts quite clearly showed that the defendant Republican Party expenditures in the race were independent of any candidate's campaign and so could not be limited as contributions to the candidate's campaign directly. If a political party can conduct express advocacy—that is independent and hard money—if a political party can conduct express advocacy campaigns independently of its candidates, surely it can conduct an issue ad campaign independently of its candidates. The Colorado Republican Federal Campaign Committee held that political parties' rights under the first amendment are equal to—equal to—those of other groups and entities: ''The independent expression of a political party's views is 'core' First Amendment activity no less than is the independent expression of individuals, candidates or other political committees.'' In reaching this conclusion, the Court was not breaking new ground, but again merely following established law granting parties the right to speak on political issues.

I cite that, Mr. President, just to make a point in discussion with my friend from Utah that there is virtually no chance the courts would say that the Congress, by legislation, can prevent the parties from engaging in issue advocacy. We already know they can engage in independent expenditures which are financed by so-called ''hard money,'' Federal money. Everybody else in America can engage in issue advocacy. The Senator from Utah can do it by himself. He can do it as part of a group. There is no change. The courts are going to say parties can engage in issue advocacy.

I commend my friend from Utah for his statement. He is absolutely correct, there is no chance that this bill, were it to be passed, which it will not be passed, but if it were to be passed, would be held constitutional. In fact, the courts are going in the opposite direction, in the direction of more and more political speech, more and more discourse, more and more discussion.

We do not have a problem in this country because we have too little political discussion. That is not a problem. Even though, as the Senator from Utah wisely pointed out, we frequently do not like the content, the tone of the campaign, it is not ours to control. Nobody said we had ownership rights over the campaign. Lots of people are entitled to have their say.

I thank my friend from Utah for his fine statement. I yield the floor.

Mr. FEINGOLD. Mr. President, I yield 5 minutes to the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. LIEBERMAN. I thank the Chair, and I thank my colleague from Wisconsin.

Mr. President, I have spent so much time on this subject in the last year that I think I can just clear my throat in 5 minutes. But I will try to do more than that, and I hope to have additional opportunities to comment as the debate goes on.

I want to speak against the underlying proposal, the so-called Paycheck Protection Act, and in favor of the substitute McCain-Feingold proposal that is before us. The Paycheck Protection Act, very briefly, is a very disappointing response to the many problems the Senate Governmental Affairs Committee uncovered in its recently concluded investigation. In fact, I was very surprised to see my dear friend, the majority leader, say yesterday, ''I have laid down a bill that embodies the most important campaign finance reform of all, paycheck protection.''

Frankly, there is not a single problem, with all respect, looked at during our investigation in the Governmental Affairs Committee that would have been solved with the Paycheck Protection Act. ''Paycheck Protection'' doesn't touch foreign money, it doesn't touch the use of public buildings for fundraising, it doesn't touch the problem of unregulated and undisclosed attack ads, and it doesn't touch the abuse of tax-exempt status by tax-exempt organizations.

In fact, the underlying bill, the Paycheck Protection Act, is a response to a problem that doesn't exist. No one is forced to join a union, and under the Beck decision, nonunion members already have an absolute right to ask for a refund of the amount they paid the union in agency fees that went to political activities of which they do not approve. Union members, for their part, voluntarily join an organization, and they express a desire to have their leadership represent them, both with management and more generally. If they disagree with the way in which the leadership of the union is spending that money for political or legislative purposes, they have the same right that shareholders have who are disgruntled with the activities of the leadership of a corporation. Shareholders can launch a proxy fight. Disgruntled union members can try to change the leadership of the union. There is a democratic process dramatically, intensely supervised by the Federal Government itself.

In fact, I suggest that the Paycheck Protection Act as before us is not only

a solution to a problem that doesn't exist, it is itself a problem because it is of doubtful constitutionality. This bill says to a union that before it can involve itself in political activities, before it can spend its own general treasury funds, contributed by dues-paying members, not just on political campaigns but, by definition in the underlying bill, in attempting to influence legislation, the union leadership needs the separate prior written voluntary authorization of each one of their members.

To me, that comes close to being a prior restraint on the exercise by a labor union of the rights it receives under the First Amendment to petition our Government to attempt to influence legislation and to free association. If that is not the case, it certainly raises questions of equal protection, because there is no similar restriction put on any other organization that I know of, including particularly corporations. True, there is language in the paycheck protection bill that deals with corporations, but by not even trying to cover shareholders, it is plainly not at all equivalent to the restriction on the expenditure of union dues.

On the other side, McCain-Feingold, with appreciation to its two cosponsors—a great example of the kind of bipartisanship that should exist around here—is a practical response to the problems that came before the Governmental Affairs Committee. The arguments against it, with all respect, are premised on this strange twist of principle that money is speech.

I think it was my friend, the junior Senator from Georgia, who said last year, if money is speech under the Constitution, that must mean that the more money you have, the greater is your right to free speech. Is that what the Framers of the Constitution meant when they said that all of us are created equal, we have an equal right, unfettered, to petition our Government? I don't think so. Against that specious principle, money is speech, they have undercut the sacred principle of equality of access to our Government.

So I say the soft money ban and the other limits in the McCain-Feingold proposal are constitutional. In the Buckley decision, the Court made it clear that it is constitutional to limit contributions to campaigns, and this ban on soft money is just another way to do that.

The fact is, as Chairman THOMPSON of the Governmental Affairs Committee said during our proceedings, effectively, there is no campaign finance law anymore in the United States of America, and the reason why the limits on individual contributions, the prohibitions on corporate and union money that are in the law are no longer effective is mostly because of soft money.

The PRESIDING OFFICER. The time requested by the Senator has expired.

Mr. LIEBERMAN. I thank the Chair for the very gracious way in which he conveyed that message, which is very typical of the occupant of the Chair. I yield the floor.

Mr. FEINGOLD. Mr. President, I thank the Senator from Connecticut very much for his remarks. I note the emergence of a new argument that is in effect that the Supreme Court of the United States is incompetent, that they will not be able to recognize the constitutional problems in any bill and, therefore, we have to make sure that every piece of our bill raises absolutely no constitutional questions. I think that is a somewhat absurd proposition.

With that, Mr. President, I yield 5 minutes to the distinguished senior Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I, too, join in commending Senator FEINGOLD, Senator MCCAIN, Senator LIEBERMAN and the others for their persistence and perseverance in advancing sensible and responsible campaign finance reform to the U.S. Congress, and, hopefully, we will address it in a serious way as they have addressed this issue and do so in the next few days.

I will speak for a few moments about the underlying bill that is being proposed, and I suggest that this bill really is a sham in terms of proposing to protect the interests of American workers.

The average American worker earns $12.51 an hour, just over $26,000 a year. These workers want a good retirement, a decent education for their children, safe neighborhoods and quality health care. But how can they compete on these issues in the political process when the fat cats spend far more in one political fundraiser or in one 30-second political ad than the average worker earns in a year?

We must return election campaigns to the people, in which all voters are equal, no matter what their income, what job they hold or where they live.

The current system is a scandal, and Democrats are ready to reform it right now. Every Democratic Senator—every single one—supports the McCain-Feingold campaign finance bill. The burden now rests squarely with the Republican Party. It is up to Republicans to decide whether Congress will reform the broken campaign finance laws or continue the unseemly influence of special interests in American politics.

So far, all the Republican leadership in Congress proposes is more money in politics, not less. They want more money from their special interest friends. They want to silence working families and the labor unions for speaking up on issues they care about. That is what the Republican leadership calls campaign finance reform.

The Republican proposal purports to help working families by regulating how labor unions pay for their participation in the political process. But for working families, this proposal is grossly unfair. It is the centerpiece of an agenda by big corporations and the right wing of the Republican Party to silence working families, not help them.

The Republican leadership proposal is not reform but revenge—revenge for the role of the labor movement in the 1996 campaign. It imposes a gag rule on American workers, and it should be defeated.

The bill is a sham. It does not protect the workers. It is designed to advance an antiworker, antilabor, antiunion agenda. It does not protect individual rights, as its sponsor claims. It singles out unions, but does nothing for corporate shareholders or members of other organizations.

In fact, in the 1996 election, corporations outspent labor unions 11 to 1. Under the Republican proposal, big tobacco can still use corporate treasury funds to oppose using cigarette tax revenues to promote children's health, even if shareholders object. And the National Rifle Association can oppose a ban on cop-killer bullets even if NRA members object. But before labor unions can use union funds to speak up for working families, they would have to obtain written approval from every union member first.

But it does not stop there. The antiworker Republican proposal before us today is only part of a larger, big business, right wing campaign conspiracy to deny working families a voice in their own Government. Already, proposals virtually identical to this one have been introduced in 19 States as ballot initiatives or as State legislation. The same people who fought the minimum wage and want to abolish labor unions—the same people who lead the charge in the Republican party for tax breaks for the rich—are also part of this coordinated nationwide campaign to block workers and their unions at every turn in Washington and State capitals everywhere.

A recent editorial in a Nevada paper says it clearly as anyone. Nevada is one of the States where the right wing is pushing these initiatives. And the Reno Gazette journal spoke out against the proposal, saying:

> Beware of GOP Foxes in Labor's House. . . . Its main purpose is not to help workers but to weaken Democrats. . . . This petition is not intended to benefit the common man nearly as much as it is intended to benefit one specific class of politicians. . . . So when someone asks you to sign this Republican petition outside your favorite supermarket or elsewhere, think about what is really going on here. The scent of special interest fills the air like a convention of skunks in the hollow.

This language applies equally to the Paycheck Protection Act that my Republican friends are advocating in the U.S. Senate. The Republican proposal is phony reform, and it should be opposed. Far from protecting the American worker, it is a prescription for disaster for millions of Americans and their families. I oppose it. My colleagues on this side of the aisle oppose it. I urge every Senator to oppose it.

Senator MCCAIN and Senator FEINGOLD have proposed sensible reforms to ban soft money and to crack down on campaign adds by outside interest groups that are nothing more than thinly veiled appeals to defeat particular candidates. These are responsible reforms. And I urge my colleagues to support them.

I thank the Senator for yielding me time.

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I thank the Senator from Massachusetts for his statement, and I strongly agree with his description of what this Paycheck Protection Act is all about. It is a poison pill directed at only one group in this country, which I think is clearly unfair.

Mr. President, I now yield 5 minutes to the distinguished Senator from Illinois, Mr. DURBIN.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I thank the Senator for yielding to me.

Mr. President, when I try to understand the logic of those who oppose this bipartisan campaign finance reform and try to understand their thinking, which concludes that both the rich and the poor in America should have the right to purchase millions of dollars in television time, my mind is drawn to a movie, the movie ''Titanic.''

What is the link between the opposition to McCain-Feingold and the fate of the *Titanic*? On the *Titanic*, only 5 percent of the first-class women passengers drowned; more than 50 percent of all the women in the lowest class cabin drowned.

Now, in the eyes of those who oppose McCain-Feingold, everyone on the *Titanic* had the right to a lifeboat. Unfortunately, they would have to conclude, I guess, that those passengers in first-class cabins were just better swimmers. In fact, on the *Titanic*, they locked the doors of the cabin class until all the lifeboats had been opened for first-class passengers.

It reminds me too of their logic that the rich need to have their opportunity to exercise free speech. It reminds me of the old case in law school or the old story in law school that said the law, in its infinite wisdom, makes it a crime for the wealthy as well as the homeless to sleep under bridges. That gives us an insight, I think, into the thought processes that guide those who oppose this bipartisan campaign finance reform.

We have to understand what the result of the current campaign financing system is. It is a system without rules and without any moral grounding. It is a system heavily weighted in favor of the insiders, the grifters and those middle-age crazy millionaires who just cannot get the melody of ''Hail to the Chief'' out of their minds. The flaw in their thinking in supporting the current campaign system is their conclusion that campaign spending limitations restrain speech.

I know the Supreme Court reached that decision over 20 years ago. And I guess there is some value that the Supreme Court Justices by and large have never been political candidates. They have not been sullied by this nasty process. But that decision and their conclusion lacked any grounding in the real world of campaigns.

The campaign system we have today, where wealth buys speech, creates in fact, if not in law, a restraint on speech more insidious than any frontal assault on the first amendment. We give the candidates of modest means a throat lozenge and a soap box and give the wealthiest candidates the magic lantern of television and all its proven power of persuasion. The opponents to McCain-Feingold are blind to this obvious disparity and its consequences.

Now in this debate over changing our campaign system, if you stay tuned today, and perhaps later in the week, do not be surprised that the ''haves'' in politics are unwilling to concede any ground to the ''have-nots.''

If Machiavelli did not write this axiom, he should have: ''No party in power will ever willingly surrender the means by which they came to power.''

The Republican party is and always has been more adept at fundraising. They seldom lose for lack of money, only for lack of talent or ideas. And now we have a situation where eight Republicans have stood up and said that they are for campaign finance reform. They deserve our praise. It took courage for them to do it.

JOHN MCCAIN, who has joined Senator RUSS FEINGOLD, deserves that recognition, as well as Senators CHAFEE, SUSAN COLLINS, TIM HUTCHINSON, JIM JEFFORDS, OLYMPIA SNOWE, ARLEN SPECTER and FRED THOMPSON. But I hope we can rally some more Republican support to join the 45 Democrats who are on the record for real reform.

Step back for a minute and ask yourself this question: Is the current campaign system serving America? Not whether it is good for Democrat or Republican incumbents or challengers. Is it serving America?

Let me show you two charts to take a look at. This is an interesting chart because it shows on this red line the percentage of eligible voters who are actually registered.

Back in 1964, 64 percent of eligible voters actually registered. By 1996, the number was up to 74.4 percent. That is good news, isn't it? More Americans are signing up to vote. We certainly want to encourage that. But look down here at the bottom line. Look at the turnout of voters for Presidential elections. The high number—61.92 percent over here in 1964—look how high it was in comparison to those eligible to vote who actually registered, and then look what happens in 1996, 49.08 percent actually turned out to vote for President.

So, 74.4 percent eligible, 49 percent turned out, the lowest percentage turnout of eligible voters since 1924. In 1924, the first year when women were allowed to vote, it was a year when it was an extraordinary count. There were more eligible women than actually voted. You have to go back to 1830 to find this low a turnout.

Mr. FEINGOLD. I yield to the Senator from Illinois such time as he requires.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DURBIN. Thank you.

This chart really brings home the issue what we are faced with. In 1960, the total amount of money spent in the United States of America on all Federal, State and local campaigns—$175 million. Watch it grow. Watch it grow dynamically until we get to $4 billion, the estimate of the amount spent in 1996 on all political campaigns.

But look what is happening to the voters. When we are spending $175 million, 63 percent of the voters turned out. As we get up to $4 billion in spending, we are down to 49% of the voters showing up for the Presidential election year.

If you were running a company and you said to your marketing division, ''I want you to double the advertising budget and sell more of our product,'' and they come back in the next quarter and said, ''We doubled the advertising budget and we're selling fewer products,'' you would have to reach one of two conclusions: something was wrong with your advertising organization or something is wrong with your product. In politics there is something wrong with both.

People are sick of our advertising. It is too negative. It is too nasty. These drive-by shooting ads that we have, 30-second ads by issue groups you never heard of, at the last minute of a campaign, and candidates, myself included, spending a lot of time groveling and begging for money, that does not help the process. It does not help our image. It does not encourage people to get involved.

What McCain-Feingold is about is not just changing the law but changing the attitude of the public toward the political campaigns. And unless and until that happens, we face a very serious problem in this country. What McCain-Feingold goes after in eliminating soft money is something that has to happen. Soft money is what is left after all of the restrictions on hard money have been applied.

For those who are not well versed in the language of politics and campaigns, ''soft money'' can be corporate money, it can be money that is given by a person that exceeds any kind of limitation. It can be money that is used indirectly to help a campaign. And that sort of expenditure has just mushroomed.

I am glad that the legislation of Senator FEINGOLD and Senator MCCAIN is going to ban soft money. I also think it is critically important they do something about these issues ads. For goodness sakes, as a candidate for the U.S.

Senate, I have to disclose every penny raised and every penny spent. And when I put an ad on the air, I have to put an allocation at the bottom of each ad as to who paid for it and a little mug shot of myself so they can see my face.

But these groups that appear out of nowhere come in, in the closing days of a campaign, and absolutely blister candidates in the name of issue advocacy groups that do not disclose one single item of fact about how they raise their money and how they spent it. Don't believe for a minute that there is some group called the ''Campaign for Term Limits'' that is running around shopping centers with kettles and bells collecting money. This is a special interest group, spending literally millions of dollars in our political process to defeat candidates in the name of an issue, and you do not know a thing about them. You do not know if they are funded by the tobacco companies, you do not know if they are funded by foreign money, you do not have a clue. That is not fair.

What we have in the McCain-Feingold bill is an effort to finally—finally—bring some reality to this process and some sensibility to it. And it is long overdue. We have to make sure that we have a bustling, free marketplace of ideas. But the evidence is compelling that political megamergers of special interest groups like the NRA, Right to Life, Americans for Tax Reform, Chamber of Commerce, and even the AFL–CIO, which has clearly supported more Democrats than Republicans, all of these things are driving individuals with limited means and middle-range incomes out of the political process.

To argue passionately as we have in America for ''one man, one vote'' as a pillar of democracy and ignore the gross disparity of resources available to pursue that vote is elitist myopia.

I rise in support of this bill. And I hope that those who do support real campaign finance reform will not fall for proposals and poison pill amendments which will basically scuttle this effort. We have a rare opportunity to win back the American people and their confidence in our process. Defeating McCain-Feingold by procedural tricks and any other mechanism that they dream up is really not serving the future of this country and the future of our Republic. So I stand in strong support of McCain-Feingold, and thank my colleague from Wisconsin for yielding this time.

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. I thank the Senator from Illinois for all his tremendous help on this issue, and now yield to the Senator from North Dakota such time as he requires.

The PRESIDING OFFICER. The Senator has 9 minutes 40 seconds.

Mr. DORGAN. Mr. President, the Senator from Illinois said much of what I would like to say. I appreciate very much the leadership of the Senator from Wisconsin, Senator FEINGOLD, and the Senator from Arizona, Senator MCCAIN, on this issue.

We had a lot of hearings last year about campaign finance reform: 31 days of hearings, 240 depositions, about 50 public witnesses, $3.5 million, 87 staff people. We learned about all kinds of abuses with soft money and attack ads thinly disguised as issue advertising.

Well, here we have on the floor of the Senate today a piece of legislation that says, ''Let us reform the system we have for financing campaigns.''

One of the important pieces of this reform, the centerpole for the tent, in my judgment, is the ban on soft money. Now, what is soft money? People who are not involved in political campaigns may not know what this term soft money means. It is the political equivalent of a Swiss bank account. Soft money is like a Swiss bank account. It is where somebody takes money that is often secret, from an undisclosed source, with nobody knowing where it comes from, how much is there, how it got there, and it is used over here in some other device, ostensibly to help the political system and not to be involved in Federal elections. But what we now know from the range of campaigns that have gone on in recent years is soft money is a legalized form of cheating that has been used to affect Federal campaigns all across this country.

The total amount of soft money raised is on the rise. In the first 6 months of the 1993–1994 political cycle, $13 million; the first 6 months of the 1997–1998 cycle, $35 million. It is going up, up, way up.

Some say there is not a problem of campaign finance and we don't need a reform. Take a look at this political inflation index. At a time when wages have risen 13 percent in 4 years, education spending rose 17 percent, the spending on politics in this country rose 73 percent. There is too much money in politics.

Some say money is speech and we like free speech. That is the political golden rule. I guess those who have the gold make the rules.

I suppose if I was part of a group that had a lot more money than anybody else I suppose there would be an instinct deep inside to try to persuade you to say this situation is great. We not only have more money but we have access to more money than anyone else in the history of civilization. Why would we want to change the rules? We ought to change the rules because this system is broken and everybody in this country knows it and understands it.

Let me go through some examples to describe what is happening in this system. And both political parties have had problems in these areas, both parties. Let me give one example. In 1996, $4.6 million of soft money went from the Republican National Committee to an organization called Americans for Tax Reform, $4.6 million. This soft money, then, comes from contributors whose identities are often unknown—they often do not need to be disclosed—contributing money in amounts that would be prohibited under our federal election laws, to influence a Federal election. $4.6 million from a major political party to this organization, Americans for Tax Reform. That was four times the total budget of this organization in the previous year.

How was the money spent, this soft money raised in large undisclosed chunks from sources in many cases prohibited from trying to spend money to influence Federal elections? How was it used? To influence Federal elections, 150 of them, to be precise—17 million pieces of mail to 150 congressional districts.

You say the system isn't broken? Mr. President, $4.6 million? This is the equivalent of a political Swiss bank account. Large chunks of money, blowing into the system to a group that never has to disclose what it does with it.

And what about the issue ads which Senator DURBIN mentioned as well? These issue ads—are they ads that contribute to this political process? Eighty-one percent of them are negative. They represent the slash, burn and tear faction of the political system. Get money, get it in large chunks from secret sources and put some issue ads on someplace and try to tear somebody down.

Let's discuss one group, and one ad in particular. Look at this scenario.

The Citizens for Republic Education Fund is a tax-exempt organization incorporated June 20, 1996, that raised more than $2 million between June and the end of the year in this election year—$1.8 million of which was raised between October 1 and November 15. They spent $1.7 million after October 11 and before the election in a matter of a couple of weeks. Remember, these funds are not intended to influence Federal elections, but here's all this money being spent in just three weeks before the election.

You be the judge. Consider the following, and then you tell me whether these were intended to influence a Federal election. The vast majority of the money was spent after October 11 in an election year. The group didn't come into existence until June of the election year. The group never had any committees or programs, had no offices, no staff, no chairs, no desks and no telephones. All it had was millions of dollars to pump into attack ads.

The ads did not advocate on behalf of any one set of issues. Instead, the ads were almost universally tailored to a particular unfavored candidate's perceived flaws, just like any campaign attack ad would be. In fact, you could ask whether they advocate any issues at all.

Let me turn to a so-called issue ad.

Senate [Candidate X] budget as Attorney General increased 71 percent. [Candidate X] has taken taxpayer funded junkets to the

Virgin Islands, Alaska and Arizona, and spent about $100,000 on new furniture. Unfortunately, as the State's top law enforcement official, he's never opposed the parole of a convicted criminal, even rapists and murders. And almost 4,000 prisoners have been sent back to prison for crimes committed while they were out on parole. [Candidate X]: Government waste, political junkets, soft on crime. Call [Candidate X] and tell him to give the money back.

A political ad, paid for with soft money from a political Swiss bank account. It's like a Swiss bank account because it is from a secret source, designed to be used to create attack ads, to be used at election time to influence Federal elections, something that, frankly, is supposed to be prohibited by law. But this has now become the legalized form of cheating. In fact, we are not even sure it is legal, but it is being done all across this country and it is being done with big chunks of secret money.

In fact, one secret donor put up, I'm told, $700,000 to spend on so-called issue ads to influence federal campaigns. We don't even know for certain the identity of that person. And that soft money, that big chunk of money prohibited from ever affecting Federal races was used in this kind of advertising to directly try and influence Federal campaigns.

Now, I just ask the question, is there anyone here who will stand in the Senate with a straight face and say that this isn't cheating? Anyone here who will stand with a straight face and say this isn't designed to affect a Federal election? Anybody think this is fine? Go to a friend someplace that has $40 million and say, will you lend us $1 million, we have these two folks we don't like—one in one State up north and one in a State down south. We want to put half a million into each State and defeat them because they happen to be of a political persuasion we don't like, and we don't want them serving in the U.S. Senate. If you give us $1 million we will package it in two parts, half a million into each State. Your name will never be used. No one will know you did it. We will package up these kind of 30-second slash, tear and burn political ads and claim they are issue ads and they can be paid for with soft money.

Does anybody in this body believe this is a process that the American people ought to respect? That this is a process the American people think makes sense? Do we really believe that money is equal to speech and that anything that we would do to change the amount and kind of money spent in the pursuit of any campaign is somehow inhibiting the political process?

I ask unanimous consent for 2 additional minutes.

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

Mr. MCCONNELL. Is that off of your time?

The PRESIDING OFFICER (Mr. SESSIONS). The presumption would be we would recess at 12:32.

Mr. MCCONNELL. I believe I have 7 minutes, and I do want to reserve my 7 minutes.

Mr. DORGAN. I do want to make a couple of final points here. We can decide to do one of two things in this Senate on this day or this week. We can decide that campaign finance system in this country is just fine, that nothing is wrong with it, that we like the way it works. We can say that we think it has the respect of the American people, that we think this sort of nonsense that goes on is just fine and perfectly within the rules, that we think that the growth of soft money, the growth of spending in campaigns in this country is wonderful. We can say we think this explosion in political money reflects the American people's determination to acquire more and more speech, and that we think the American people believe, as some would say, that this system works just fine.

Or we can decide that something smells in campaign finance, that something is wrong with campaign financing in this country, that we see the costs of political campaigns are skyrocketing up, up, way up because we have people who believe they can take secret money and now use it to buy elections. We can decide something is horribly wrong with that, and we can decide that we know the American people know there is something horribly wrong with that. We can decide that it is in our province to do something about it, now, today, this week, this month. We in Congress can do something about this. We can do something about it without hurting free expression anywhere in this country, and anywhere in our political system. No one who supports reform wants to restrict free speech in this country, nor should we do that. But we can decide that this system is out of control, that this system disserves our democratic process, and that we must pursue a better way.

Senator MCCAIN and Senator FEINGOLD have proposed a piece of legislation. Is it perfect? No, it is not. But it is a good piece of legislation. I am a cosponsor. I want this Congress to pass that piece of legislation this week, have the House pass it, get to conference and pass a piece of campaign finance reform that will make the American people proud.

The PRESIDING OFFICER. The Senator from Kentucky has 7 minutes.

Mr. MCCONNELL. After I use 7 minutes, we go into recess for policy luncheons?

The PRESIDING OFFICER. The Senator is correct.

Mr. MCCONNELL. Maybe a good place to wrap up the morning discussion, which I think has been a good one, is to call to the attention of Members of the Senate an NPR morning edition commentary by a woman named Wendy Kaminer who is a professor at Radcliffe College—not exactly a bastion of conservatism. This was NPR's morning edition, December 3, 1997, on the subject we are debating here today.

Professor Kaminer said in her commentary that morning:

Protecting the act of spending money as we protect the act of speaking means standing up for the rights of the rich, something not many self-identified progressives are eager to do.

But the realization that money controls the exercise of rights is hardly new. Money translates into abortion rights, for example, as well as speech. Indeed, liberals demand Medicaid funding for abortions precisely because they recognize that money insures reproductive choice. Money also insures the right to run for office. Liberal support for reforms that provide minimum public subsidies to candidates is based on an implicit recognition that exercising political speech requires spending money.

So proposed public financing schemes are based on the fact that reformers like to deny—the fact that sometimes money effectively equals speech. Reformers who support public financing argue persuasively that candidates with no money have virtually no chance to be heard in the political marketplace. They want to provide more candidates with a financial floor, in order to insure more political speech. It is simply illogical for them to deny that a financial celing—caps on contributions and expenditures—is a ceiling on political speech.

It is absurd to deny that that is a cap on political speech. Professor Kaminer went on:

We need campaign finance reform that respects speech and the democratic process; it would subsidize needy candidates and impose no spending or contribution limits on anyone.

She says:

I'm not denying that money sometimes corrupts. It corrupts everything, from politics to religion. But if some clergymen spend the hard-earned money of their followers on fast women and fancy cars, there are others who raise money in order to spend it on the poor. While some politicians seek office for personal gain, others seek to implement ideas, however flawed. Money only corrupts people who are already corruptible. It is terribly naive and misleading for reformers to label their proposals ''clean election laws.'' Dirty politicians who sell access and lie to voters in campaign ads will not suddenly become clean politicians when confronted with limits on contributions and spending.

Reformers are guilty of false advertising when they market campaign finance reform as a substitute for integrity. Politicians are corrupted by money when they are unprincipled. Limiting the flow of money to them will not increase their supply of principles. And, in the end, money may be less corrupting than a desire for power, which can engender a willingness to pander rather than lead.

Finally, she says:

If I wanted to influence Bill Clinton, I would not write him a check, I'd show him a poll.

So, Mr. President, it is the denial of the obvious to conclude that the limitation on the financing of campaigns or restrictions on the ability of individuals or groups to amplify their message is anything other than a degrading, a quantification, a limitation of their ability to express themselves in our democracy. And the bill that we have before us essentially seeks to weaken the

parties and make it impossible for outside groups to criticize us in proximity to an election.

There is no chance the courts would uphold this, but fortunately we are not going to give them a chance to rule on this because we are not going to pass this ill-advised legislation.

Mr. President, how much time is left?

The PRESIDING OFFICER. All time has expired.

I believe the Senator from Illinois wants to speak on a separate subject. The Senator would need to make a unanimous consent request.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

TRIBUTE TO PENNY SEVERNS OF ILLINOIS

Mr. DURBIN. Mr. President, on Saturday morning, in the early morning hours, my wife and I received a telephone call that was a shock to us. A dear friend and close political ally of ours, State Senator Penny Severns of Decatur, IL, had succumbed to cancer in the early morning hours.

I have literally known Penny Severns for over 25 years, since she was a college student. I followed her political career. We had become close and fast friends. The outpouring of genuine warmth and affection for Penny that we have heard over the last few days since the announcement of her death has been amazing.

Penny Severns was 46 years old. A little over 3½ years ago, she was running for Lieutenant Governor in the State of Illinois, and she discovered during the course of the campaign that she had breast cancer. I think most people, upon hearing that they had cancer, would stop in their tracks, would not take another day on the job, would head for the hospital and the doctor and say that the rest of this could wait. But not Penny Severns. She announced that she was going through the chemotherapy and radiation and then would return to the campaign trail. And she did.

I will tell you, in doing that, she inspired so many of us because her strength, her caring, her spirit, were just so obvious. She finished that campaign and was reelected to the State Senate and announced last year she was going to run for secretary of state in our State of Illinois. She filed her petitions, and within a week or so it was discovered she had another cancerous tumor, and in December she went into the hospital to have it removed. She went through the radiation and chemotherapy afterwards and had a very tough time. Unfortunately, she succumbed to the cancer in the early morning hours last Saturday.

It is amazing to me how a young Democratic State Senator like this could attract the kind of friends she did in politics. Penny was not wishy-washy; when she believed in something, she stood up for it. Yet, if you listened to Republicans and Democrats alike who have come forward to praise her for her career, you understand that something unique is happening here.

There is so much empty praise in politics. We call one another ''honorable'' when we are not even sure that we are. But in this case, people are coming forward to praise State Senator Penny Severns because she truly was unique, not just because she fought on so many important political issues and gave all of her strength in doing that, but because of her last fight, which was her personal fight against cancer, and the fact that she just would not give up and would not give in.

Breast cancer has taken a toll on her family. She lost a younger sister to breast cancer a few years ago, and her twin sister is in remission from breast cancer today. Penny dedicated herself, in the closing years of her service, to arguing for more medical research when it came to breast cancer—not just for her family, but for everybody. That is part of her legacy. She will be remembered for that good fight and so many others.

I have to be honest with the Presiding Officer and the other Members. I would rather not be here at this moment. I would rather be in Decatur, IL, because in just a few hours there will be a memorial service for Penny Severns. My wife will be there, and I wish I could be there, too. But if there is one person in Illinois who would understand why I had to be here on the campaign finance reform debate, it was Penny Severns. I am going to miss her and so will a lot of people in Illinois.

Thank you, Mr. President.

Mr. GRAMS addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota, Mr. GRAMS, is recognized.

Mr. GRAMS. I ask unanimous consent to speak up to 10 minutes as in morning business.

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

WHY WE MUST RETURN ANY BUDGET SURPLUS TO THE TAXPAYERS

Mr. GRAMS. Mr. President, I rise today to express my strong disappointment as my colleagues waffle on our commitment to allow working Americans to keep a little more of their own money.

I rise as well, Mr. President, to make the case for returning any potential budget surplus to the taxpayers.

Mr. President, I was shocked to pick up the Washington Times on February 18 and find the headline ''Senate GOP leaders give up on tax cuts.''

Having been elected on a pledge to reduce taxes for the working families of my state, the idea that we would so quickly abandon a core principle of the Republican Party is a folly of considerable proportions, one I believe would abandon good public policy.

In all the legislative dust that is kicked up in Washington, someone has to consider the impact of high taxes and spending, and speak up for the people who pay the bills: the taxpayers.

When the Republican Conference met on February 11 to outline our budget priorities for the coming year, I joined many of my colleagues in stressing the need for continued tax relief. I did not leave the room with the belief that we had abandoned the taxpayers.

Yet that is precisely what the Conference's ''Outline of Basic Principles and Objectives'' does, because under the Conference guidelines, tax relief for hard-working Americans would be nearly impossible to achieve.

Mr. President, since its very beginnings in the 1850s, the Republican Party has dedicated itself to the pursuit of individual and states' rights and a restricted role of government in economic and social life.

In 1856, the slogan of the new party was ''Free Soil, Free Labor, Free Speech, Free Man.'' It is still our firm belief that a person owns himself, his labor, and the fruit of his labor, and the right of individuals to achieve the best that is within themselves as long as they respect the rights of others.

The fundamental goal of the Republican Party is to keep government from becoming too big, too intrusive, to keep it from growing too far out of control.

We constantly strive to make it smaller, waste less, and deliver more, believing that the government cannot do everything for everyone; it cannot ensure ''social justice'' through the redistribution of private income.

These two different approaches of governance are indeed a choice of two futures: A choice between small government and big government; a choice between fiscal discipline and irresponsibility; a choice between individual freedom and servitude; a choice between personal responsibility and dependency; a choice between the preservation of traditional American values versus the intervention of government into our family life; a choice of long-term economic prosperity and short-term benefits for special interest groups, at the expense of the insolvency of the nation.

I think history has proven that whenever we have stuck to Republican principles, the people and the nation prosper, freedom and liberty flourish; whenever we abandon these principles for short-term political gains, it makes matters far worse for both our Party and our country.

Here are two examples. Facing a $2 billion deficit and economic recession in 1932, the Hoover Administration approved a plan to drastically raise individual and corporate income taxes.

Personal exemptions were sharply reduced and the maximum tax rate increased from 25 percent to 63 percent. The estate tax was doubled, and the gift tax was restored. Yet the federal revenue declined and the nation was deeply in recession.

President Reagan took the opposite approach in 1981 when he enacted a 25 percent across-the-board tax, and again in 1986 when he signed a landmark piece of legislation to reduce the marginal tax rate to a simple, two-rate income tax system: 15 percent and 28 percent.

What resulted was nothing short of an economic miracle. Our nation experienced the longest peacetime economic expansion in American history, the benefits of which we are still enjoying today.

Over eight years, real economic growth averaged 3.2 percent and real median family income grew by $4,000, 20 million new jobs were created, unemployment sank to record lows, all classes of people did better, and in spite of lower rates, tax revenues increased dramatically.

Mr. President, let us not forget the fact that the Republicans gained control of Congress in 1994 because we were the champions of the taxpayers—the American people trusted us to carry out our promise when we said, ''Elect a Republican majority and we will work to let you keep more of the money you earned.''

The taxpayers elected us with the expectation that Republicans would seize every opportunity to lessen the tax burden on America's families.

They certainly did not elect Republicans thinking we would be a collaborator of the President's tax-and-spend policies—that we wouldd build a bigger, more expensive government at the first chance we got and completely abandon our promise of tax relief for them.

Is this the same Republican majority that arrived in Washington in January of 1995, ready to create fundamental change in a government that had enslaved so many working families for so many years?

Is this the same Republican majority that promised the American people that there was no turning back to the era of big government and higher taxes? Is this the same Republican majority that I was so proud to be part of?

It has been tremendously disappointing to me, and I believe the majority of taxpayers, to read the recent comments from those who have endorsed the President Clinton's ''save Social Security first'' gimmicks and are seeking to eliminate meaningful, achievable tax cuts from the next fiscal year's budget.

As I said before on this floor, if we do not carry out the taxpayers' agenda, we may as well pack up our bags and go home, because we will have failed. And the price of that failure will fall on the backs of those we were elected to represent. I believe any retreat from that promise would be a terrible mistake.

Tax relief is still critical for America for two basic reasons—moral and economic.

First, there is a moral case to be made for continuing tax cuts.

The robust American economy and working Americans, not government action, have produced this unprecedented revenue windfall. These unexpected dollars have come directly from working Americans—taxes paid by consumers, individual labor, and investment income. This money belongs to the American people.

Washington should not be allowed to stand first in line to take that away from American families, workers, and job creators. It is moral and fair that they keep it.

We have also heard the argument that we already had a large tax cut last year, so there is no need for more tax cuts. Let me set the record straight.

Last year, after spending $225 billion unexpected revenue windfall and busting the 1993 budget spending caps to do it, the Republican Party delivered tax relief only one-third as large as what we would promised in 1994.

Those tiny tax cuts—no more than slivers, really—amounted to less than one cent of every dollar the federal government takes from the taxpayers. Is one cent worth of tax relief too much? I do not really think so.

And the President today wants to increase spending by $123 billion and increase taxes $115 billion, wiping out entirely—and more—the tax reduction of 1997.

A recent Tax Foundation study shows that 1997's tax cuts came too late to stem the rising tax burden on the American families.

The study finds that Federal, State and local taxes claimed an astonishing 38.2 percent of the income of a median two-income family making $55,000—up from 37.3 percent in 1996. That is about a 1 percent increase.

When we ask the Government to take a small cut of 1 percent across the board they say it's impossible. But nobody asked the taxpayers how they were going to manage to pay another percent more of their income in taxes. They either had to reduce their spending or make do without. But the Federal Government doesn't have to do that. Federal taxes under President Clinton consumed 20 percent of America's entire gross domestic product in 1997. That is the highest level since 1945, when taxes were raised to finance the enormous expenses of the Second World War.

The average American family today spends more on taxes than it does on food, clothing, and housing combined. If the ''hidden taxes'' that result from the high cost of government regulations are factored in, a family today gives up more than 50 percent of its annual income to the government. At a time when the combination of federal income and payroll taxes, State and local taxes, and hidden taxes consumes over half of a working family's budget, the taxpayers are in desperate need of relief.

Thanks to the Clinton Administration, the Democratic minority, and the Republicans of this Congress, big government is alive and well. In fact, the Government is getting bigger, not smaller. Total taxation is at an all-time high. So is total Government spending. Annual Government spending has grown from just $100 billion in 1962 to $1.73 trillion today, an increase of more than 17 times. Even after adjustment for inflation, Government spending today is still more than three times bigger than it was 35 years ago. It will continue to grow to $1.95 trillion by 2003 nearly $2 trillion a year. In the next 5 years, the government will spend $9.7 trillion, much of it going toward wasteful or unnecessary government programs. Tax relief is the right solution because it takes power out of the hands of Washington's wasteful spenders and puts it back where it can do the most good: with families.

There is also an economic case for cutting taxes for working Americans. Lower tax rates increase incentives to work, save, and invest. They help to maximize the increase in family income and improvements in standards of living. Beyond the direct benefits to families, tax cuts can have a substantial, positive impact on the economy as a whole. It was John F. Kennedy who observed that:

> an economy hampered with high tax rates will never produce enough revenue to balance the budget just as it will never produce enough output and enough jobs.

President Kennedy was able to put his theories to work in the early 1960s, when he enacted significant tax cuts that encouraged one of the few periods of sustained growth we have experienced since the Second World War. Twenty years later, President Ronald Reagan cut taxes once again. The reinvigorated economy responded enthusiastically.

Mr. President, should we save Social Security first or provide tax cuts first? My answer is that we must do both in tandem. We had a very similar debate last year about whether we should balance the budget first and provide tax cuts later. The truth is we can absolutely do both at the same time, as long as we have the political will to enact sound fiscal policies.

I agree with the Conference leadership that reforming the Social Security and Medicare programs to ensure their solvency is vitally important. Any projected budget surplus should be used partly for that purpose. Yet, I believe strongly that the Congress owes it to the taxpayers to dedicate a good share of the surplus for tax relief. After all, the Government has no claim on any surplus because the Government did not generate it—it will have been borne of the sweat and hard work of the American people, and it therefore should be returned to the people in the form of tax relief.

Our Social Security system is in serious financial trouble, a fiscal disaster-in-the-making that is not sustainable in its present form. Simply funneling money back into it will not help fix the problem. It will not build the real assets of the funds for current and future

beneficiaries and it does not address the flaws of the current pay-as-you-go finance mechanism. Without fundamental reform, using the general revenue to pay for Social Security equals a stealth payroll tax increase on American workers. I believe using part of the budget surpluses to build real assets by changing the system from pay-go to pre-funded is the right way to go.

The President is maintaining that not one penny of the surplus would be used for spending increases or tax cuts. To that, I must say Mr. Clinton is not being at all truthful to the American people. In his FY 1997 budget, he proposes $150 billion in new spending, which is well above the spending caps he agreed on last year. In the next five years, he will raid over $400 billion from the Social Security trust funds to pay for his Government programs. If Mr. Clinton is serious about saving Social Security, he should stop looting the Social Security surplus to fund general government programs, return the borrowed surplus to the trust funds, and withdraw his new spending initiatives—only then will he be qualified to talk about saving Social Security.

Wrapping up, Republicans should not allow Mr. Clinton to hold any budget surplus hostage. We should continue pursuing our ''taxpayers' agenda'' and do what is right for working Americans. It is clear to me that returning part of the budget surplus to the taxpayers in the form of tax relief is the right thing to do. But how should we do it? In my view, the best way is to have an across-the-board marginal tax rate cut and eliminate the capital gains and estate taxes. This will help to improve American competitiveness in the global economy and increase national savings.

However, tax cuts will not solve the problems once and for all. The origin of this evil is the tax code itself. We must end the tax code as we know it and replace it with a simpler, fairer and more taxpayer-friendly tax system.

By creating a tax system that is more friendly to working Americans and more conducive to economic growth—one based on pro-family, pro-growth tax relief—Congress and the President can make our economy more dynamic, our businesses more competitive, and our families more prosperous as we approach the 21st century.

Again, to omit tax cuts from this year's budget resolution is totally unacceptable to Republicans seeking to deliver on our commitment to return money to the taxpayers. I will not walk away from our obligation to the American taxpayers to pursue a Federal Government that serves with accountability and leaves working families a little more of their own money at the end of the day. I intend to make good on my promise to the taxpayers, and I urge my fellow Republicans, especially our leadership, in the strongest terms possible, to honor your commitment as well by considering meaningful tax relief in the budget resolution.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will now stand in recess until the hour of 2:15.

Thereupon, at 12:52 p.m., the Senate recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. COATS).

Mr. BURNS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

PAYCHECK PROTECTION ACT

The Senate continued with the consideration of the bill.

Mr. FEINGOLD. Mr. President, what is the pending business?

The PRESIDING OFFICER. The time is occurring equally divided on the bill until 4 p.m.

Mr. FEINGOLD. Mr. President, I ask to yield 5 minutes to the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator has that right. The Senator from Rhode Island.

Mr. REED. Thank you, Mr. President.

Mr. President, today I rise in strong support of the bipartisan compromise amendment offered by Senators MCCAIN and FEINGOLD. This would be reasonable but limited reform of our campaign finance system, reform that is long overdue.

This legislation would effectively change two very important issues with respect to campaign finance reform. First, it would ban soft money, those unlimited, unregulated gifts by corporations, wealthy individuals, and unions to political parties. The soft money issue has created a great crisis within the electoral system of the United States.

Second, the bill would require those who run broadcasts which expressly advocate the election or defeat of a candidate within a certain window, 30 days of a primary or 60 days of a general election, to play by the same rules applying to candidates and others who participate in political campaigns. Thus, organizations funding such broadcasts would have to disclose the individuals and political action committees which fund their advertisements.

This would curtail what has become an explosion throughout our American political system. Phony issue advertisements are unconstrained, cropping up suddenly, without attribution, to strike at candidates.

These are two very important reforms which must be implemented to preserve the integrity of our political system by inspiring within the American people confidence that we, in fact, are conducting elections and not auctions for public offices. I believe these provisions are very, very important.

Again, I commend both Senators MCCAIN and FEINGOLD for their efforts. I also commend my colleagues from the States of Vermont and Maine. Senator JEFFORDS and Senator SNOWE are proposing another amendment which would help break the current gridlock we have on this legislation. The Snowe-Jeffords proposal also addresses the issue of phony advertising through better disclosure of those who are participating in campaigns. I think their efforts are commendable.

Frankly I prefer a much more robust form of campaign finance reform. I believe that at the heart of our problem is the Supreme Court decision of Buckley v. Valeo, which more than 20 years ago held that political campaign expenditures could not be limited. Frankly, I think the decision is wrong. Justice White, who dissented from that opinion and, by the way, was the only Member of that Court with any practical political experience, declared quite clearly that Congress has not only the ability but the obligation to protect the Republic from two great enemies—open violence and insidious corruption.

Indeed, the Court in Buckley did accept part of that reasoning by outlawing unlimited contributions to political campaigns, but they maintained that unlimited expenditures were constitutionally permissible.

I believe that we should go further than this bill proposes today. Indeed, we have practical examples within the United States of systems that do constrain contributions and expenditures in political campaigns.

I was interested to note that in Albuquerque, NM, since 1974, the mayor's campaign has been limited to an expenditure of $80,000, equivalent to the salary of the mayor. I know as I go around my home State of Rhode Island, people often ask why a candidate would spend more money in a campaign than he or she would receive in salary to hold that office. In Albuquerque, they took the rather interesting step of capping expenditures to the pay of the mayor.

It turns out that for the last 23 years, the Albuquerque system worked well. Unfortunately, last year the Albuquerque law was challenged in court under the Buckley v. Valeo theory. Up until last year, the municipal law was a model of not only good campaign finance practice but of also good electoral politics. A former mayor, who held the position during the challenge said, ''No one's speech was curtailed, no candidates were excluded, the system worked well.''

I hope we can adopt on another day robust campaign finance reform that would begin to revise the Buckley v. Valeo decision. But today we are here

to support McCain-Feingold, to take a limited step forward to ensure that we go after the two most pressing problems currently facing our political system: the prevalence of soft money and the explosion of issue advertising by third parties. These unaccountable groups surreptitiously enter the race, deal their blow and leave.

I believe if we support today the McCain-Feingold formula, we can, in fact, take a step forward to ensure that our political system is recognized by people as legitimate and positive. I yield back my time.

The PRESIDING OFFICER. Who yields time?

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. I yield 5 minutes to the senior Senator from California.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Thank you very much, Mr. President. I thank both the Senator from Arizona and the distinguished Senator from Wisconsin for their yeoman's work, their perseverance and their energy on behalf of this cause.

I am one who, in a very short period of time, has had to raise very large amounts of money for political campaigns. And I am one who has watched and seen the evolution of soft money and what that soft money has wrought upon the American political system.

So I rise today to join with my colleagues in very staunchly supporting the McCain-Feingold legislation.

Since the 1996 election, Members of Congress and the public have repeatedly called for reform of what is, without question, a broken system.

Congress had ample opportunity to pass this bill last October, but, shamefully, after so much talk, there was still no action to back it up. It should be no source of pride for this body to know that the public believes that Congress is all talk and no action on an issue that has dominated the Washington agenda for the last year and a half.

Now we have an opportunity to put our votes where our mouths are when it comes to campaign spending reform and, if nothing else, vote to ban soft money.

It is interesting to read the newspapers where Member of Congress after Member of Congress admits to the vicissitudes and the problems of soft money. For the first 6 months of 1997, the Republican Party raised $21.7 million and the Democrats $13.7 million. Both of these figures are increases over the 1995–1996 cycle, and both are sure to rise in the coming months.

While many in this body would like to see stronger legislation, and some would like to see no legislation at all, it is important to note that McCain-Feingold is essentially a stripped-down bill, pared to address a number of the most pressing issues. The most important aspect is soft money.

Last fall, we had a healthy debate about the amounts of soft money flowing in and out of party coffers, so I am not going to speak at length about that. But without reform, we can expect soft money expenditures to rocket up with no brakes.

The Court's decision in the Colorado case opens the door to unlimited independent party spending on behalf of candidates running for office as long as those expenditures are not coordinated with the candidates.

Prior to the Colorado decision, parties long supported their candidates with hard money. Those were the regulated dollars. In our case, limited to $1,000 contribution per election.

Increasingly, though, candidate advocacy has fallen to soft money, and that is money contributed in unlimited, unregulated amounts from seldom-disclosed sources.

Increasingly, the form that soft money takes is in scurrilous, vituperate ads that are often far different than reality. I believe that goes for both sides of the aisle. I think it is a scourge on our American political system.

We have an opportunity today to say we ban soft money and to limit express advocacy to a certain length of time prior to the election so that the opportunity for untrue, false and often defamatory ads is greatly reduced. If this bill were to do nothing else, I think that would be an enormous contribution to the political culture of a campaign.

One of the reasons, Mr. President, I did not cast my hat in the California gubernatorial campaign is because of the specific nature of campaigns today. There is very little that is uplifting about them.

The McCain-Feingold bill bans soft money and prohibits parties from funneling money to outside groups and would prohibit party officials from raising money for such groups.

Instead, these groups—and there are similar advocacy groups on both sides—would have to raise money from individual contributors or from PACs to raise money.

There is nothing in the bill barring these groups from continuing to participate in campaigns, but the bill does prohibit these outside groups from serving as de facto party adjuncts funded by the parties.

Also, this bill does nothing to prevent individuals from making unlimited contributions to advocacy groups, it merely requires them to report their contributions.

UNREGULATED SPENDING

This brings me to the critical issue of unregulated spending. This is, essentially, unlimited and undisclosed soft money spent outside the party system.

A study released last fall by the Annenberg Public Policy Center estimated that over two dozen independent groups spent between $135 million to $150 million on so-called issue advertising during the 1996 election cycle.

Of the ads that were reviewed, 87 percent mentioned clearly identified candidates and a majority of those ads were negative.

Most of the time we don't know where these ads come from or who pays for them. All we see are vicious personal attack ads which pop up on television during a campaign and, occasionally, a follow-up newspaper article or report claiming credit and detailing the particulars of the attack.

Let me give you some examples of what I am talking about:

This is an issue ad that ran in the last Virginia Senate election. It was placed by a group called Americans for Term Limits:

> Announcer: It's a four letter word. It's a terrible thing. It's really a shame it's so widespread. It's here in Virginia. The home of Washington and Jefferson . . . of all places. The word is D-E-F-Y. Defy. That's what Senator X is doing. He's defying the will of the people of Virginia and America. By a five to one margin, the people who pay Warner's salary support Congressional term limits. Yet Warner is defying the people's will on term limits—on important and needed reform. Senator X has refused to sign the U.S. Term Limits Pledge and has promised to fight against enactment of Congressional term limits. An 18-year Congressional incumbent, Senator X, is defying the clearly expressed wishes of the people he's supposed to represent. Call Senator X and ask him to stop defying the will of the people on term limits. Your action can make a difference. Tell Senator X to sign the U.S. Term Limits Pledge.

The AFL–CIO ran the following ad in its much publicized campaign:

> Announcer: Working families are struggling. But Congressman X voted with Newt Gingrich to cut college loans, while giving tax breaks to the wealthy. He even wants to eliminate the Department of Education. Congress will vote again on the budget. Tell Congressman X, don't write off our children's future.

Both of these ads are clearly designed to get voters to support one candidate—or in both of these to oppose a specific candidate—and both mention candidates by name.

Yet, both are artfully crafted to elude campaign disclosure laws because neither use the ''magic words'' that would make them express advocacy and subject to campaign finance laws. The ''magic words'' outlined in a footnote on the Buckley case are ''vote for,'' ''elect,'' ''support,'' ''cast your ballot for,'' ''Smith for Congress,'' ''vote against,'' ''defeat,'' and ''reject.''

McCain-Feingold modernizes the definition of express advocacy and adds to its current definition the criterion of using a candidates name in advertisements within 60 days of an election.

What this means is that campaign advertisements that use a candidate's name within 60 days of the election would be considered express advocacy and could not be funded with unregulated and undisclosed money.

Instead, groups wanting to expressly advocate the election or defeat of an identified candidate would have to abide by federal campaign finance laws, raise hard money to fund their attacks and disclose the donors.

Will this have a dramatic impact? The answer is unequivocally yes.

Candidate ads that name names and run within 60 days of the election will be recognized for the express advocacy they are and would be subject to funding limits and reporting requirements. issue ads meant to educate voters on the issues will still be permitted as long as they do not cross the line.

Last month, a Wisconsin court looked at exactly this issue: if the state can crack down on advertisements clearly designed at influencing the election, but that stop short of requesting voters to support or oppose candidates.

The debate in the Court mirrors exactly what the issue is here. Wisconsin Attorney General James Doyle said in a Washington Post article:

> The heart of this issue is if you run an ad that any reasonable person who looks at it recognizes to be a political ad, just before an election, in which you call a particular person names, and use phrases like ''send a message'' to that person but do not use the magic words ''vote for'' or ''vote against,'' whether you can then avoid all the basic campaign finance laws that we have in the state.

That is what we're looking at here and that is exactly the issue we have before us.

OTHER NOTEWORTHY AREAS IN THE BILL

There are some other areas of the bill which, I believe, enhance accountability for how campaign money is spent.

Requiring candidates to attest to the content of ads they fund. I would like to see this go one step further and require candidates to attest to the veracity of independent ads that are run on their behalf. The problem lies not with the candidates, but with these anonymous attack ads.

Leveling the playing field between self-financed candidates and candidates who rely on contributions. This bill prohibits parties from making coordinated expenditures on behalf of candidates who spend more than $50,000 of their own money. I would like to see a mechanism whereby we would raise individual contribution limits for candidates running against self-financed candidates.

Lowering the disclosure requirement for contributions to candidates from $200 to $50.

Requiring that any person (including political committees, i.e. unions, corporations, and banks) making independent expenditures over $10,000 (aggregate) prior to 20 days before an election, file a report with the FEC within 48 hours.

Requiring that any person (including political committees, i.e. unions, corporations, and banks) making independent expenditures over $1,000 within 20 days of an election report that expenditure to the FEC within 24 hours.

Requiring individuals making disbursements of over $50,000 annually (aggregate) file with the FEC on a monthly basis.

CONCLUSION

It is important to note that nothing in this bill prohibits any type of speech. We are all aware of the Court's guarantee in Buckley that spending is the equivalent of speech. With the exception of banning parties receiving soft money, nothing in this bill limits how much can be spent on campaigns.

This legislation seeks to hold candidates accountable for what they say, how they say it and, most importantly, how far unregulated special interests are allowed to go in paying to impact elections.

This bill gives Congress the opportunity to make a real difference. I hope we will have that chance.

The PRESIDING OFFICER. The 5 minutes allocated to the Senator have expired.

Mrs. FEINSTEIN. I thank the Chair.

Mr. MCCONNELL. Mr. President, I yield 5 minutes to the distinguished Senator from Idaho.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAIG. Mr. President, I thank my colleague for yielding to me. Let me, again, tell him how grateful I am for the work he has done on the issue of campaign finance reform and the clarity which he has brought into the debate which I think the American people now understand.

I say that in the context now of the discussion that goes on in this Chamber, and I also look at the news of the day. The media, I think, has really attempted to work up a bit of a feeding frenzy, showing all kinds of angles as to how this issue might have divided Congress, that it has divided the members of the same party, that there is a cry of outrage across the land as people stand up ready to storm the Capitol in protest over this issue. But despite the media's efforts and despite their hype, the public really does not care about this issue. In the most recent Gallup poll, where people were asked about the most important problems facing the country, campaign finance reform did not appear in the top five items on the list. In fact, in all honesty, Mr. President, it did not appear at all.

The same stands true for the latest CBS News poll and the latest Time/CNN poll, and even the latest Battleground poll by Ed Goaes and Celinda Lake, which is a bipartisan effort to balance out the issues so you cannot question that it might be distorted one way or the other. After extensive research of all of the major polling groups, the issue of campaign finance reform did not show up as a concern amongst almost every American.

What is important to the American people are issues like crime, economic health, health care, education, Social Security and the moral decline of our country. What people really care about is whether their kid will get to school and back safely and whether the schooling they are going to get once they get there is good and of high quality.

They care about keeping their jobs and trying to make ends meet while they watch a good portion of their hard-earned money go to Washington to support what they think is a wasteful Federal bureaucracy.

They care about their future, whether they can save enough money to someday retire and whether they have affordable health care. What they do not care about is campaign finance reform. It isn't a real issue at all. It is an issue created here inside the beltway to try to divide and in some instances to conquer.

Let us just suppose for a minute that people really did care about campaign finance reform, that they sat around the dinner table at night and said, ''Well, dear, how was your day at the office? And, oh, by the way, shouldn't we reform campaign finance?'' I doubt that that question has been asked at any dinner table in America since the last election—after hundreds of millions of dollars were spent by some interests only to generate a passing question about how the system works.

What Americans really do need to know are the details of the campaign laws that are currently on the books. You know, once you begin to explain the laws that are out there today, their eyes glaze over and they say, ''Well, isn't that enough?'' And I think they need to know about some appalling campaign practices that were used by this administration in their reelection.

Now, we had a committee spend millions of dollars here searching out these allegations. I use the word ''allegations.'' My guess is the only result from it was that it diverted our attention away from other scandals besetting this administration for some period of time.

They need to know what Congress wants to do to reform campaign finance laws and to level the playing field so that neither political party has an unfair advantage over the other. They need to know what we are going to do to make all political contributions voluntary so that no person, union or nonunion worker, is forced to pony up their money for political purposes without their expressed consent or permission.

Is it possible that today in America people are forced to contribute money that goes to political purposes they do not want? Oh, yes, Mr. President, you bet it is. And that is the issue in an amendment before us. I do not care how the other side tries to whitewash it, the bottom line is hundreds of thousands of American working men and women who are members of unions, when given the opportunity to give voluntarily, walk away from the forced contribution that goes on currently within their unions.

Americans need to know what we are going to do to give them complete and immediate access to campaign contribution records about who gives and to whom. This prompt and full disclosure of so-called ''soft money'' campaign donations will make the names of the donors immediately public and allow voters to decide if the candidate is looking after their best interests.

So I have suggested to you today what I think Americans want to know and, most importantly, what Americans do not want to know or do not care to know or sense no urgency in knowing.

However, under the McCain-Feingold plan, there would be an across-the-board ban of soft money for any Federal election activity, Mr. President. I feel this is a grave mistake for the political process. Report it? You bet. Report it promptly? You bet. Let the American people know they have a right to know. To ban it? Well, let us talk about that for a moment.

Let me first recognize my colleagues who have worked hard on this issue, and let me also recognize that I think they are people with a deep concern. I have great respect for them. I have respect for their tenacity and their diligence as they brought this issue to the floor. But I just flat disagree with them. And I think a good many other of my colleagues disagree with them. And I think there is a substantial basis for that disagreement.

As for the ban on soft money, I have several major reservations on how this measure would ultimately impact the current campaign finance system, not improving it, but creating such a hardship on this country's State and local political parties that it would force them to spend more time concentrating on raising money in order to exist.

Under the McCain-Feingold proposal, the ban on soft money, any State and local party committees would be prohibited from spending soft money for any Federal election activity.

Right now, State and local parties receive so-called ''soft money'' from their national political parties. Here in Washington, both the Republican National Committee and the Democrat National Committee receive money from donors. Some of that money is then distributed to the respective political parties in counties and locales around this country. There are thousands of State, county and local party officials who receive this financial aid.

Then, under certain conditions—and they are clear within the law—the money is used for activities such as purchasing buttons and bumper stickers and posters and yard signs on behalf of a candidate. The money is also used for voter registration activities on behalf of the party's Presidential and vice Presidential nominees. The money is also used for multiple candidate brochures and even sample ballots.

Let us talk about election day. You go down to the local polling site. Maybe it is a school or a church or an American Legion hall. Sometimes there is a person standing out there who hands you a sample ballot listing all of the candidates running for office in your party and the other party. And it is quite obvious some people at that point are not yet informed. They tend to vote their party. This is an assistance. No subterfuge about it. It is very up front. It is very clear and it is what informing the public and the electorate is all about.

But under the McCain-Feingold proposal, it would be against the law to use soft money to pay for a sample ballot with the name of any candidate who is running for Congress on the same ballot that the State and local candidates were on.

Under McCain-Feingold, it would be against the law to use soft money to pay for buttons, posters, yard signs, and brochures that include the name or the picture of a candidate for Federal office on the same item that has the name or the picture of a State or a local candidate office on it. What you are talking about is setting up a morass of laws to be implemented and to be enforced that becomes nearly impossible to do.

I ask unanimous consent for an additional 5 minutes.

Mrs. BOXER. Reserving the right to object.

The PRESIDING OFFICER. Does the Senator from Kentucky yield the Senator from Idaho the additional 5 minutes?

Mr. McCONNELL. Yes.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAIG. Under McCain-Feingold, it would be against the law to use soft money to conduct a local voter registration drive for 120 days before the election. These get-out-the-vote drives, which have proven to be effective tools for increasing all of our parties' interests and the public's interests, would simply be banned.

Why would we want to ban all that I have mentioned? Because under these new laws in McCain-Feingold's plan State and local officials would have to use hard money instead of soft money. And already by what I have said, the public is confused. What is hard money? What is soft money? How does it get applied? We have the FEC that is out there now trying to make rulings on something that happened 3, 4, 5 years ago. What we are talking about is timely reporting, not creating greater obstacles for the process.

Most importantly, what we are talking about, Mr. President, is free speech. It is what the majority leader has called very clearly the greatest scandal in America. Well, the greatest scandal in America is not campaign financing. The greatest scandal in America is trying to suggest that there is a scandal when it does not exist, a scandal that under anyone's measurement just does not meet the muster.

Poll America. I have mentioned that polling. And it does not work. Back home in my State, when I suggested at town meetings that campaign finance is an issue, they scratch their heads and say, ''Why?'' Most importantly, today, now they are coming out and saying, ''No. And, Senator CRAIG, let me tell you why it wouldn't work. Because I, as an individual, am a member of a small group, and I can contribute collectively and that small group's voice can become louder. And if I am able to make my voice louder, then I can affect, under the first amendment of the Constitution, my constitutional right as a free citizen of this country by the amplification of my voice, my ideas, and my issues in the election process.''

Of course, our colleague and leader on this issue, Mitch MCCONNELL, has made it so very clear by repeating constantly what the courts of our country have so clearly said—that the right to participate in the political process, the right to extend one's voice through contribution is the right of free speech.

So no matter how you look at what is going on here on the floor, no matter how pleading the cries are that major reform is at hand, let me suggest a few simple rules. Abide by the laws we have—and 99 percent of those who enter the political process do—abide by those laws, and you do not walk on the Constitution and you guarantee the right of every citizen in this country, whether by individual power or by the collective power of individuals coming together, the insurance of free speech.

Why has the Senate rejected this issue in the past? And why will they reject it Thursday when we finally vote on this once again? Because we will not trample on free speech. We recognize what Americans across the board have said to us: Provide limited instruction, which we already have in major campaign finance reform over the last several decades, and then we trust that we will be able to extend our voice in the political process, and through that our freedoms, our constitutional freedoms, will be guaranteed, and the political process will not be obstructed by the bureaucracy that is trying to be created here today by McCain-Feingold.

Let us look at the reality of this situation. Because of these new restrictions, local party officials—say like the Republican party chairman in Custer County, ID,—will be forced to seek out hard money donations from local businesses and individuals to fund these political activities.

In a county of a little better than 4,000 people, this party official—who is more than likely a volunteer—now has to spend more of his or her time fundraising, not to mention the fact that those with more money stand a better chance of winning an election.

Party affiliation will become insignificant.

In other words, raising hard money will become a bigger concern for these State and local officials than ever before. And, whomever raises the most money can then fund more political activities.

Mr. President, what kind of campaign finance reform is this? What are we trying to accomplish? We've just added more laws to a system that is already heavily burdened with regulations, forced thousands of State and local party officials to go out and raise money, and created more confusion for the voters. If the point of the McCain-

Feingold plan is to reform the campaign finance system, the last thing you want to do is ban soft money.

Instead, full and immediate public disclosure of campaign donations would be a much more logical approach.

With the help of the latest technology, we could post this information on the Internet within 24-hours. Let us open the records for everyone to see.

Anyone interested in researching the integrity of a campaign, or in finding out the identity of the donors, or in looking for signs of undue influence or corruption would only have to have access to a computer. They could track a campaign—dollar for dollar—to see first hand where the money is coming from.

But Mr. President, what bothers me the most about the McCain-Feingold proposal is not what is in the bill, but what has been left out.

As I said, it is—what the majority leader once called—''the great scandal in American politics * * * and the worst campaign abuse of all.'' That is the forced collection and expenditure of union dues for political purposes.

Mr. President, this is nothing short of extortion.

Let me make myself clear, I fully support the right of unions and union workers to participate in the political process. Union workers should and must be encouraged to become involved and active in the electoral process. It is no only their right but their civic responsibility.

Back in my home state of Idaho, I meet with union workers in union halls, on the streets, and in their homes. And I hear their complaints, their anger and their outrage over how their dues are being spent and mishandled by national union officers.

They say to me ''Senator CRAIG, every month I am forced to pay dues that are used for political purposes I don't agree with. But what can I do? If I speak out, they'll call me a trouble maker!''

During the 1996 elections alone, union bosses tacked on an extra surcharge on dues to their members in order to raise $35 million to defeat Republican candidates around the country. It is likely they used much more of the worker's money than they reported, but I am sure we will never find out the truth.

But under the Paycheck Protection Act, union workers will have new and exapanded rights and the final say on how their money is being spent. The legislation not only protects the rights of union workers, but also makes it clear that corporations adhere to the same measure.

Unions and corporations would have to get the permission in writing from each employee prior to using any portion of dues or fees to support political activities. And, workers will have the right to revoke their authorization at any time.

Finally, employees would be guaranteed the protection that if their money was used for purposes against their will, it would be a violation of Federal campaign law. Mr. President, this is commonsense legislation and it is the right thing to do.

Mr. President, I thank my colleague from Kentucky for his leadership on this issue.

The PRESIDING OFFICER. Who yields time?

Mr. MCCONNELL. Just briefly, I thank the Senator from Idaho for his outstanding contribution to this debate. We are grateful for his knowledgeable presentation. I thank him very much. I yield the floor.

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. I yield 10 minutes, the first 5 minutes to the Senator from California and the following 5 minutes to the Senator from Michigan.

The PRESIDING OFFICER. The Senator from California is recognized for 5 minutes.

Mrs. BOXER. Thank you very much, Mr. President.

Others have spoken to the merits of the McCain-Feingold bill. They have done so quite eloquently. And I want to share in that praise. Reining in special-interest money is absolutely necessary. Why do I say that? Because this is a Government of, by, and for the people. We learned that in school. It is one of the first things we learned, that Government is of, by, and for the people—not a Government of, by, and for the special interests and the people who are very wealthy and the people who could put on pin-striped suits and come up here and lobby us. It is a Government of, by and for the people. It is not for sale. It must not be for sale. We have an obligation to make sure that it is not. We have an obligation to make sure that there isn't even a perception that it is for sale.

Now, for those who say they don't see the difference between a $5 check, a $25 check, even a $1,000 check versus a $50,000 corporate check or a $100,000 check and even a $1 million check which is allowed under the current system, for those who don't see the difference, I say to them that to me, to this Senator, you are simply not credible. You are not credible. Even if there isn't one bit of a desire on the part of someone giving a $1 million check, it sure looks that way. So we have to have rules in place so that we are not perceived as being a Government that is for sale. That is the soft money. Those are the huge dollars that Senators MCCAIN and FEINGOLD are trying to stop.

By the way, those are the huge dollars that play a big role in campaigns today. Right now in Santa Barbara, CA, there is a very important race going on. Congressman Walter Capps died while in office and there is a spirited race to replace him, two good candidates fighting it out on the issues. Mr. President, money is flowing in from outside California into this race. Money is flowing in from people outside my State to influence an election in my State and it is flowing in huge amounts, and it is flowing into negative advertising. Mr. President, that does not lift the debate.

We heard from the senior Senator from California, Mrs. FEINSTEIN, about the need to raise enormous sums of money. She talked about her own decision not to run for Governor because of that. Let me tell you something I have said on this floor before. To raise the amount of money that she would have needed, or I need today to run for the U.S. Senate, would come to $10,000 a day for 6 years including Saturday and Sunday. Now, for 3 years when I got here I couldn't bear to ask anyone for a penny because I had just come from a very tough race and I didn't want to ask anybody for any money, so I didn't get started for 3 years. That means I have to raise $20,000 a day for 3 years to make this budget. It takes time. It takes effort. It is hard. It takes you away from the things you want to do, not to mention the time to think about creative ways to solve the problems that matter to real people.

Now I agree with Senator CRAIG that when you ask people what they care about the most, they don't list campaign finance reform. They list education, crime, sensible gun control, Social Security, the environment, HMO bill of rights, pensions. But if you ask them, do you want your Senator to be free of conflicts or potential conflicts when he or she votes on the economy, votes on HMO reform, votes on the minimum wage, votes on sensible gun control, they will say, of course, I want my Senator to do what is in his or her heart; I don't want my Senator to be conflicted in this either in fact or in perception.

We have a job here to do. My constituents do care. My constituents do write me about this. My constituents do show up at my community meetings and they want me to be strong for campaign finance reform. I get sick, Mr. President, when I hear people come on this floor or on television and say huge money in politics is the American way. They have actually said that—it is the American way. I don't think that is the American way. I don't think it is right to say that huge money in politics is the American way. I think our founders would roll over in their graves. They didn't write a Constitution so that the privileged few could get access or the perception of access. They founded this Nation based on a Government of, by and for the people. I feel sick when I hear free speech equated with money. Yes, I know the Supreme Court said that. But I disagree vehemently with that decision. If someone wealthy has more free speech than someone who is of modest income or poor, there is something wrong.

So I want to say to my friend, RUSS FEINGOLD, and my friend, JOHN MCCAIN, thank you for your persistence. I say to Senators SNOWE, JEFFORDS, and CHAFEE, thank you for

working with us. I think we will have a victory here.

The PRESIDING OFFICER. Under the previous agreement, 5 minutes was yielded to the Senator from Michigan.

It is the understanding of the Chair that the time was yielded to the Senator from Massachusetts.

Mr. KERRY. The time was yielded to the Senator from Michigan, but the Senator from Massachusetts wanted to inquire if we could lock in a sequence if possible. Would it be possible to ask unanimous consent that I be permitted to proceed for 5 minutes following the Senator from Michigan?

The PRESIDING OFFICER. Is there objection? The Senator from Massachusetts sought consent to follow the 5 minutes allocated to the Senator from Michigan.

Mr. MCCONNELL. Reserving the right to object, this is off the other side's time?

Mr. KERRY. Unless the Senator wants to be good enough to give it to me.

The PRESIDING OFFICER. It appears that is the case.

Mr. MCCONNELL. We are under divided time from now until the vote?

The PRESIDING OFFICER. The Senator is correct.

Mr. MCCONNELL. I have no problem, provided it is coming off Senator FEINGOLD's time.

The PRESIDING OFFICER (Mr. KEMPTHORNE). The time will be so charged.

The Senator from Michigan.

Mr. LEVIN. McCain-Feingold takes direct aim at closing the loopholes that swallowed up the election laws. In particular, it takes aim at closing the soft money loophole which is the 800-pound gorilla in this debate.

As much as some want to point the finger of blame at those who took advantage of the campaign finance laws during the last election, there is no one to blame but ourselves for the sorry state of the law. The soft money loophole exists because we in Congress allow it to exist. The issue advocacy loophole exists because we in Congress allow it to exist. Tax-exempt organizations spend millions televising candidate attack ads before an election without disclosing who they are or where they got their funds because we in Congress allow it.

It is time to stop pointing fingers at others and take responsibility for our share of the blame. We alone write the laws. We alone can shut down the loopholes and reinvigorate the Federal election laws.

When we enacted the Federal Election Campaign Act 20 years ago in response to campaign abuses in connection with the Watergate scandal, we had a comprehensive set of limits on campaign contributions. Individuals aren't supposed to give more than $1,000 to a candidate per election or $20,000 to a political party. Corporations and unions are barred from contributing to any candidate without going through a political action committee.

At the time that they were enacted, many people fought against those laws, claiming that those laws—the $1,000, the $2,000 restrictions and the other ones—were an unconstitutional restriction of the first amendment rights to free speech and free association. The people who opposed the current limits on laws which are supposed to be there but which have been evaded through the loopholes, the people who opposed the law's limits, took their case to the Supreme Court. The Supreme Court ruled in Buckley that the campaign contribution limits were constitutional. I repeat that, because there has been a lot of talk on the floor about limits on campaign contributions being violations of free speech. The Supreme Court in Buckley specifically held that limits on campaign contributions were constitutional.

> It is unnecessary to look beyond the act's primary purpose—to limit the actuality and appearance of corruption resulting from large individual, financial contributions—in order to find a constitutionally sufficient justification for the $1,000 contribution limitation. Under a system of private financing of elections, a candidate lacking immense personal or family wealth must depend on financial contributions from others to provide the resources necessary to conduct a successful campaign . . . To the extent that large contributions are given to security political quid pro quo's from current and potential office holders, the integrity of our system of representative democracy is undermined . . . Of almost equal concern is . . . 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. . .

That is the Supreme Court speaking on limiting contributions and saying that Congress has a right to stem the appearance of corruption which results from the opportunities for abuse which are inherent in a regime of large individual financial contributions.

Then the court said:

> 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."

Now the question is, what are we going to do about it? What are we going to do about the unlimited money? Now the test is us. It is time to quit shedding the crocodile tears, quit pointing the fingers. It is time for us to act. It is our responsibility legislatively and it is a civic responsibility.

I thank the Chair and I thank the Senator from Wisconsin for his leadership, along with Senator MCCAIN.

The PRESIDING OFFICER. Under the previous agreement the Senator from Massachusetts is recognized for 5 minutes.

Mr. KERRY. Mr. President, the rising cost of seeking political office is nothing less than outrageous. Last year (1996), House and Senate candidates spent more than $765 million —a 76 percent increase since 1990 and a six-fold increase since 1976. In the same time frame, the more telling figure for our purposes, the average cost for a winning Senate race went from a little more than $600,000 to $3.3 million. And some of us involved in 1996 races raised and spent a great deal more.

And over the last 3 election cycles "soft money," which is money not regulated by federal election contribution laws, and which largely fuels the barrage of negative attack ads, has increased exponentially. In the 1988 cycle, the major parties alone raised a combined $45 million in soft money. In 1992 that amount doubled—and in the 1995–96 cycle that figure tripled again, to a staggering $262 million. Initial FEC reports show this sorry trend continues in the current cycle.

And if Congressional Quarterly and other sources are correct, the Majority's draft of the campaign fundraising investigation of the Governmental Affairs Committee report, due out later this week, will bluntly declare that in 1996 the federal campaign finance system "collapsed."

The draft of the Minority's portion of that report, according to the same sources, apparently continues that theme, stating that our dependence on large contributions from wealthy persons and organizations is so great that "the democratic principles underlying our government are at risk." It goes on to state, as reported by Congressional Quarterly:

> "We face the danger of becoming a government not of the people, but of the rich, by the rich, and for the rich. . . . Activities surrounding the 1996 election exposed the dark side of our political system and the critical need for campaign finance reform."

Is it any wonder, Mr. President, that Americans believe that their government has been hijacked by special interests—that the political system responds to the needs of the wealthy, not the needs of ordinary, hard-working citizens—and that those of us elected may be more accountable to those who financed our campaigns than to average Americans? Many of them sense that Congress no longer belongs to the people. We are witnessing a growing sense of powerlessness, a corrosive cynicism. The reasons for this cynicism and disconnect are clear. More than anything, Mr. President, they are the exorbitant cost of campaigns and the power of special interest money in politics—the special interest money used to campaign for elective office. Special interest money is moving and dictating and governing the process of American politics, and most Americans understand that.

An NBC/Wall Street Journal poll finds that by a margin of 77 percent to 18 percent the public wants campaign finance reform, because "there is too much money being spent on political campaigns, which leads to excessive influence by special interests and wealthy individuals at the expense of average people." Last spring a New York Times poll found that an astonishing 91 percent favor a fundamental

transformation of the existing system. The evidence of public discontent could not be more compelling.

In the 1996 Presidential and Congressional elections we witnessed an appalling no-holds-barred pursuit of stunning amounts of money by both parties and their candidates. And I must admit that in my own re-election campaign, despite an agreement between my opponent and me to limit expenditures, the amounts raised and spent were staggering.

The American people believe—with considerable justification—that the scores of millions of dollars flowing from the well-to-do and from special interest organizations are not donated out of disinterested patriotism, admiration for the candidates, or support for our electoral system. They have seen repeatedly that public policy decisions made by the Congress and the Executive Branch appear to be influenced by those who make the contributions.

Who can blame them, Mr. President, for believing either that those contributions directly affect the decision-making process, or, at the least, purchase the kind of access for large donors that enables them to make their case in ways ordinary Americans seldom can?

It is no surprise that those who profit from the current system—special interests who know how to play the game and politicians who know how to game the system—continue to try to block genuine reform. If we want to regain the respect and confidence of the American people, if we want to reconnect people to their democracy, we must get special interest money out of politics. That process begins here with the bill before us.

One reason the results of the Governmental Affairs Committee's work may have less impact than it should is the perhaps unavoidable need of each party to highlight the sins of the other. But I am not interested today in assigning blame, Mr. President. As our distinguished colleague, the ranking minority Member of the Committee, Senator GLENN has said, ''There is wrong on both sides.'' Indeed, the minority draft, again as reported by Congressional Quarterly, says the investigation showed that:

> Both parties have become slaves to the raising of soft money. Both parties have been lax in screening out illegal and improper contributions. Both parties have openly sold access for contributions.

Mr. President, the creative minds of campaign managers and candidates alike have found ways to undermine every reform over the years. To attack the problem by a piecemeal approach will not work. One man who knew all about abuse of the campaign finance system, Richard Nixon, once said that campaign finance reform cannot work if it ''plugs only one hole in a sieve.''

Thanks to a unanimous consent agreement last fall, we are here today, finally, to have the first real debate and meaningful action in this Congress on a proposal for campaign finance reform advanced by my good friends, Senators JOHN MCCAIN of Arizona and RUSSELL FEINGOLD of Wisconsin. I supported their original bill, because it assembled a package of meaningful reforms that seemed to Bridge the party divide that has too often poisoned this debate and prevented any real change. And, although its scope is now reduced, I continue to support this version of the bill, because it does move us forward. Throughout my years in this body my goal has been the same as JOHN MCCAIN's and RUSS FEINGOLD's: to get special interest money and special interest access out of politics.

As we begin this debate, most of the pundits tell us that true reform again has no chance. My friend, the junior Senator from Kentucky (Mr. MCCONNELL) has assured us all repeatedly that McCain-Feingold is dead. Yesterday, however, The Washington Post, said that ''the success of this venture depends on the stubbornness of the advocates.'' I am proud to count myself among this group which is determined to see that real reform begins now. And that means continuing to work in the coming days with all those on both sides of the aisle with the fortitude to keep reform alive.

In a recent speech, Bill Moyers quoted a distinguished Republican, former Senator Barry Goldwater, who said some ten years ago that the Founding Fathers knew that ''liberty depended on honest elections,'' and that ''corruption destroyed the prime requisite of constitutional liberty, an independent legislature free from any influence other than that of the people.'' The Senator continued:

> To be successful, representative government assumes that elections will be controlled by the citizenry at large, not by those who give the most money. Electors must believe their vote counts. Elected officials must owe their allegiance to the people, not to their own wealth or to the wealth of interest groups who speak only for the selfish fringes of the whole community.

Those who join JOHN MCCAIN and his hardy band could do no better than to follow Barry Goldwater's advice today.

Today's version of McCain/Feingold still correctly identifies a number of glaring deficiencies in the current campaign finance system and seeks to remedy them. This bill should pass, Mr. President. The American people want these reforms.

Mr. President, because it so fascinates those on the other side of this issue, I'd like to take a moment to explain briefly why the so-called First Amendment objections to a soft money ban do not hold water. Simply put, as a distinguished group of 124 law professors from across the country has pointed out, there is nothing in Buckley v. Valeo that even suggests a problem in restricting, or even banning, soft money contributions. Last September, those distinguished constitutional scholars, led by New York University Law School Professors Ronald Dworkin and Burt Neuborne, joined in a letter to the sponsors of this amendment.

We need to remember that this 1976 Supreme Court decision expressly reaffirmed the right to ban all hard money, corporate and union political contributions in federal elections, stating that Congress had a basis for finding a ''primary governmental interest in the prevention of actual corruption or the appearance of corruption in the political process.'' And the Court recognized the potential for corruption inherent in the large campaign contributions that corporations and labor organizations could generate.

These esteemed scholars point out that the most vital statement of the Supreme Court came in 1990, in Austin vs. Michigan Chamber of Commerce. The scholars tell us, and I quote,

> the Court found that corporations can be walled off from the electoral process by forbidding both contributions and independent expenditures from general corporate treasuries. Surely the law can not be that Congress has the power to prevent corporations from giving money directly to a candidate, or from expending money on behalf of a candidate, but lacks the power to prevent them from pouring unlimited funds into a candidate's political party in order to buy preferred access to him after the election.

Accordingly, these professors continue—and again, I am quoting—''closing the loophole for soft money contributions is in line with the long-standing and constitutional ban on corporate and union contributions in federal elections and with limits on the size of individual's contributions that are not corrupting.''

There have also been a number of references in this debate to the 1996 Supreme Court case of Colorado Republican Federal Campaign Committee vs. FEC. These same scholars have said that

> any suggestion that [the Colorado Republican case] cast doubt on the constitutionality of a soft money ban is flatly wrong. [The Colorado Republican case] did not address the constitutionality of banning soft money contributions, but rather expenditures by political parties of hard money, that is, money raised in accordance with FECA's limits. Indeed, the Court noted that it ''could understand how Congress, were it to conclude that the potential for evasion of the individual contribution limits was a serious matter, might decide to change the statute's limitations on contributions to political parties.''

Mr. President, I suggest to you that these definitive findings on the First Amendment issue have settled the argument. We can now move forward to a healthy and productive debate within the boundaries our Constitution sets before us.

I will acknowledge that, in my judgment, this amendment does not go far enough. Its useful reforms are by no means all we need. That is why, Mr. President, I, along with Senators WELLSTONE, GLENN, BIDEN and LEAHY, introduced S. 918, the ''Clean Money, Clean Elections Act'' last June.

Like the bill before us, S. 918 also bans soft money and takes steps—stronger steps than we can take today—truly to rein in those phony issue ads that are only thinly veiled,

election-oriented advocacy ads, many of which are purely negative attacks. It would also strengthen the Federal Election Commission, reduce the costs of campaigning in many ways, such as by requiring free air time for candidates—and it would effectively reduce the length of campaigns. Our bill contains nearly all the other solid reforms included in the original McCain-Feingold bill.

But fundamentally, the Clean Money bill creates a totally new, voluntary, alternative campaign finance system that removes virtually all private money—and all large private contributions—from federal election campaigns for those who choose to participate.

Let me briefly summarize our proposal: Any Senate candidate who demonstrates sufficient citizen support by collecting a set number of $5 qualifying contributions from voters in his or her state is eligible for a fixed amount of campaign funding from a Senate ''Clean Election Fund.'' To receive public funds, a Clean Money candidate must forego all private contributions (including self-financing) except for a small amount of ''seed money'' (to be used to secure the qualifying contributions raised in amounts of $100 or less), and he or she must limit campaign spending to the allotted amount of ''clean money'' funds. Additional matching funds, up to a certain limit, will be provided if a participating candidate is outspent by a private money candidate or is the target of independent expenditures.

''By placing a premium on organizing rather than fundraising,'' as Ellen Miller of Public Campaign has pointed out, Clean Money Campaign Reform shifts ''the priorities of electoral work back toward those that ought to matter most in a representative democracy: issue development and advocacy, canvassing, and get-out-the-vote drives.''

And most important, once elected, Clean Money office holders are free to spend full-time on the jobs they were elected to do. The days of dialing for dollars would truly be over.

This reform effort began in the State of Maine where in November 1996, a statewide Clean Money, Clean Elections initiative passed by a margin of 56 to 44 percent. Last June Vermont's state legislature adopted a similar measure by a two-thirds margin in the Senate and by better than six to one in the House. Other efforts are underway across the nation. In my home State of Massachusetts, 2,000 volunteers collected 100,000 signatures for a Clean Money initiative—well over the number needed to place it on the ballot this fall. In thirteen other states, from JOHN MCCAIN's Arizona to Connecticut, from Georgia to Oregon, coalitions of effective grassroots advocates are all working hard for Clean Money reform.

I believe the day is coming, Mr. President, when the Congress will have no choice but to approve this fundamentally simple reform. It will finally put an end to the senseless money chase and totally eliminate the influence of private money in our campaigns—and thereby let the people buy back their politicians.

That day is not yet here. I am a realist. Although the grassroots work in the vineyards of state legislatures and state initiative campaigns is on the march, we are not close enough to reach that goal in this chamber today. But today we can make a down payment on the debt we owe the people who sent us here by supporting McCain-Feingold. I support it without reservation.

I congratulate and thank both sponsors of this bill for their efforts in putting together this bill and fighting for it. It is good legislation. It is needed legislation. It heads us in the right direction.

I commend Senator FEINGOLD for his hard work, his determined bipartisanship, and his commitment to making our political process a cleaner, better and more democratic system. The junior Senator from Wisconsin, who joined this body after a race in which he was outspent three to one, has worked tirelessly to make real progress possible.

And I especially commend the work of Senator MCCAIN. All of us understand the stamina it takes to assume a mission of this kind, and to stick with one's convictions despite opposition from friends. JOHN MCCAIN has always excelled as a patriot, and with this legislation, he has done so again. He courageously pursues a just cause. I am proud, once again, to stand with JOHN MCCAIN and support his amendment.

Mr. President, one reason the naysayers are again predicting defeat for reform is their reliance on smokescreens like the so-called ''paycheck protection'' proposal that is clearly designed as a poison pill to sink this reform. We cannot let that effort deter us. Nor can we ignore the plain fact that it is being pressed by the big business lobbyists whom my friend RUSS FEINGOLD has called ''the Washington Gatekeepers,'' the ones who in many cases decide who get the largest contributions. These folks, as the Senator points out, are the ones ''who transfer the money to the politicians and produce the legislative votes that go with it.''

The American people must not—and I believe they will not—be fooled by these attempts at sabotage. This is not a complex issue. All of us face a stark, but simple choice—a choice between the disgraceful status quo and an important step forward. Despite the efforts to muddy the waters, we can and should prevail—especially if all those hearing and reading about this debate will let their voices be heard now by contacting their own Senators.

Mr. President, I want to strongly emphasize one point—the single most important point today, in fact the only important point today—as we approach this vote on this amendment. Do not be deceived by this complicated explanation or that complex rationale. Do not be misled by diversions and red herrings. Understand this vote for what it is. This is the most important vote the 105th Congress will have cast to date on campaign finance.

It is, in essence, stunningly simple. Because this vote will show which Senators are for real campaign finance reform and which Senators are against real campaign finance reform.

There is no place to run, and no place to hide. If a Senator is for real campaign finance reform—for reducing the influence of special interest money on the key decisions of our democracy—he or she will vote for the McCain-Feingold amendment. If a Senator votes against this amendment, no one will need further evidence that, despite all the lofty rhetoric about constitutionality, about freedom of speech, about personal rights, and all the rest, that Senator is not committed to real campaign finance reform. If McCain-Feingold prevails on this vote, the effort goes on. If the opponents of reform defeat this amendment, they have prevailed for the 105th Congress.

Perhaps yesterday's New York Times said it best:

> It is too early to predict how this fight will turn out. But when it ends, Americans will know where each Senator stands on protecting his or her own integrity and the integrity of government decision-making from money delivered with the intention to corrupt.

I urge all my colleagues to support the McCain-Feingold amendment.

Mr. President, this is without any question the most important vote we will have had in this Congress and no one should mistake that this vote is about the First Amendment or that this vote is about one genuine alternative versus another. It is really a choice between those who want to keep campaign finance reform alive, those who really want to vote for campaign finance reform, and those who don't.

Every conversation on the Hill reflects that. There are countless quotes that have appeared from individuals on the other side of the aisle in the House or Senate, talking to their colleagues about how this is really a vote about institutional power and the capacity to stay in power and be elected. The simple reality is that all Americans are coming to understand is that Republicans have a stronger finance base, they have raised more money, more easily, they pour more money into campaigns, and money is what is deciding who represents people in the United States of America.

Last year, the House and Senate candidates spent $765 million, a 76 percent increase over 1990 and a sixfold increase from 1976. We have seen voting in America go down from 63 percent in 1960 to 49 percent in the last election because increasingly Americans are separated from a Government that they know is controlled by the money.

The fact is that in the Commonwealth of Massachusetts where I ran for re-election last year I spent $12 million to run for the U.S. Senate. I had

never spent more than $2.5 or $3 million on media alone in a previous race. That is a measure of the escalating costs of campaigning under the system in place today.

In a recent speech, Bill Moyers quoted Barry Goldwater, a leader of the conservative movement in this country, who reminded us 10 years ago that the Founding Fathers knew that ''liberty depended on honest elections'' and that ''corruption destroyed the prime requisite of constitutional liberty, an independent legislature free from any influence other than that of the people'' to be successful.

Senator Goldwater also said ''. . . Representative government assumes that elections will be controlled by the citizenry at large, not by those who give the most money. Electors must believe their vote counts. Elected officials must owe their allegiance to the people, not to their own wealth or to the wealth of interest groups who speak only for the selfish fringes of the whole community.''

So that is what this vote is about today.

Mr. President, to those who hide behind the First Amendment, let me make it clear that there is nothing in the First Amendment that prohibits a ban on soft money or prohibits what we seek to do in this legislation.

Simply put, a very distinguished group of 124 law professors from across the country has pointed out that there is nothing in the 1976 Supreme Court decision of Buckley v. Valeo that even suggests a problem in restricting or banning soft money contributions. Last September, those distinguished constitutional scholars sent a letter to the sponsors of this amendment and they said we need to remember that the Buckley decision expressly reaffirmed the right to ban all hard money, corporate and union political contributions in Federal elections. And it stated that Congress specifically has a basis for finding a ''primary governmental interest in the prevention of actual corruption or the appearance of corruption in the political process.'' More than twenty years ago, Mr. President, the High Court recognized the potential for corruption inherent in the large campaign contributions that corporations and labor organizations could generate.

In the more recent 1990 Supreme Court case of Austin v. Michigan Chamber of Commerce, these scholars pointed out, ''the Court found that corporations can be walled off from the electoral process by forbidding both contributions and independent expenditures from general corporate treasuries.''

Mr. President, it is clear not only in that language, but in the language of Colorado Republican Federal Campaign Committee v. FEC—which the other side often tries to cite to the contrary—there is a certainly a legitimate basis for banning soft money consistent with the other restraints that the Court has already found permissible with respect to hard money. The Supreme Court said there that it could indeed understand how Congress might ''conclude that the potential for evasion of the individual contribution limits was a serious matter,'' and might indeed ''decide to change the statute's limitations on contributions to political parties.'' And it's absolutely inconsistent that we should be allowed to set limits on campaign contributions, which we are allowed to—that we are allowed to have Federal limits on the total amount of contributions somebody can make—$25,000—and not be able to restrict in the context of soft money, the same kinds of contributions.

So, Mr. President, this is about power and money. And most people in America understand precisely what is going on here. Our colleagues have an opportunity to vote for reform, and I hope they will embrace that today. If they don't, it will be clear who stands in the way of that reform.

The PRESIDING OFFICER. Who yields time?

Mr. MCCONNELL. Mr. President, I yield 10 minutes to the distinguished Senator from Alabama.

Mr. SESSIONS. Mr. President, this has been a great debate. I think about the abilities of those of us in this body to participate in unlimited debate, and I think it is a great thing. Great and free debate is a characteristic of American society. Unfortunately, people use the freedom and the money they raise sometimes to run negative ads. I certainly see nothing in McCain-Feingold that would stop that kind of activity from happening. But this is an important vote. As a matter of fact, I consider it a very fundamental and crucial vote for America.

In my 1996 campaign, just over a year ago, in the primary, I faced seven Republican candidates. Two of them were multimillionaires, and two of those individuals spent $1 million-plus out of their own pockets to further their dream of being elected to this great body. They used most of it to attack me. I was attorney general, I was leading in the polls, and I took most of the brunt of that. Two other individuals in that race raised or spent themselves over a half-million dollars to attempt to put their message out to the Alabama people. I spent approximately a million dollars during that primary. I was outspent $5 million to $1 million in that primary. And then in the general election, there was also a very vigorous and contested general election. My opponent spent approximately $3 million, as I recall, in that race.

One of the key parts of that race and one of the things that was most interesting and painful to me was that I was attacked and received a volume of attack ads from money that really was raised by the Alabama Trial Lawyers Association. You see, in Alabama, there is a contested, bitter fight over the attempt by many in the Alabama legislature to reduce the aberrationally high verdicts in plaintiff litigation in the State. It embarrassed the State and there was a bitter fight over it.

The Trial Lawyers Association, which wanted to continue to file those lawsuits and receive those big verdicts opposed that legislation. It was bitterly fought over. Tort reform passed the house of representatives twice but twice it failed in the Alabama State Senate. My opponent was the chairman of the senate judiciary committee, where most of those bills died. He was also, himself personally, a plaintiff trial lawyer. He had a plaintiff trial lawyer lawsuit filed during the election. He was suing somebody for fraud during the election. That was an important issue. It was an issue that the people of Alabama needed to discuss and know about. The Trial Lawyers Association raised, I guess, what you would call ''soft money'' in the amount of around a million dollars to express their views and to oppose me because I took a different view.

Earlier today, I saw somebody with a chart that had an ad similar to the ad that was run against me. It complained about an attorney general—obviously, in a different State—and it said, ''if you don't like what he did, call his office and complain.'' This was their attempt to get around some of the campaign expenditure rules and laws that existed in our country. We faced those ads and were frustrated by them.

When I came here to this body, I was prepared to consider what we could do to fix that situation. Frankly, I was not happy with having such a sum of money being raised and used against me in my campaign. I have given it a lot of thought. I talked to the manager, the distinguished Senator from Kentucky, Senator MCCONNELL, and others. I have done some research. I have considered the Constitution and what I believe is fair and just and consistent with the great American democracy of which we are a part. Based on that, I have concluded that we must fundamentally recognize the primacy of the first amendment, which provides to all Americans the right of free speech. That includes the right to spend money to project your views, as the Supreme Court has said. To limit that is a historic event and an unhealthy event, in my opinion.

They say, ''Jeff, we are not trying to limit people's free speech; we just want to limit your speech during a campaign, just during an election cycle.'' When do people want to speak out most if it is not during a campaign? Isn't it then that people are most focused on the issues and have the greatest opportunity to change the direction of their country? Isn't that when they want to speak out? It certainly is. If you want to limit free speech, I say to you that the last place you want to limit it, is during a campaign cycle. That would be terribly disruptive of freedom in America.

Now, they say, ''Well, it really doesn't interfere with the first amendment.'' But I was on this floor, Mr. President, early last year—in March of last year, as I recall—when the Democratic leader and other Members of this body proposed—and people have forgotten this—a constitutional amendment to amend the first amendment to the U.S. Constitution, to justify their attempt to control free debate in America during an election cycle. It was an attempt to reduce the expenditures during that election cycle and give this Congress, incumbent politicians, the right to restrict their opponents' ability to campaign against them. I thought that was a thunderous event.

I said at the time that I considered that a retreat from the principles of the great democracy of which we are a part—as a matter of fact, the largest retreat in my lifetime, maybe the largest retreat in the history of this country. And, amazingly, 38 Senators voted for it. You have to have two-thirds, and that was not nearly enough to pass this body. But I was astounded that we would have that. But at least those people who favored the amending of the first amendment were honest about it. They knew what they were attempting to do with election campaign finance reform, and that is to affect the ability of people to raise money to articulate their views during an election cycle and that a constitutional change was needed to effect such a change.

So, Mr. President, I have a lot of issues that could be discussed here. I am not going to go into any others. I simply say that I believe this is a historic vote. I think it does, in fact, reflect our contemporary view of the importance of the right of free speech. We have had the American Civil Liberties Union and other free speech groups opposing McCain-Feingold because they are principled in that regard. But others who have, in the past, been champions of free speech curiously are now attempting to pass this legislation, which I think would restrict the ability of Americans to speak out aggressively and criticize incumbent officeholders and attempt to remove them from office and express their views in a way they feel is important.

So, Mr. President, those are my thoughts on the matter. I will be opposing this legislation. As to the question of union contributions, dues being used against the will of the members, against their own views on political issues, I think that is something we could legislate on. Somebody said such a change would be a ''poison pill'' for campaign finance reform. Well, it is a poison pill to me. I am not going to support any campaign reform that is going to allow somebody's money to be taken and spent on political issues they may oppose.

Mr. MCCONNELL. Mr. President, I thank the Senator from Alabama for his important contribution. It seems to me that it shows real principle. When you have been through a campaign and you have had independent expenditures or issue advocacy—either one—used against you and you didn't like it, but you fully recognize that it is constitutionally protected speech, that is commendable. So I thank the Senator from Alabama for his important contribution to this debate.

Mr. FEINGOLD. Mr. President, I yield 5 minutes to the senior Senator from Illinois.

Ms. MOSELEY-BRAUN. I thank my colleague from Wisconsin. Mr. President, I think the previous speakers have demonstrated—speaking of the Senator from Alabama—that this debate is more than just about money. It really is about our core values and what kind of people we are in this country.

The argument made on this floor that money is equal to speech is to suggest then that the poor can't speak as loudly as the rich. The reality check is that money magnifies speech, particularly in these times when money can buy technology and access to the mass media in ways that were not available, of course, when the Constitution was written. To suggest that money is equal to speech is the same thing as saying that the rich and the poor have equal rights to sleep under bridges. We have heard that analogy before. We know that is abject nonsense. So it is, in my opinion, abject nonsense to suggest that in a context in which money buys elections the poor have the same rights as the rich. That does not comport with reality.

The reality check is—and the people know that to be the case; they know that right now—money plays such a role as to buy elections and that elections dictate the direction of our democracy. And so this debate really is about a crisis of inestimable proportion going to the core of what kind of democracy we are going to enjoy in this country.

I am very pleased that the Senate is again turning its attention to S. 25. It is certainly not a perfect bill. It does not solve all of the problems created by the current state of the law. However, it at least brings us a little bit closer to the sort of comprehensive campaign finance reform that I believe we all desperately need. We have, in my opinion, a responsibility to restore the faith of the American people in the political process that our democracy is as equally open to the poor as it is to the wealthy, that every citizen has the same and equal right to participate in the process of elections and, therefore, the same and equal rights to dictate the direction of our Government.

At the present time, too many people feel removed from the decisions that affect them in their lives. Many do not believe they are capable of influencing their Government's policies. A League of Women Voters' study found that one of the top three reasons that people fail to vote is the belief that their vote will not make a difference. We saw an expression of the cynicism during the 1994 elections when just 38 percent of all registered voters cast their ballots. We saw it again in 1996 when only 49 percent of the voting age population turned out to vote—the lowest proportion in some 72 years.

I have noticed in my own State of Illinois a falloff in voter participation and turnout. In 1992, Mr. President, I won my election for the Senate with 2.6 million votes, which represented 53 percent of the total vote. By 1996, when Senator DURBIN ran, he won with 2.3 million votes, which was 55 percent of the total votes. Senator DURBIN, in other words, won by a greater margin but with fewer votes cast. And if our citizens continue to participate in the electoral process in fewer and fewer numbers, the United States runs the risk of jeopardizing its standing as the greatest democracy on Earth.

Now, campaign finance is diminishing our democracy. Consider for a moment the fact that 59 percent of the respondents in the Gallup/USA Today poll agreed with the statement ''Elections are for sale to whoever can raise the most money'' while only 37 percent agreed with the statement ''Elections are won on the basis of who's the best candidate.'' What is causing this perception? The people are aware that we are spending more on congressional campaigns than we ever have before. The Federal Election Commission has reported that congressional candidates spent a record-setting total of $765.3 million in the 1996 elections. That represents an incredible 71 percent increase over the 1990 level of $446.3 million. And those numbers do not even take into account the massive expenditures of ''soft money'' by political parties on behalf of House and Senate candidates.

The average winning campaign for the House cost over $673,000 in 1996. That's a 30 percent increase over 1994, when the average House seat cost its occupant $516,000. In 1996, 94 candidates for the House spent more than a million dollars to get elected. Winning Senate candidates spent an average of $4.7 million in 1996. In that year, 92 percent of House races and 88 percent of Senate races were won by the candidate who spent the most money. Forty-three of the 53 open-seat House races and 12 of the 14 open-seat Senate races were won by the candidate who spent the most money.

One of the major factors responsible for these huge costs increases in the avalanche of negative advertising that has muddied the political landscape in recent years. Political figures have come to rightly expect that they will be attacked from every imaginable angle come election time and are raising more and more money to fend off charges that often have nothing to do with the people's business. Moreover, politics has become so vicious and negative over the last few years that able public officials are leaving public service and potentially outstanding candidates are choosing not to run at all.

These individuals know that politicians today have to spend a large portion of their time raising money, and that is simply not an attractive job description for many people capable of making outstanding contributions to our government. For example, in explaining his retirement from government service, former Senator Paul Simon, one of the most able individuals ever to sit in this chamber, cited fundraising responsibilities as a burden that he no longer wished to bear.

All of the problems associated with the immense role that money plays in the electoral system have been exacerbated in recent years by an increase in the number of wealthy candidates contributing outlandish sums to their own campaigns. In 1994, for example, one candidate for the Senate spent a record $29 million, 94 percent of which was his own money. During the 1996 election cycle, candidates for federal office contributed $161 million to their own campaigns. One presidential candidate helped finance his campaign with $37.4 million of his own money. Fifty-four Senate candidates and 91 House candidates put $100,000 or more of their own money into their campaigns, either through contributions or loans. It is true that in 1996 only 19 of those candidates won their elections, but the fact remains that the current system allows such candidates to drive up the costs of campaigns and make it more difficult for average citizens to contend for political office. If we allow this trend to continue, it won't be long before only the wealthiest Americans will be able to fully participate in the political process.

The time has come to reduce the role that money plays in our electoral system. Besides providing elected officials with more time to tend to the people's business, doing so will result in fewer negative ads, for if a candidate has less money to spend or faces a spending limit, he or she will have to be more careful about how expenditures are made. The capacity to run fewer ads would help ensure that candidates focus on establishing a connection with the voters by using television and radio time to discuss their stands on the issues, instead of running negative ads.

S. 25 and an amendment to the bill that I understand its distinguished authors plan to introduce takes significant steps in the right direction. The bill would ban ''soft money'' contributions to national political parties and would bar political parties from making ''coordinated expenditures'' on behalf of Senate candidates who do not agree to limit their personal spending to $50,000 per election. The proposed amendment would create a voluntary system to provide Senate candidates with a 50 percent discount on television costs if they agree to raise a majority of their campaign funds from their home states, to accept no more than 25 percent of their campaign funds in aggregate PAC contributions, and to limit their personal spending to $50,000 per election.

Ideally, S. 25 would place an absolute limit on the ability of candidates to fund their own campaigns. In Buckley v. Valeo, the Supreme Court ruled that limitations on candidate expenditures from personal funds place direct and substantial restrictions on their ability to exercise their First Amendment rights. It may be time to revisit the Buckley decision by passing legislation tailored closely around what the Court said. Putting the issue back in front of the Court would give it the opportunity to clarify how the position it took in 1976 is supposed to govern campaign finance law in the very different era in which we now live.

In Buckley, the Court struck down a provision of the 1971 Federal Election Campaign Act that barred presidential candidates from spending more than $50,000 out of personal resources. As three distinguished law professors at the University of Chicago have stated, it is possible that, with a *new set of legislative findings*, the Court might uphold a statute that imposed significantly more generous limits. . . [T]he Court might find that with a much more generous (though not unlimited) opportunity for candidates to spend their own money, the infringement of individual freedom is less severe—perhaps not ''substantial,'' in the Court's language.

One argument for such a provision is that an important element of the democratic process is requiring that candidates demonstrate support from a broad range of individuals. Legislation of this type would be similar in intent to laws requiring candidates to obtain a minimum number of petition signatures in order to secure a place on the ballot. Such legislation would arguably be consistent with Buckley, for in that case the Court recognized that the government has ''important interests in limiting places on the ballot to those candidates who demonstrate substantial popular support.'' Given the crucial role that money plays in today's elections, it is not unreasonable to ask the Court to extend its interpretation of what constitutes ''substantial popular support'' into the realm of campaign financing.

The most effective approach to comprehensive campaign finance reform would be legislation establishing overall campaign spending limits. If the Supreme Court's decision in Buckley is regarded as prohibiting the enactment of mandatory caps on overall campaign spending, then we should at least create a system that offers candidates cost-reducing benefits in exchange for their voluntary compliance with such caps. The Court has made clear that such a voluntary system would be constitutional. Overall spending limits would not only open up our system to greater competition, they would help to shift the focus of elections from advertising to issues. Until we cap runaway campaign spending, we will only be working at the margins of a problem that is turning our electoral system—one of the pillars of our cherished democracy—into a grotesque circus of saturation (and frequently negative) advertising and round-the-clock fundraising.

S. 25 may not effect the type of far-reaching reforms that I would like to see, but I strongly approve of its goals and spirit. The time has come for us to send a signal that we share our fellow citizens' concerns regarding the enormous role that money has come to play in our political system. Passing S. 25 would send that signal and would place us on the road toward creating a system in which the people's priorities would be our own. I therefore urge my colleagues to support the bill.

I commend my colleagues, the Senator from Wisconsin and the Senator from Arizona, for their perseverance in this important area and say to the Senator from Wisconsin and the Senator from Arizona, this may be one stage in the battle. But it seems to me that we have an absolute responsibility to cure this corrupt system. And it is a corrupt system. It is full of mousetraps. It favors people who are wealthy over people who are working class, ordinary citizens, and it is having a diminishing effect on our democracy and the people's faith in it.

I yield the floor.

Mr. FEINGOLD. I yield 5 minutes to the Senator from Washington.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, for the last 5 years we have been debating the issue of campaign finance reform and for the last 5 years we have failed to fix the system that most Americans agree is broken. I have voted for campaign reform legislation several times now, and each time it has been killed off by filibuster. Today we are once again presented with the opportunity to do what is right and stop the rising tide of special interest money that is drowning the democratic process.

We last debated the McCain-Feingold campaign finance reform bill in October. Since that time the bipartisan group of Senators committed to reform has continued to work together to build a coalition and to craft a measure that is fair and offers meaningful change. I have been proud to support that effort.

Changing the status quo has been an uphill battle. The opponents of reform cleverly disguise their argument. They wrap themselves in the flag and posture as protectors of ''free speech.'' They make complicated and convoluted arguments about ''threats to the Constitution.'' but here's what they are really saying: *if you have more money, you are entitled to more influence over campaigns and elections*. People out there find this argument to be a cynical charade and it's time to stop playing games.

The opponents of reform are just not listening. The American people have been calling for reform for years, and now the call is louder than ever.

Eighty-nine percent of the American people believe fundamental changes are needed in the way campaigns are funded. We were elected to represent the American people. We cannot continue to ignore their wishes.

The campaign system is clogged with money, and there is no room left for the average voter. The last time we debated reform, I told a story of a woman who sent my campaign a small contribution of fifteen dollars. With her check she enclosed a note that said, ''please make sure my voice means as much as those who give thousands.'' With all due respect, this woman is typical of the people who deserve our best representation. Sadly, under the current campaign system, they rarely do.

In 1996, $2.4 billion was raised by parties and candidates. Let me say that again: $2.4 billion flowed into campaigns all across the country and dictated the terms of our elections. And as if that weren't enough, hundreds of millions more were spent on so-called ''issue advocacy''. Nobody knows exactly how much more because these ads, even though they are political, are unregulated.

Currently there is no disclosure requirement for these expenditures, there is no ban on corporate or union money, and there is no limit on how much can be spent. ''Issue ads'' frequently take the form of negative attacks made against candidates by groups that no one has ever heard of. Because of the current weak laws, the American people don't know who are making these charges, what their agenda is and who is paying for it. The bill we are considering today would change that by strengthening the definition of political advertising to include these sorts of expenditures. We need more accountability, not less.

My first Senate campaign was a grassroots effort. I was out spent nearly three-to-one by a congressional incumbent. But because I had a strong, people-based effort, I was able to win. I am proud of the contributions I have received for my campaign.

And I am willing to put my money where my mouth is. I hope to offer an amendment to implement full disclosure of campaign contributions. Under current law, the names and addresses of contributors who give more than $50 at a time or $200 in aggregate must be disclosed. My amendment would drop those numbers down to zero. Under my amendment *every* contribution to a PAC or a campaign must be disclosed.

Having full disclosure for campaign contributions is like listing the nutritional facts on a candy bar: the public deserves to know what it's made of.

But I also want to make a pledge. Whether or not my amendment passes, I still intend to tell my constituents everything about who is contributing to my campaign. I will make full disclosure of all my contributions, no matter how big or how small. This is my commitment, this is my pledge. I challenge all of my colleagues to do the same.

Mr. President, the opponents of reform miss the point. In America, money does not equal speech. More money does not entitle one to more speech. The powerful are not entitled to a greater voice in politics than average people. In America, everyone has an equal say in our Government. That is why our Declaration of Independence starts with, ''We, the people.''

Mr. President, I believe we have made this debate way too complicated. This issue boils down to one basic question: Are you for reform, or against is? Are you with the people, or against them on the need for a more healthy democracy? The votes we are taking today will show the answers to these questions.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. MCCONNELL. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator from Kentucky has 27 minutes remaining.

Mr. MCCONNELL. I yield 10 minutes to the distinguished Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. SMITH of Oregon. Mr. President, I thank Senator MCCONNELL for his leadership on this issue. I also thank Senator FEINGOLD and Senator MCCAIN.

I would like to point out to the American people, this is not a debate between good people and bad people. I note, however, that many who are for this bill have stated that those who are against it are hiding behind the first amendment. I don't propose to hide behind it. I propose to stand up today and defend it. Let me read to you, for the RECORD, what the first amendment to the Constitution says:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

We are talking about the whole second half of this amendment, about how people petition Government for the redress of grievances, how they speak about Government. It is amazing to me that some of those who are for this bill point out how money is buying offices. My friend, the Senator from Washington, pointed out how she was outspent 3 to 1, but she is here! I notice Senator FEINSTEIN is here. She had an opponent who spent, I think, nearly $30 million of his own money! I do not yet know of a President Ross Perot, though he's one of the biggest advocates of this and spent millions of his own trying to make his case.

The point is, this is a legitimate issue for the people to decide. Then the attack is made on soft money, and PACs have become a very bad word. Do people remember that PACs were created as an outgrowth of Watergate, to clean up campaign finance? This is a product of Watergate. If you break down what it is a PAC is—some of them I don't really like because they stand for things I don't like. But some of them I do like; for example, the National Right to Life PAC. They talk about wealthy people? I look at that organization and I see humble folks who are defending a principle that is sacred to them. These are not wealthy people, but they are enjoying their right to speak.

I want to make one other candid admission to the American people. Republicans spend an awful lot of time attacking the Democrat use of union money, compulsory union dues that are used in attacks on Republicans. We attack their major asset. The Democrats attack the Republicans' major asset, which is in some cases the use of PACs, or soft money. Any campaign finance reform that does not include both of these elements will disserve the American people and I will not vote for those things, because at the end of the day what will happen to America is what happened to Oregon in a recent election cycle.

We had a well-meaning public interest group that, through our initiative system, instituted a campaign finance law not unlike McCain-Feingold. It applied to State candidates. Let me tell you what happened. Contributions to candidates directly, were severely restricted and, in a nutshell, candidates could not raise enough money to communicate with the people whose attention they were trying to get. But the money wasn't taken out of politics; it simply left direct democracy, which is disclosable to the public, and it went back into the smoke-filled rooms. Then various groups colluded and figured out how they could influence elections, not with a candidate, but about a candidate. And they did it with the luxury of knowing that they were not accountable to the American people, they could not be held accountable, so they could say or do anything they wanted.

So what we went through in Oregon, before our State supreme court declared it all a violation of the first amendment, was a cycle whereby candidates, were terribly frustrated, and so were our citizens. In the end, I have to say, what we should be encouraging is not a return to the smoke-filled rooms; we should be encouraging people to contribute directly to candidates and to fully disclose it.

I have to say that I have experienced this also on a personal level; I have run for the U.S. Senate twice. The first time I ran, I put a lot of my own money into the race. And, folks, I didn't win. And then I ran again, and I did win, and I won with the contributions of perhaps more individual contributions than have ever been raised by an Oregon candidate for Federal office in our history. So you cannot buy elections.

During my first election I had one conservative PAC director tell me that

during January of 1996 it was the best time he could remember in Washington because there were no liberals here. They were all in Oregon, beating the stuffings out of me. They said horrible things about me. I didn't like it. It wasn't fun. But you know what, I am standing here today defending their right to say it. But don't tie my hands and say I can't respond to it, because you, the people of this country, will then be the ones disserved by all of this.

So, if you really have concluded that we have too much political speech in this country, insist that this Chamber disenfranchise soft money and unions, and then you are talking about something. But before you do that, ask yourself the question, do we talk too much about politics in this country? Is it a bad thing that we are doing? I believe the answer to that is no. And if you want the proof of it, open up Newsweek or Time or U.S. News & World Report on any given day in any week and you will see the bodies of people in other countries in the gutters of their streets, because they have not learned how to fight with words and not with bullets.

So, let's be careful as we talk about amending the most important document that we have. Don't fall for the easy way out, that somehow we are not affecting speech. We are. I have seen it in Oregon and we will see it in this country if this passes in this form. So I stand today proudly, not to hide behind the first amendment but to defend it, and thank the leader for this time, and I urge my colleagues to vote against this amendment in its current form.

The PRESIDING OFFICER. The time of the Senator has expired. The Senator from Kentucky.

Mr. MCCONNELL. I thank the Senator from Oregon for his extremely valuable contribution to this debate. He understands this issue very well and has experienced both the heartbreak of defeat and the exhilaration of victory. I certainly share his view that we do not suffer from too little political discussion in this country. We ought to be encouraging more of it, not less. I thank the Senator from Oregon.

The PRESIDING OFFICER. Who yields time? The Senator from Kentucky.

Mr. MCCONNELL. I yield 10 minutes to the distinguished Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. SMITH of New Hampshire. Thank you, Mr. President.

Let me start by recognizing the amount of work and effort that Senator MCCONNELL, the Senator from Kentucky, has done on this issue. At a time early on, I can recall in this debate when it seemed like this thing may take off across America, and Senator MCCONNELL, even in the face of his own tough reelection, stood firm and led us, all of us in this body, on this issue. He is knowledgeable, to say the least, and has been a great leader not only leading us on this issue but, more important, leading the fight to protect and defend the first amendment to the Constitution of the United States.

I say with great respect for my friend—I know I embarrass him a little bit—this has been one of the major debates in this Congress since I have been here, with the possible exception perhaps of the Persian Gulf war in 1991, but this goes to the heart of the first amendment. And the Senator from Kentucky stood strong day after day, sometimes by himself, I remember, leading a filibuster. I remember being here at 5 o'clock in the morning, to the marching orders of my leader to be out here in a filibuster. The Senator was right, and history will prove that he was right. So there is a great debt of gratitude that I think—he may not realize it at the moment, but it will come his way.

I want to add a few remarks to the debate. Much has been said and there is not too much more to add. I was somewhat taken by some of the remarks of my colleagues on the other side about special interests. We hear a lot about that. I think you can pretty well come to the conclusion that if you don't like somebody's views, they are special interests. But if you do like their views, they are probably responsible policy advocates.

This is where the whole debate gets kinds of silly. There are a lot of people who have special interests. The Breast Cancer Institute is a special interest. Social Security recipients are special interests. But I don't get the impression that some of our folks over there would be labeling them special interests in the context of what has been defined.

There are many reasons why McCain-Feingold is the wrong approach, but I just want to focus on a couple and specifically title II.

Under title II of McCain-Feingold, it purports to draw a new bright line between issue ads and independent expenditures. As so many have said before, I had expenditures against me. I would have loved to have seen them off the air, but I had the opportunity to respond to them. As many have said before me, however close, I made it back because I did have the opportunity to respond, thanks to thousands of people who were there to help me with contributions so that I could respond.

Many citizen organizations have expressed strong opposition to these issue-advocacy provisions. The Christian Coalition, for example, in a letter dated January 28 of this year urged the Senate to defeat McCain-Feingold because ''this legislation essentially requires that if a citizen or group plans to advocate a position or report on votes candidates have cast, they must operate a PAC and comply with all the regulatory burdens that go with it. More Government control over what is said and how it is said is not what campaign finance reform should be about.''

They are correct in that assessment.

The National Right to Life Committee sent letters to Senators on February 17 of this year saying:

> Title II of McCain-Feingold would radically expand the definition of the key legal terms expenditure, contribution and coordination, so as to effectively ban citizen groups from engaging in many constitutionally protected issue advocacy activities.

Lest you think I am singling out groups that may be more inclined to be Republican, we can also take a letter dated February 19 from the American Civil Liberties Union—certainly one of the leading organizations, I would say, not exactly ideologically with the right—they characterize title II as ''a 2-month blackout on all radio and television advertising before primary and general elections.''

The ACLU continues by noting:

> Under McCain-Feingold, the only individuals and groups that will be able to characterize a candidate's record on radio and TV during the 60-day period would be the candidate, the PACs and the media.

That last point made by the ACLU is very interesting, Mr. President, because by limiting what issue groups can say during the 60 days before an election, McCain-Feingold would increase the power of the media, which may be the reason why they have been so silent in this debate.

We are picking and choosing what part of the first amendment we want to protect, and of all people, the media should understand that. I think they do understand it and they are being very silent. I was particularly taken by the Senator from California a few moments ago when she said more money by candidates who have access to more money is not fair. I think that is pretty much what she said. I think I characterized it correctly. It is not fair or it is not right to have people with more money or access to more money.

What about newspapers that have more money than other newspapers, is that fair? Should we restrict the New York Times and the Washington Post 60 days out so that they can be as fair as some small paper in Louisville, KY, or Wolfeboro, NH? Maybe we ought to even that out. There seems to be a lot of silence in regard to that. It is ironic that so much of the media supports these restrictions on free speech of political candidates and groups, and even more ironic is the silence. It is deafening.

I can just imagine the cry if the Government tried to restrict the freedom of the press or say how many words, as the Senator said this morning, that Dan Rather can speak. I hear him speak so much I get sick of it, but it is his right to speak, and I would certainly protect that right, as we are doing today with our votes on the Senate floor. I hope Mr. Rather is taking note that we are protecting his rights to speak. But I hope that they will speak to protect our rights and to protect the rights of others to participate

in the political process who don't have access to the national media to speak every day to the listeners. There are thousands of people out there, and they do it by contributing to a political campaign.

Beyond the very serious issues raised by the specific issue-advocacy provisions in title II of McCain-Feingold, I have a more general concern, and this is something, Mr. President, that I think has not really been stated firmly in this debate.

There is a premise, and I think it is an erroneous premise, and I say this to the Senator from Kentucky because I think this is something that may not have been brought out quite as much, that money is the corrupting factor here, that money in and of itself corrupts. I say to the Senator, does money corrupt when we do research for cancer? Does money corrupt when we give to charity and help millions of people? Does money corrupt when we ask for more money for education, indeed, higher education to allow kids to go to college, does that corrupt? I don't think so.

Let me say it in another way. If I am in a store or any American citizen is in a store somewhere, and as I am walking down the aisle looking for something to purchase, I see a wallet on the floor. I reach down and pick up the wallet and there is $5,000 in the wallet and a name. I have two options: I can put the wallet in my pocket and walk out of the store, or I can take the wallet up to the counter and give it back to the clerk and say, ''Somebody lost their wallet. Here is the name. There is $5,000 in it and you can return it.''

If you use the logic that money corrupts, everybody keeps the wallet. But everybody doesn't keep the wallet, and the majority of Americans don't keep the wallet. That is the issue here. If the shoe fits, wear it; if money corrupts you, maybe you shouldn't be here. I have never been asked for anything for the money. Nobody has ever asked me for a vote, and I wouldn't give it to them and I would be insulted if somebody thought I would, and if somebody thought I would then they ought not elect me and vote for me. That is how strongly I feel about it.

Fundamentally, McCain-Feingold is unconstitutional. That is the bottom line, as the Supreme Court said in Buckley versus Valeo, 9 to 0, liberals and conservatives on the Court.

We also hear a lot about how we give special access to those who give us money. It is never reported in any of the stories, but yes, sure, people give money and they might see me or Senator MCCONNELL or Senator KEMPTHORNE or Senator FEINGOLD, sure. But how about the other people who we help get their Social Security checks, who we meet with every day or we speak to from this group or that group who we never ask for anything, they never give us anything; we just help them every day, day in and day out, hundreds of letters we answer, hundreds of people we help in our constituent offices in our States. Nobody talks about them. Nobody asks them for money. They can't give money, in most cases. They just want good Government and some help. We don't hear about that. If you put it out there and balance it out, you find there is heck of a lot more people with access to us who don't have money than people who do.

Mr. MCCONNELL. Will the Senator yield for an observation? I say to my friend, you know who has the most access to us is the press.

Mr. SMITH of New Hampshire. That is exactly right.

Mr. MCCONNELL. The most access to us. I never heard of an editorial writer complain about access of the press. Have you heard that?

Mr. SMITH of New Hampshire. I have not. As I promised you I would speak on this at 2:15 today, it took me until 2:30 to get here because I had four minipress conferences coming over on a number of issues, from Iraq to this and a couple of other issues as well.

I, again, commend my leader and proudly, as the Senator from Oregon said a few moments ago, proudly support the first amendment. Thank you.

The PRESIDING OFFICER. Who yields time?

Mr. MCCONNELL. Let me take a moment and thank the Senator from New Hampshire for his contribution to this debate. He has very skillfully presented the analogy. The wallet story, I think, is a very, very important addition to the debate and really says a lot about what this is all about. In fact, as the Senator from New Hampshire pointed out, if you are going to have much of an impact on the political dialog in a country of 270 million people, you have to be able to amplify your voice, you have to be able to project your voice to large numbers of citizens or your voice isn't very much.

Of course, as the Senator from New Hampshire pointed out, Dan Rather, Tom Brokaw and the rest certainly have more speech than we do. Nobody is suggesting that we rein them in. But there are many of us who think their speech is not very helpful, occasionally, to the political process. So I thank the Senator from New Hampshire for a very important speech.

Mr. SMITH of New Hampshire. If I can respond, on election night, Dan Rather called my election the other way, and he was wrong. I would not have minded restricting his speech that night, but I still support his right to say it and glad he was wrong.

Mr. MCCONNELL. I thank the Senator for his answer. How much time remaining do I have, Mr. President?

The PRESIDING OFFICER. The Senator has 7 minutes remaining.

Mr. MCCONNELL. I reserve the remainder of my time.

Mr. FORD. Mr. President, once again, I rise to discuss an issue that in the recent past has generated lots of talk and not much action—campaign finance reform. But thanks to the hard work of my colleagues—on both sides of the aisle—we are once again at the brink of doing something to address the many problems we have with our system for financing election campaigns.

Thanks to the tireless efforts of our colleagues, Senators MCCAIN and FEINGOLD, we now know that the question is not whether a bill will come to the floor, but whether we will pass the bill that they have brought us. Keeping that in mind, I want to speak a bit today on why I support the measure before us.

As an original co-sponsor of McCain-Feingold, I agree that what is necessary is a comprehensive overhaul of the way we conduct our campaign business. If we have learned anything from our experiences in the last few elections, it is that money has become *too important* in our campaigns. Mr. President, in the last election federal candidates and their allies spent over $2 billion—$2 billion—in support of their campaigns. The McCain-Feingold bill currently before us, I believe, is the sort of sweeping reform that we must pass if we are to restore public trust and return a measure of sanity to the way we finance elections.

Now each of us has his or her own perspective on what's wrong with the system. For me, Mr. President, it's the explosive cost of campaigning. When I announced in March 1997 that I would not seek reelection, I said: ''Democracy as we know it will be lost if we continue to allow government to become one bought by the highest bidder, for the highest bidder. Candidates will simply become bit players and pawns in a campaign managed and manipulated by paid consultants and hired guns.'' The problem becomes clearer when you look at specifics. In my case, when I first was elected to the Senate, I spent less than $450,000—actually, $437,482—on my campaign. Back then, I thought that was a lot of money. If only I'd known. Mr. President, if I hadn't decided to retire, for next year's election I would have had to raise $4.5 million. Now, I know all about inflation but that's not inflation—that's madness. What's worse, I understand that if we continue on this path, by the year 2025 it will cost $145 million to run for a single Senate seat. Can any of us imagine what our country will look like when the only people who can afford public service are people who have—or can raise—tens of millions of dollars for their campaigns? I can't imagine such a future, Mr. President—and the time is now to make sure things never get that bad. McCain-Feingold won't cure everything that ails the current system, but I support it because it represents a real, meaningful first step toward restoring a sense of balance in our campaigns by ensuring that people and ideas—not money—are what matters. Specifically, I support McCain-Feingold because it deals with a series of disturbing issues that have grown in importance in recent years.

I also agree that a primary problem with the current system is the flood of ''soft money.'' But when I speak of soft money, Mr. President, I want to make it clear that we are talking about more than just the fundraising of the national parties. True—in 1996, the parties raised over a quarter billion dollars in soft money, which they then used in various ways to support their candidates at every level of the ballot. That's a lot of money, but it's only a small part of the total so-called ''soft money'' picture. That's because soft money is any money that is not regulated by the Federal Election Campaign Act. That includes national party money, of course, but it also includes millions of dollars raised and spent by independent groups on so-called ''issue ads.'' Thanks to the excellent work of our colleagues on the Government Affairs Committee, we now know that many of these so-called independent organizations, many claiming tax-exempt status, are established, operated, and financed by parties and candidates themselves—and their finances are totally unregulated. Therefore, McCain-Feingold is meaningful reform because it recognizes that the problem is not just ''soft'' money, it is ''unregulated'' money.

The McCain-Feingold bill is also valuable because it recognizes that closing the party soft money loophole is not enough. The bill also addresses the problem of so-called ''issue advocacy'' advertising. These so-called issue ads have developed as a new—and sometimes devious—way that unregulated money is issued to affect elections. Lawyers might call it ''issue advocacy'', but I'm not a lawyer so I call it what it really is, ''handoff funding''. ''Handoff funding'' is where a candidate ''hands off'' spending, usually on hard-hitting negative ads, to a supposedly neutral third party whose finances are completely unregulated and not disclosed. Now I know there are those who call these ads free speech. But this isn't free speech, it's paid speech. Of course we need to respect the Constitution, but we can't let people hide behind the Constitution for their own personal or partisan gain. McCain-Feingold draws this paid speech into the light where not the lawyers but the jury—the American people—can decide which issues and which candidates they will support.

Mr. President, I want to respond just a moment to the claim of many of my Republican colleagues that McCain-Feingold's issue advocacy reform somehow limits free speech. That simply is not true. When this bill passes, not one ad that ran in the last election—not one, not even the worst attack ad—will be illegal. What McCain-Feingold would do is say to those candidates and groups who have been using ''handoff funding'' to puff themselves up or tear down their opponents—all the while claiming that they were simply, quote, ''advocating issues''—is that within 60 days of the election they must take credit for their work, dirty or otherwise. The only people whose speech will be prevented by this law are people who are afraid to step into the light and be seen for who they are. That, Mr. President, is what I call reform—and I think the American people would agree.

Another critical issue addressed in McCain-Feingold—and this is one area, I think, where we all are in nearly unanimous agreement—is the question of disclosure. Currently there is too much campaign activity—contributions and spending—that is not disclosed to the public on a regular, timely basis. We must commit ourselves, as does McCain-Feingold, to providing the American people with timely and full disclosure to information about political spending, and the means by which they can access that information. Like many colleagues, I believe that the Internet and electronic filing is the way to make this happen; but I hope we will make it clear that *all* campaign finances—including third-party issue advocacy—are to be disclosed before we get too worried about how such disclosure would take place.

Mr. President, all these reforms will be meaningless unless we are willing to do right by the Federal Election Commission. If the FEC really is the toothless tiger that many people said it is, we must take at least some of the blame for removing its teeth. Any bill that makes changes to the campaign finance laws without restoring the FEC's funding and improving its ability to publicize, investigate, and punish violations cannot truly claim the title of ''reform.''

In conclusion, Mr. President, I know that we will not have an easy road to passage of campaign finance reform legislation. In this body there are a number of colleagues who are opposed to reform and aren't afraid to speak their minds about the quote, ''danger,'' of reform. Mr. President, I can't blame them. If I had the advantage of millions of dollars from wealthy folks and millions more from corporations and special interests, I would think reform was dangerous, too, and I would have to think twice before supporting a bill that took away that advantage. Their opposition—whether in the public interest or their self-interest—means that the debate on this issue will get more than a few of us into a real lather. I'll take that challenge, Mr. President. Just because campaign finance reform will be difficult, and might require each party to give up things it cares about or simply has gotten used to, is no reason not to pass McCain-Feingold, and soon.

All we need to do is to roll up our selves and remember the wisdom of that great Kentuckian Henry Clay, who called compromise ''mutual sacrifice.'' Our way is clear, if not easy, but I have confidence that we will do what is right to restore public confidence in the way we fund our campaigns. I look forward to the continuing debate, and to demonstrate to the American people that we are serious about cleaning up the system by voting for comprehensive campaign finance reform.

Mr. KOHL. Mr. President, I rise today to voice my support for the McCain-Feingold campaign finance reform bill. This debate is one of the most important that the Senate will conduct in this session of Congress, and I desperately hope it will result in passage of meaningful campaign finance reform.

We are beginning another mid-term election year, and the American public is again bracing for the barrage of money, special interest TV ads, and rhetorical hyperbole that accompany modern campaigns. There is near universal belief in this nation that Congress should do something about our campaign finance laws. We hold weeks of hearings on abuses in recent elections; we document loophole after loophole in the fabric of our laws whereby special interest influence campaigns to the detriment of our national interests; and we see meaningful, genuine reform proposals twisted and maligned by those same groups who are terrified at their potential loss of power.

This is an old-fashioned debate in Washington, because it's about who has the power and how that power will be used. The McCain-Feingold bill seeks to diffuse that power; to level the playing field a little bit in federal campaigns and reduce the amount of special interest money in elections. Senators MCCAIN and FEINGOLD have developed a genuine compromise plan. It is not exactly as I would have drafted—or any of us, if we had that chance. It is, however, the best chance we have to repair the broken campaign finance system.

The modified version of the bill addresses one of the fundamental problems in the system—soft money contributions. By banning these huge sums from federal campaigns, we correct many of the problems which were exposed last year in hearings before the Senate Government Affairs Committee.

The bill also tries to deal with the growing and disturbing impact of independent expenditures. I believe the sponsors of the bill have achieved a delicate balance in this area—curtailing the use of this practice, while still conforming to constitutional boundaries.

Mr. President, there is an extraordinary need for reform of our election laws. Despite the apparent problems—problems that have gotten worse with every election—Congress has not passed reform. Our failure to act has contributed to a loss of confidence, not only in our electoral system, but in our democracy.

The American public has lost faith in government and its institutions. Americans feel they don't control government because they believe they don't control elections.

If you ask people who runs Washington, most will say ''special interests.'' People watch state officials, Members of Congress, and presidential candidates chase money, and believe that's the only way to get your voice heard in Washington. They see televised campaign finance hearings, allegations of trading contributions for access, and they think, ''how could my voice be heard over all that cash.''

Certainly, Congress is not alone to blame for the current system. Voters themselves share some responsibility. People routinely decry the use of negative political ads, yet continually respond to the content of those ads. The media, especially television stations and networks, have failed to adequately inform the public of important policy questions. Instead of covering significant issues, broadcasters often fall back on covering the ''horserace'' aspect of the campaign, or ''sideshow'' disagreements among candidates.

But the ultimate responsibility rests in this chamber, with Congress. For more than 30 years the growing crisis has been ignored. Year after year, speeches are given, bills are introduced, but no action is taken.

We now have a rare opportunity, with public attention focused on this debate and this bill, to pass real campaign finance reform.

Mr. President, we have never had a time in our nation's history when such a pervasive problem went unanswered by the Congress. America has met challenges such as this before, and adopted policies which strengthened our democracy. We have that opportunity with the bill before us.

The McCain-Feingold bill will help restore the American public's faith in this institution and in all the institutions of government.

As some of my colleagues know, Senator BROWNBACK and I have introduced legislation to establish an independent commission to reform our campaign finance laws. This commission would be similar to the Base Closure Commission, which proposed a series of recommendations to Congress for an up-or-down vote of approval.

But I do not believe that we should take such an approach at this time. It would be much better if Congress acted on its own, without the help of an outside body, to reform our election laws. It would demonstrate to the American public that Congress is serious about changing the way our democracy functions.

Mr. President, before I conclude, I just want to take a moment to once again commend my colleague from Wisconsin, Senator FEINGOLD. Last year, when we debated this bill, I said that Senator FEINGOLD truly follows in the tradition of the great progressive movement in Wisconsin. That's more even true today than it was last year. I'm proud to serve with him, and I urge my colleagues to support our efforts to pass this vital legislation.

Mr. FAIRCLOTH. Mr. President, I believe we need campaign finance reform, but the McCain-Feingold amendment is not the right approach at this time. I will say that I am disappointed that many of the people advocating reform are defending people who couldn't live under the laws we already have. Perhaps the best reform that we can make immediately would be for candidates to live within the laws we have now. Clearly this Administration did not do this in 1996.

I am disturbed by two provisions. First, the naked attempt to muzzle the free speech of citizens who want to advocate on behalf of a candidate. This ''reform'' would limit the free speech of all American citizens. I hardly see that as being ''reform.'' We put too many limits on our citizens now, we cannot restrict their right to participate in the political process.

Second, this bill does nothing to stop the loophole that unions have exploited for years to advocate their political positions. It does nothing to stop the practice of labor unions taking the dues from hard working citizens and spending millions of dollars on ads to defeat candidates. Why is it that the people who advocate reform will not permit union members to keep their well-earned money and spend it as they wish? Why do they oppose a separate, voluntary means for using the dues of union members? Regrettably, the answer is that the so-called reform advocates want to keep the liberal ads coming in waves, and cut off the political speech of others. I cannot support that under any circumstances.

And what happens when we make reforms? Look at the results of the 1974 law. The reforms limited personal contributions from individuals, yet it spawned PAC's and soft money. On public financing, the taxpayers were to pay for the campaigns of those running for President—so that they would be beyond reproach. Yet by 1996, the President and the Vice President spent untold hours raising soft money by the millions. From appearing at Buddhist Temples to renting out the Lincoln Bedroom, to making phone calls from the Oval Office, the 1974 reforms became a mockery at the hands of this Administration. For them to be calling for campaign finance reform is like a horse thief galloping down the street warning citizens to lock their barns. It simply doesn't pass the straight face test.

III conceived, reforms can make the system worse and that is why I cannot support McCain-Feingold. If we want real reforms, we will do the following: limit soft money; equalize PAC and individual contribution at $2500; speed disclosure to the public; tighten the ban on contributions by non-citizens; and, stop the abuses by unions taking dues for political purposes. Finally, we should pass the ultimate reform: term limits.

These kinds of reforms would improve the system, empower the individual, stop some of the most flagrant abuses taking place now and expand more opportunities for citizen legislators to serve. This is the kind of approach we need.

Mr. KERREY. Mr. President, I rise today in support of the McCain-Feingold bill, which will provide this country with much needed campaign finance reform.

The Constitution lays out the requirements for someone wanting to run for office. In order to run for Senate, the Constitution tells us that there are 3 requirements: First, you need to be a U.S. Citizen for 9 years. Second, you need to be at least 30 years old. Third, you need to live in the state whose office you're running for.

Three simple requirements, right? Wrong.

What the Constitution doesn't tell you is that there is a fourth requirement. You must have an awful lot of money, or at least know how to raise a lot of money.

The Constitution doesn't tell you this because when the framers sat down to draft the Constitution, they could not possibly have imagined the ridiculously large amounts of time and money one must spend today if a person wants to be elected to office.

For example, if you want to run for Senate in my home state of Nebraska, population 1.6 million, it will cost you several million dollars. This means that candidates must raise over $10,000 every week for 6 years to cover the cost of the average Senate campaign.

We need to stop using partisan procedural stalling tactics and get serious about fixing our campaign financing laws. We need to change the law to give power back to working families, restore their faith in the process, and make democracy work again. That's why I rise in support of the bipartisan bill offered by Senators MCCAIN and FEINGOLD.

This bill would be a strong first step toward making democracy work. It seeks to solve the problem of soft money (money raised in an election, but is outside of federal campaign finance rules), not just with the political parties, but with the special interest groups who run attack ads, who are completely unregulated by the system, and whose contributors are undisclosed. It would require better disclosure, and give more power to the F.E.C. It would create incentives to keep wealthy individuals from trying to buy a Senate seat.

This is not a perfect bill, especially in the stripped-down form in which it has ultimately reached the floor. I feel that it could be improved in ways which would make it easier for average Americans to run, win and serve, and which would make incumbent senators a lot less comfortable. I feel especially strong about the need to toughen our system of election law enforcement, so that the politicians who break the law end up paying the price.

But my colleagues and I can't make an effort to improve this bill if the

other party continues with their stalling tactics and prevent us from debating it.

Mr. President, Americans are frustrated. It is time to get serious about this debate. I know it, you know it, and the American people want it.

As I've said before, in a Harris Poll last March, 83 percent of Americans said they thought that special interest groups had more power than the voters. Seventy-six percent said that Congress is largely owned by special interest groups.

Our lack of action on this issue reinforces the view that Americans have of their Government.

The American people are frustrated by our delay. They are frustrated with the political process that appears to respond to those with economic power and which, all too often, ignores the needs of working men and women.

They are frustrated with the rising cost of campaigns, with a political system which closes the door to people of average means who also want to serve their country in the U.S. Congress.

They are frustrated with the millions of dollars they see go into our campaigns. They are frustrated with our tendency to talk instead of act.

Mr. President, it is time for us to show the American people, not with words but with action. With a single vote today, Senators can act to allow this issue to move front and center on the political stage. With this bipartisan bill, we can show the American people that we mean what se say when we talk.

Last week in the Omaha World Herald, there was an op-ed piece written by Deanna Frisk, the President of Nebraska's League of Women Voters. In laying out her reasons why all Americans would benefit from fixing our campaign finance laws, Ms. Frisk said:

> Campaign finance reform is about creating the kind of democracy we want to have: a democracy where citizens come first, a democracy that is open to new faces, a democracy that can respond with fresh ideas to the problems confronting our country.

Mr. President, I couldn't agree more. As members of the Senate, we are in a unique position to make our government work better for the American people.

Let's give every 30 year old, U.S. Citizen who wants to serve his state as a Member of the Senate a fighting chance. Let's get rid of that unofficial requirement that says don't bother running for office if you don't have lots of time and money to invest. Let's make the wealthy candidate who can afford to dump loads of his own money into a campaign the exception, not the norm like it is today.

Let's give the American people what they want. Let's end this partisan bickering and pass the McCain-Feingold bill.

Mr. BAUCUS. Mr. President, I rise in support of the important campaign finance reform legislation that is before us today.

Today very wealthy special interest groups can pump unlimited amounts of money into a political campaign. In fact, one individual or group can attempt to buy an election. After this bill passes, that will not longer be true. This is the one reform that will do the most to give an ordinary person an equal say in who they send to Congress.

I support this legislation because I believe it represents the right kind of change. While not a perfect solution, it will help put our political process back where it belongs: with the people. And it will take power away from the wealthy special interests that all too often call the shots in our political system.

Let's be clear of our goal today: we must ensure that political campaigns are a contest of ideas, not a contest of money. We need to return elections to the citizens of states like Montana and allow them to make their own decisions, rather than letting rich Washington, DC groups run attack campaigns designed to do nothing but drag down a candidate.

Yet, ironically, by failing to act; by failing to pass this legislation; we will also be opening the door to change—the wrong kind of change. Our political system will continue to drift in the dangerous direction of special interests.

Since the 1970s, when Congress last enacted campaign finance reform, special interest groups supporting both political parties have found creative new ways, some of questionable legality, to get around the intent of our campaign finance laws. Things like soft money, independent expenditures, and political action committees all came about as a consequence of well-intended campaign finance reforms.

MONTANANS WANT REFORM

During my last campaign, I walked across Montana—over 800 miles across the Big Sky State. One of the benefits to walking across Montana, in addition to the beautiful scenery, is that I hear what real people in Montana think. Average folks who don't get paid to fly to Washington and tell elected officials what they think. Folks who work hard, play by the rules, and are still struggling to get by.

People are becoming more and more cynical about government. Over and over, people tell me they think that Congress cares more about ''fat cat special interests in Washington'' than the concerns of middle class families like theirs. Or they tell me that they think the political system is corrupt.

EFFECT ON WORKING MONTANANS

Middle-class families are working longer and harder for less. They have seen jobs go overseas. Health care expenses rise. The possibility of a college education for their kids diminished. Their hope for a secure retirement evaporate.

Today, many believe that to make the American Dream a reality, you have to be born rich or win the lottery. Part of restoring that dream is restoring confidence that the political system works on their behalf, not just on behalf of wealthy special interests.

Now it is time for use to take a real step to win-back the public trust—it is time for us to pass a tough, fair, and comprehensive Campaign Finance Reform bill. That bill must accomplish three things.

First, it must be strong enough to encourage the majority if not all candidates for federal office to participate.

Second, it must contain the spiraling cost of campaign spending in this country. finally, and most importantly, it must control the increasing flow of undisclosed and unreported ''soft-money'' that is polluting our electoral system.

REFORM MUST REDUCE COSTS OF CAMPAIGNS

Under the current campaign system, the average cost of running for a Senate seat in this country is $4 million. I had to raise a little more than that during my 1996 race. That is an average of almost $2000 a day.

When a candidate is faced with the daunting task of raising $12,000 a week—every week—for six years to meet the cost of an average campaign, qualified people are driven away from the process. If we allow ideas to take a back seat to a candidates ability to raise money—surely our democracy is in danger.

The numbers are proof enough. As campaign costs have risen, voter turnout has drastically fallen. Think about that. People are spending more and more, while fewer people are voting. Since 1992, money spent on campaigns has risen by $700 million dollars. In the same time period, turnout has dropped from 55% to an all time low of 48%.

Mr. President, less than half the country now votes in elections. What does this say about our political system? It says, quite simply, that people no longer believe that their vote counts, that they can make a difference. They believe that big corporations and million dollar PACs have more of a say in government than the average citizen. That perception is the most dangerous threat facing our country today.

Let me be clear—my first choice would simply be to control campaign costs by enacting campaign spending limits. However, the Supreme Court, in Buckley v. Valeo, made what I believe was a critical mistake.

They equated money with free speech—preventing Congress from setting reasonable state-by-state spending limits that everyone would have to abide by.

WHAT'S RIGHT WITH THE BILL

While I must admit this bill is not perfect, it will take several crucial actions to reign in campaign spending. First, this is the first bi-partisan approach to campaign finance reform in more than a decade.

Second, the bill establishes a system that does not rely on taxpayers dollars to work effectively.

The McCain-Feingold substitute would prohibit all soft money contributions to the national political parties

from corporations, labor unions, and wealthy individuals.

The bill offers real, workable enforcement and accountability standards. Like lowering the reporting threshold for campaign contributions from $200 to $50. It increases penalties for knowing and willful violations of FEC law. And the bill requires political advertisements to carry a disclaimer, identifying who is responsible for the content of the campaign ad.

Every election year, in addition to the millions of dollars in disclosed contributions, there are the hundreds of millions in unreported, undisclosed contributions spent by ''independent expenditure'' campaigns and ''issue advocacy'' advertisements. These ads are funded by soft-money contributions to national political parties.

Out-of-state special interest groups can spend any amount of money they choose, none of which is disclosed, all in the name of ''educating'' voters—when in fact their only purpose is to influence the outcome of a election. More times than not, the see-sawing 30 second bites do more to confuse than to educate.

This lack of accountability is dangerous to our democracy. These independent expenditure campaigns can say whatever they wish for or against a candidate, and there is little that candidates can do—short of spending an equal or greater amount of money to refute what are often gross distortions and character assassinations.

To close, Mr. President, America needs and wants campaign finance reform. The Senate should pass comprehensive legislation right now. That legislation should accomplish one clear goal: we must ensure that political campaigns are a contest of ideas, not a contest of money.

An oft-quoted American put it this way: ''Politics has got so expensive that it takes lots of money to even get beat with.'' That statement wasn't made this year or last year, or even during our political lifetimes. Will Rogers said that in 1931. He was right then, and he's even more right today.

I remain committed to this cause and will do everything in my power to ensure that the Congress passes meaningful Campaign Finance Reform, this year.

Mr. WYDEN. Mr. President, the American political system is profoundly broken. I experienced this in my recent campaign for this office, which was why I made it my first official act, fifteen minutes after being sworn in to the Senate, to cosponsor the McCain-Feingold bill.

We have all seen the phenomenon, in our own campaigns and in others, where they hold the election on Tuesday, you sleep in on Wednesday, and by Thursday afternoon it has started all over again. There is no interval in which to focus exclusively on the public's business.

I don't think that anyone in this body likes that situation. I have never heard a group of Senators talking among themselves about how wonderful the seemingly permanent campaign is. Well today we have a chance to do something about it. The McCain-Feingold bill won't fix everything, but it will be the most significant step in the right direction in a long, long time.

This bill also takes on one of the greatest threats that has developed in recent years to the quality of our nation's public dialogue, the recent rash of so-called ''independent expenditure campaigns.''

Political campaigns ought to be an opportunity for people who want to serve in public office to not only explain themselves, but to listen and learn. I have tried when running for office to spend as much time as possible listening to what the people I meet at shopping centers and bus stops and ice cream socials have to say. I want to hear what they think and I want to talk to them in a serious way about the fights that I want to wage on their behalf, the issues that I feel passionately about, and the direction I think our country ought to be headed.

But in the past few years, new tactics have been developed by a variety of groups on both the left and the right who seek to insert themselves in between candidates and the public they seek to serve. In these races, the candidates at times become mere pawns in some larger battle for influence.

In the race that my colleague from Oregon and I ran against each other, there were ads that were run that were probably meant to help me, and ads that were run that were meant to hurt me. I think that Senator SMITH and I would both agree that we both would have preferred if all of these ads had never been aired. The McCain-Feingold bill is the best solution available at this time to clean up the excess of these independent expenditures.

Democracy is a precious and fragile gift that has been left to us by previous generations, Mr. President. I don't expect that the republic will collapse tomorrow if we fail to pass this bill, but make no mistake about it, the steady erosion of the public's confidence in their leaders is a dangerous trend. We can make a real beginning today. The American people want this system fixed, and they have a right to expect that it will be. Let's not disappoint them again.

The PRESIDING OFFICER. Who yields time?

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. I yield myself such time as I require.

The PRESIDING OFFICER. The Senator is recognized.

Mr. FEINGOLD. Mr. President, conversations today have been including the notion that the American people don't care about campaign finance reform, and occasionally people do ask why is it important to reform our system of financing campaigns. I think it is pretty clear that people do care about this issue. Just talk to them about it. Trying to get it to show up on a poll is one thing, but if you talk to them, you will find a different story.

That is particularly true when Americans are told the facts or learn the facts about our current system that it actually affects average Americans who may not even care a great deal about being involved in the political process.

I heard today on the floor a number of opponents of our bill assert this issue has no impact on the average citizen. Although I recognize many Americans do not think this issue is the No. 1 issue in America, Americans do care about this issue because it does affect their daily lives in real ways.

Why should Americans care about campaign finance reform? One very good reason to care is that as consumers, they are affected. We all pay for the current system of campaign financing through higher prices, higher prices in the pharmacy, in the supermarket, on our cable bills, when we fill our cars with gas and in many other ways.

Mr. President, in support of this, I have two items I would like to have printed in the RECORD which explain that our current system of financing political campaigns has a very real and direct effect on consumers and provides further support for the need to pass meaningful campaign finance reform.

Today, Common Cause released a report entitled ''Pocketbook Politics.'' Common Cause reveals how special interest money hurts the American consumer. This report examines the campaign contributions of special interest groups which have benefited from Federal programs and policies that have had a costly effect on American consumers.

Mr. President, I ask unanimous consent to have printed in the RECORD the executive summary from this new Common Cause report, ''Pocketbook Politics.''

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

[From the Common Cause Follow the Dollar Report, February 1998]

POCKETBOOK POLITICS: HOW SPECIAL-INTEREST MONEY HURTS THE AMERICAN CONSUMER

In 1996 and 1997, powerful special interests—with the help of generous campaign contributions—won victories in Washington that resulted in higher prices in our day-to-day lives and have taken a substantial bite out of the pocketbooks of typical American families.

Special-interest victories in just six areas denied the American public access to cheaper, generic versions of many popular brand-name drugs; halted improvements in the fuel efficiency of their minivans and cars; pushed up their cable bills; made them pay more to make a call from a pay phone; and kept the prices of peanuts and sugar artificially high.

Since 1991, the special interests represented in just these six examples gave more than $61.3 million in political contributions, including $24.6 million in unlimited soft money donations to the political parties.

The policies these special interests supported not only harm consumers, they often hurt the environment as well. Environmentalists charge that the peanut price-support program whose benefits go to large peanut producers and a small number of landowners, has encouraged farming practices that exhaust the land and result in an increased use of agricultural pesticides. Sugar policies encouraged the growth of sugar plantations near the environmentally sensitive Florida Everglades. A stalemate on fuel efficiency standards increased air pollution and aggravated global warming.

''Our report documents six government programs and policies and their costly effect on the American family,'' Common Cause President Ann McBride said. ''But what we show is just a drop in the bucket. These examples don't begin to explore all the agendas of all special-interest political contributors, their victories on Capitol Hill and at the White House, and their overall impact on the American public.

''But it's clear that a campaign finance system that rewards deep pocket corporations and wealthy individuals directly affects all Americans, robbing them of their hard-earned dollars and threatening to degrade the earth's environment—our legacy to our children. In the insider's game that determines public policy in Washington, special interests and politicians hit the jackpot. But too much of that jackpot comes out of the pocketbook of the American consumer.''

POCKETBOOK POLITICS: EXECUTIVE SUMMARY

In 1996 and 1997, powerful special interests—with the help of generous campaign contributions—won victories in Washington that resulted in higher prices in our day-to-day lives and have taken a substantial bite out of the pocketbooks of typical American families. This study examines just a handful of examples where special interests won victories at the expense of the American consumer.

Bad Medicine: Since 1991, the companies belonging to the Pharmaceutical Research and Manufacturers of America (PhRMA), the trade group for brand-name drug makers, have given more than $18.6 million in political contributions, including $8.4 million in soft money donations to the political parties. With the help of that influence, brand-name drug companies have kept their bottom lines healthy by successfully convincing Congress to let them hold on to their drug patents longer. Loss of access to generic drugs costs consumers, as much as $550 million a year.

Car Fare: The American auto, iron, and steel industries gave $5.7 million ion political contributions since 1991, including more than $1.7 million in soft money donations to the political parties. For the past three years, Congress has voted for a freeze on Corporate Average Fuel Economy (CAFE) standards, thereby sparing these special interests the burden of making cars and trucks more fuel efficient, which they fear might eat into their bottom lines. Supporters of higher CAFE standards claim that it is possible to produce safe, fuel-efficient cars that can save consumers money at the gas pump. Being deprived of this fuel efficiency costs consumers about $59 billion annually.

Party Lines: Together cable and local phone companies have given $22.8 million in political contributions since 1991, including $8.7 million in soft money donations to the political parties. The groundbreaking Telecommunications Act of 1996, which was supposed to make the industries more competitive and responsive to consumer needs, has actually worked to shrink competition. The resulting jump in cable TV bills and pay phone rates costs consumers about $2.8 billion annually.

The $1 Billion PB&J Sandwich: Together peanut and sugar interests have given $14.2 million in political contributions since 1991, including $5.7 million in soft money donations to the political parties. In 1996, they fought to ensure that a historic overhaul of domestic farm policy left their programs virtually untouched. They also rebuffed congressional proposals in 1997 to phase out or eliminate their programs. These legislative victories have upped the price of peanuts and sugar substantially, costing consumers about $1.6 billion annually.

Mr. FEINGOLD. Also, Money magazine published an article in December making much the same point, with additional examples of how consumers have been hurt by decisions made by this Congress under the influence of campaign donations from affected industries.

Our decisions on everything from the airline tax to sugar subsidies to securities laws reform to electricity deregulation are potentially compromised by the money chase. Anyone who cares about public confidence in this institution should be concerned about these examples of industries and individuals with a great economic stake in our deliberations being able to and actually, in fact, making large and strategically focused campaign contributions.

I ask unanimous consent to have printed in the RECORD an excerpt from the Money magazine article entitled ''Look Who's Cashing in on Congress.''

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

[From Money Magazine, December 1997]

LOOK WHO'S CASHING IN ON CONGRESS; TALES FROM THE MONEY TRAIL: HERE ARE SOME OF THE REASONS YOU'LL PAY NEARLY $1,600 THIS YEAR FOR LEGISLATION THAT BENEFITS CORPORATIONS AND THE WEALTHY.

(By Ann Reilly Dowd)

Ordinary Americans are prohibited from climbing Mount Rushmore, where the faces of four great Presidents are carved in granite. But this September, just before the Senate began debating campaign finance reform, Senate Minority Leader Tom Daschle (D–S.D.) led a group of supporters, including 21 representatives of industries as diverse as airlines, financial services, telecommunications and tobacco, up the mountain that's been called the ''Shrine of Democracy.'' Taking Washington's traditional brie-and-Chablis fund raiser to unusual heights, Daschle pulled in $105,000 for his re-election campaign and for his party during that weekend trip to his state's Black Hills. In return, the contributors not only got to perch at the top of a monument off limits to most mortals, but they also won access to the second most powerful politician in the Senate, a man who wields enormous influence over their industries' futures and their own fortunes.

That cash-driven coziness was not exactly what our forefathers had in mind when they spoke of a government of, by and for the people. Increasingly, however, the soaring cost of congressional races, weak campaign finance laws and potentially fat returns on contributors' donations have conspired to give big-spending corporations and wealthy individuals unprecedented access to Washington lawmakers, putting the givers in a prime position to influence the laws the politicians make. ''The founding fathers must be spinning in their graves,'' says Sen. John McCain (R–Ariz.), co-sponsor with Sen. Russell Feingold (D–Wis.) of the leading campaign finance reform bill.

Yet after weeks of high-profile hearings on presidential campaign finance abuses before a panel chaired by Sen. Fred Thompson (R–Tenn.) and heated debate on the Senate floor, the nation's legislators remain deadlocked over whether to fix the system—let alone how to do so. Worse, public interest in the subject is practically nil. For example, a recent poll found only 8% of Americans have been paying close attention to news about the Democrats' 1996 fund raising.

So why should you care about the way both parties finance their congressional campaigns? Because the subject isn't only about politics, it's about your money. Here are two examples of this year's tab:

U.S. taxpayers will pay $47.7 billion for corporate tax breaks and subsidies. That's the conclusion of an exhaustive study by economist Robert Shapiro, vice president of the Progressive Policy Institute, a Washington think tank affiliated with the moderate Democratic Leadership Council. The total cost to the average American household in 1997: $483.

Import quotas for sugar, textiles and other goods will raise consumer prices $110 billion, according to economist Gary Hufbauer of the nonprofit Council on Foreign Relations. total cost per household: $1,114.

All of this comes amid rising public cynicism and apathy about politics. In a recent poll by the Center for Responsive Politics, a nonpartisan group that studies how money influences politics, nearly four in five Americans said major contributors from outside U.S. representatives' districts have more access to the lawmakers than their constituents do. Also, about half of those polled believe that money has ''a lot of influence on policies and legislation.'' Says Ann McBride, president of Common Cause, a political watchdog group: ''It's no accident that last year's extraordinarily low voter turnout coincided with the highest-priced election in history.''

During the 1995–96 election cycle, the Federal Election Commission (FEC) reports, candidates running for the House and Senate raised $791 million, 68% more than a decade earlier. Of the total, a quarter, or $201 million, came from political action committees (PACs) run by corporations, labor unions and other interest groups. Of the $444 million from individuals, only 36%, or $158 million, was given in amounts of less than $200.

Even more startling, the political parties collected an additional $264 million in so-called soft money in 1995–96, triple the amount they raised during the last presidential election campaign. While the law limits so-called hard-money contributions to candidates to $1,000 per election from individuals and $5,000 from PACs, there are no caps on soft money, which flows from corporations, unions and individuals in huge chunks. For example, according to Common Cause, in the last election cycle tobacco giant Philip Morris and its executives gave $2.5 million in soft money to the G.O.P., while the Communications Workers of America contributed $1.1 million to the Democratic Party. The FEC says soft money is supposed to be spent on ''party building.'' But much of the cash finds its way into congressional and presidential races. Says McBride: ''Soft money is clearly the most corrupting money in politics today.''

Indeed, campaigning has mostly turned into a money chase. Last year, winning a Senate seat cost an average of $4.7 million, up 53% since 1986. Snagging a House seat ran $673,739, up 89%. Some veteran senators, including Paul Simon (D–Ill.) and Bill Bradley (D–N.J.), have cited their distaste for endlessly dialing for dollars as one reason they

dropped out of politics. As for the current Capitol gang, says Charles Lewis, president of the Center for Public Integrity, a nonpartisan research group: ''It's a misimpression to think all new members are innocents. Either they are millionaires or they are willing to sell their souls, or at least lease them, before they even set foot in Washington.''

Of course, lawmakers often take positions out of principle. Other times, constituent or broader public interests dictate their votes. But the question remains: What role does money play in shaping legislation?

MONEY has found five instances where big money and bad bills collided, resulting in legislation that has—or may soon—cost taxpaying consumers like you dearly. (For more examples, see the table on page 132). We'll tell the tales and let you judge whether it's time for campaign finance reform.

FEAR OF FLYING

Why you may pay more for air travel: Early this year, Herb Kelleher, the tough-talking chief executive of Southwest Airlines, dropped to his knees in the office of U.S. Rep. Charles Rangel of New York City, the top Democrat on the powerful House Ways and Means Committee. ''If you'll support the little guy against this measure,'' begged Kelleher, referring to a proposed new flight tax that would hurt discount carriers like his, ''I'll give up Wild Turkey and cigarettes.''

Though only half in jest, Kelleher's theatrics weren't enough to overcome the clout of the Big Seven airlines—American, Continental, Delta, Northwest, TWA, United and US Airways—who stood to gain from the new tax. The Center for Responsive Politics estimates that during the 1995–96 election period, the Big Seven contributed $2.5 million in PAC money to candidates and soft money to both parties, almost three times what the airlines had given during the last election cycle. Among their biggest recipients was House Speaker Newt Gingrich of Georgia, where Delta is based, who took in $12,000 for his congressional campaign. Then in the first six months of this year, while Congress was debating the airline-tax bill, the big carriers kicked in another $640,000, including $6,000 more to the Speaker. By contrast, Texas-based Southwest and its small airline allies have contributed nothing to Gingrich and only $95,000 to congressional campaigns and the parties since 1995.

After a bruising Capitol Hill battle, the major carriers emerged with much of what they wanted, tucked into the 1997 tax act: a gradual reduction in the airline ticket tax from 10% to 7.5% plus a new $1 levy, rising to $3 in 2002, on each leg of a flight between takeoff and final landing. Many passengers who fly on regional carriers and discounters like Southwest emerged as losers, since those airlines tend to make more stops. For example, after the ticket-tax reduction and new segment fee are fully phased in, a family of four that flies on Southwest for $225 per person from Houston to Disney World, with a stop in New Orleans, will pay $25.50 in additional taxes.

For that, opponents say, the family can thank Gingrich, who broke a deadlock in the Ways and Means Committee over two warring proposals. One, backed by Southwest and Republican Jennifer Dunn of Washington, would have preserved the flat 10% ticket tax. The other, supported by the Big Seven and sponsored by Republican Michael (''Mac'') Collins of Georgia, reduced the tax and imposed a segment fee.

''Let's settle this like adults and compromise in [the House-Senate] conference,'' Gingrich told Dunn, who agreed to shelve her proposal. The Senate sided with Southwest. But a House provision favorable to the big airlines won in the closed door negotiations between Senate Majority Leader Trent Lott (R–Miss.) and Gingrich. Says a congressional aide whose boss backed Southwest: ''We left it to Trent and Newt, and Newt fought harder.'' Campaign money was not a factor, insists the Speaker's press secretary, Christina Martin. Instead, she says, Gingrich was guided ''by his experience, his vision and the will of his constituents and the Republican conference.''

DANCE OF THE SUGARPLUM BARONS

Why you pay 25% too much for sugar: The next time you buy a bag of sugar, consider this: You are paying 40[cents] a pound, 10[cents] more than you should, because a handful of generous U.S. sugar magnates have managed to preserve their sweet deals for 16 years. Says Rep. Dan Miller (R–Fla.), who led the bitter losing battle last year to dismantle the program of import quotas and guaranteed loans that props up domestic sugar prices, costing U.S. consumers $1.4 billion a year: ''This is the poster child for why we need campaign finance reform.''

The sultans of sugar are Alfonso (''Alfy'') and Jose (''Pepe'') Fanjul, Cuban emigre brothers whose Flo-Sun company, with headquarters in South Florida, produces much of the sugarcane in the U.S. The Fanjuls sprinkle more money over Washington than any other U.S. sugar grower. According to the Center for Responsive Politics, during the 1995–96 election cycle, when the sugar program was up for another five-year reauthorization, the Fanjul family, the companies they own and their employees gave $709,000 to federal election campaigns. Alfy served on President Clinton's Florida fund-raising operation, while Pepe co-chaired Republican presidential nominee Bob Dole's campaign finance committee. Overall during the past election cycle, the Center reports, U.S. sugar producers poured $2.7 million into federal campaign coffers, nearly 60% more than the $1.7 million given by industrial sugar users, including candy and cereal companies, who oppose price supports.

The sugar industry's investment appears to have paid off handsomely. At first, two conservative firebrands, Rep. Dan Miller (R–Fla.) and Sen. Judd Gregg (R–N.H.), seemed to have enough votes to kill the price-support program. In the Senate, however, then-Majority Leader Dole, determined that nothing would hold up the 1996 farm bill, took a machete to amendments that threatened to topple it, including Gregg's, which died by 61 votes to 35.

In the House, the sugar program was saved after six original co-sponsors of the Miller amendment switched sides, killing it by 217 votes to 208. One defector, Texas Republican Steve Stockman, who was locked in a tight re-election race that he ultimately lost, received $7,500 in sugar contributions during 1995 and '96, including $1,000 on the day of the vote. Stockman did not return Money's phone calls. Another voting for big sugar, Robert Torricelli (D–N.J.), now a U.S. senator, received $19,000 from sugar producers. New Jersey grows no sugar, but it is home to 870,000 Cuban Americans, whose votes Torricelli wanted for his Senate campaign. On the House floor, he argued that eliminating the program would drive up world prices, hurting domestic growers and helping foreign producers like Cuba. Said Torricelli: ''We will lose the jobs and the money, and Fidel Castro's Cuba will reap the benefits.''

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WASHINGTON POWER PLAY

How politically charged utilities are short-circuiting federal deregulation efforts that could cut your electric bill: If you could shop around for power instead of buying it from a single local utility, you could cut as much as 24% off your monthly electric bill, according to the Department of Energy. For a family whose monthly electric bills average $100, that would mean yearly savings of $288, nearly three months of free power. But while states from California to New Hampshire are moving to increase competition among utilities, two deep-pocketed and determined adversaries have thus far stymied federal deregulation efforts.

Those fighting for rapid deregulation include large commercial electricity users, such as Anheuser-Busch, General Motors, Texaco and major retailers, as well as low-cost power producers and marketers like Houston's Enron. The Center for Responsive Politics estimates that during the 1995–96 election cycle, as Congress began considering deregulation, the major commercial power users contributed $7.8 million to congressional candidates and the parties, while Enron and its employees gave another $1.2 million.

On the other side of the power war are old-line, monopolistic utilities led by the Edison Electric Institute (EEI), their major Washington lobby. Their big fear: that so-called stranded costs for investments in nuclear power plants and other projects they pass on to consumers in the rates they pay will make it difficult to compete with low-cost energy producers under deregulation. During the 1995–96 election period, the old-line utilities contributed $7.7 million to the candidates and the parties. In addition, the Institute assessed its members $3 million to pay for a lobbying campaign against rapid federal deregulation.

So far, that effort seems to be working. After 14 hearings on deregulation, Frank Murkowski (R–Alaska), chairman of the Senate Energy and Natural Resources Committee, has still not introduced a comprehensive bill. Instead he is backing a narrower measure sponsored by Sen. Alfonse D'Amato (R–N.Y.) that would help the old-line utilities by letting them compete in any nonutility business, without allowing other power companies to enter the older firms' local electricity markets.

* * * * *

What will these power plays mean to you? Says, Charlie Higley, a senior policy analyst at Public Citizen, a consumer rights group: ''Generally we are concerned that legislators will strike a deal where the utilities will get the taxpayer to foot the bill for their stranded costs, the big industrial users will get all the breaks, and residential and small business customers will get no relief or, worse yet, higher costs.''

A MIDSUMMER'S NIGHT SCHEME

How Wall Street and Silicon Valley could undercut investor rights: In the summer of 1995, a coalition of accounting, securities and high-tech firms persuaded Congress to pass sweeping legislation limiting securities litigation that MONEY had warned could severely restrict investors' abilities to bring successful class-action suits for securities fraud. Though the Securities and Exchange Commission has concluded that it is too early to tell whether the Securities Litigation Reform Act has seriously eroded investors' rights, the same group of industries is now promoting legislation that would virtually ban investors from bringing class-action suites in state courts involving nationally traded securities. Warns Barbara Roper, the Consumer Federation of America's securities law expert: ''The big risk for investors is that the federal law will end up restricting meritorious cases and that we'll lose the states as an alternative venue for them.'' The possible result: Wronged investors not

only could find such cases harder to win, but they also may be prevented from filing suits in the first place.

* * * * *

In 1995 and '96, securities and accounting firms, as well as high-tech companies, which frequently are the targets of securities fraud lawsuits, flooded Congress and both parties with $29.6 million in campaign money, according to the Center for Responsive Politics. By contrast, the Center estimates the trial lawyers association, the biggest critic of the legislation, gave $3.1 million. (The total from all trial lawyers is unknown.) Says one top Democratic congressional aide: ''This is completely money-driven, special-interest legislation that we would never even be looking at if there were campaign finance reform. Most congressmen are not being bombarded with requests from local constituents to pre-empt state securities laws.''

WHAT CONGRESS SHOULD DO

Here are six changes recommended by advocates of campaign finance reform:

Ban soft money. This is the heart of the McCain-Feingold bill to improve the way campaigns are funded. The prohibition would shut down the easiest way corporations, unions and the wealthy have to buy access to Congress and influence legislation.

Limit PAC contributions. Congress ought to ban PACs from giving money to the campaigns of members of committees that govern the PACs' industries or their interests.

Offer cut-rate TV time. Candidates who agree to reject PAC money might get free or discounted TV time.

Reward small contributors. Tax credits for donations of $200 or less might stimulate more people to give. Says Kent Cooper, executive director of the Center for Responsive Politics: ''It's critical that we build a wider base of small contributors.''

Streamline disclosure. Candidates should be required to file their campaign receipts and expenditures electronically to the Federal Election Commission. That would enable it to post the data to its Website (www.fec.gov) more quickly.

Toughen election laws and enforcement. Congress must make the six-member Federal Election Commission, typically half Republican and half Democrat, more effective. The panel needs authority to impose civil penalties, a bigger enforcement budget (now only $31.7 million) and a seventh member to break ties.

What can you do? Write to congressional leaders Gingrich, Lott and McCain, as well as your own U.S. representative, senators and President Clinton. Tell them you want campaign finance reform that will restore accountability and integrity to federal elections and the government. And while you're at it, tell them you'd like the right to climb Mount Rushmore—without giving Tom Daschle $5,000 of your hard-earned money.

Mr. FEINGOLD. Mr. President, how much time do we have remaining?

The PRESIDING OFFICER. The Senator from Wisconsin has 9 minutes remaining.

Mr. FEINGOLD. Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. McCONNELL. Mr. President, I suggest the absence of a quorum with the time being charged to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, at this time I yield such time as he requires to the leader on this issue, the senior Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. McCAIN. I thank the Senator from Wisconsin.

May I ask, how much time remains on both sides?

The PRESIDING OFFICER. The Senator from Arizona has 8 minutes 48 seconds; the Senator from Kentucky controls 7 minutes 13 seconds.

Mr. McCAIN. Since it is the McCain-Feingold amendment, I ask the Senator from Kentucky if we could close the debate with our comments.

Mr. McCONNELL. I am sorry; I did not hear the Senator from Arizona.

Mr. McCAIN. Since the vote would be on our amendment, it is customary that we, the sponsors of the amendment, be allowed to close the debate. I ask if the Senator from Kentucky would agree that I could have the last 5 minutes before the vote.

Mr. McCONNELL. I have absolutely no problem with that. That is perfectly acceptable.

Mr. McCAIN. Does the Senator from Kentucky want to proceed now?

Mr. McCONNELL. Yes. Would you like me to go on to wrap up?

Mr. McCAIN. Yes.

Mr. McCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. McCONNELL. I am happy to accommodate the Senator from Arizona.

Mr. President, I think we have had a very important and useful debate. In many ways it has gone on for the last 10 years in various forms. Prior to 1995, it was the Mitchell-Boren bill. There have been several changes over the years, but fundamentally the issue is this: Do we think we have too much political discourse in this country?

I would argue, Mr. President, that we do not have any problems in this country related to too much political discussion. The Supreme Court has made it quite clear that in order to effectively discuss issues in this country, one must have access to money, and, frankly, that should not be a shocking concept to anyone going all the way back to the beginning of our country when anonymous pamphlets were passed out supporting the American Revolution. Somebody paid for those.

Virtually any undertaking, whether it is raising money for Common Cause so that they can get their message out or raising money for a campaign so that it can get its message out or raising money for a political party so it can get its message out or by some group that wants to be critical of any of us up to and including the time just prior to an election, the Supreme Court has appropriately recognized that in order to have effective speech you have to be able to amplify your voice. That is not a new concept. It has been around since the beginning of the country.

So the fundamental issue, Mr. President, is this: Do we have too much political discourse in this country? I would argue that we clearly do not. The political discussion has increased in recent years for several reasons. No. 1, the effective means of communication costs more—nobody has capped inflation in the broadcast industry—and, No. 2, the stakes have been large.

The Congress was for many years sort of a wholly owned subsidiary of the folks on the other side of the aisle. But since 1994 it has been a good deal more competitive, so the voices have been louder. We had a robust election in 1996 about the future of the country, and a good deal of discussion occurred. But even then, Mr. President, that discussion, converted to money and compared to other forms of consumer consumption, if you will, in this country, was minuscule. One percent of all the commercials in America in 1996 were about politics. So it seems to me, Mr. President, by any standard, we are not discussing these issues too much.

The other side of the issue that must be addressed is, assuming it were desirable to restrict this discussion, is that a good idea? In order to do that, Mr. President, you have to have a Federal agency essentially trying to control not only the quantity but the quality of discourse in our country.

The Supreme Court has already made it quite clear that it is impermissible for the Government to control either the quantity or the quality of our political discussion in this country.

So this kind of regulatory approach to speech is clearly something the courts are not going to uphold. Nor should the Senate uphold that approach. Fundamentally that is the difference between the two sides on this issue.

Do we think there is too much speech? Or do we think there is too little? Do we think it is appropriate for the Government to regulate this speech? Or do we think it is constitutionally impermissible? That is the core debate here, Mr. President.

McCain-Feingold, in its most recent form, upon which we will be voting on a motion to table here shortly, in my view, clearly goes in the regulatory direction. It is based on the notion that there is too much political discussion in this country by parties and by groups.

Mr. President, the political parties do not exist for any other reason than to engage in political discussion. They financed issue advocacy ads with non-Federal money. The pejorative term for that is ''soft money,'' but it should not be a pejorative thing. The national political parties get involved in State elections, local elections. They need to be there to protect their candidates if they are attacked by the issue ads of someone else.

All of this is constitutionally protected speech. Obviously, we do not like it when they are saying something against us. We applaud it when somebody is trying to help us. But the problem is not too much discussion, Mr. President. America is not going to get in trouble because of too much discussion.

In fact, we have killed this kind of proposal now for 10 years. It is unrelated to the popularity of Congress. Congress is currently sitting on a 55 to 60 percent approval rating, the highest approval rating in the last 25 years. It achieved that approval rating in spite of the fact that this issue was not approved last year, nor the year before, and, Mr. President, I am confident will not be approved this afternoon.

So when a motion to table is made, I hope that the majority of the Senate will support a motion to table McCain-Feingold.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. In a moment, I will yield to the senior Senator from Arizona. But before I do, let me make clear what we are tabling here today if we table the McCain-Feingold amendment.

The other side would have us believe it is one narrow aspect of a bill that has to do with certain aspects of express advocacy and independent advocacy. Surely, that is part of the bill. But what they don't talk about very much is what else would be tabled. It would involve the tabling of a complete ban on soft money. It would be wiping out the opportunity for this Congress to have a ban on soft money. What that means is they are also tabling a concept that has been endorsed by over 100 former Members of Congress who signed a letter to ban soft money.

It is also a denial and tabling of an effort to ban soft money that has been endorsed by people like former Presidents George Bush and Jimmy Carter and Gerald Ford. In addition, if this tabling motion prevails, you will be wiping out provisions that actually lower the provisions that require candidates to report contributions of $50 and over, not just the ones of $200 and over. It would be wiping out provisions that double the penalties for the knowing and willful violations of Federal elections law and tabling the provisions that require full electronic disclosure of campaign contributions to the FEC.

You will be wiping out provisions that require the Federal Elections Commission to make those campaign finance records available on the Internet within 24 hours. You will be wiping out provisions that would stop the practice of Members of Congress using their franking privileges, their mass mailing franking privileges in an election year. Our bill would ban that.

The tabling motion would wipe out the provisions that require a candidate to clearly identify himself or herself on one of these negative ads.

So the fact is this bill has many important provisions. A tabling motion denies the chance to do all of these things. What the opposition has chosen to focus on is merely a few aspects, which I think we are right about, but they completely ignore the many important items of enforcement and disclosure and the banning of soft money the McCain-Feingold bill would achieve.

How much time remains?

The PRESIDING OFFICER. The Senator has 5 minutes 30 seconds.

Mr. FEINGOLD. Mr. President, I yield the remaining time to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, first of all, I want to extend thanks, as is customary at the end of debates such as these, to the majority leader for agreeing to schedule this vote and to the minority leader for all of his help in this effort, Senator DASCHLE, the Democratic leader. I would like to thank Senator MCCONNELL of Kentucky for again conducting the debate, which is distinguished by its lack of rancor and by its adherence to an honest and open difference of opinion, a fundamental difference but one that I believe is strongly held by both Senator MCCONNELL and myself.

As always, I want to thank my dear friend, Senator FEINGOLD, who, in my view, represents the very best in public service. As he and I differ on a broad variety of issues, we have always agreed on the principle of the importance, the integrity, and the honor associated with public service.

Mr. President, since last year, a number of things have been happening since we had votes last September. A very good manifestation of how this system is out of control was contained in the January 17 Congressional Quarterly about the California House race that is taking place.

I will not go into all the details. This was January 17. On March 10 there is an election. It lists noncandidate spending in the California special: Campaign for Working Families, $100,000; Americans for Limited Terms, $90,000; Foundation for Responsible Government, $50,000; Planned Parenthood Action Fund, $40,000; Catholic Alliance, $40,000; California Republican Assembly, $16,000; and the list goes on and on and on.

Millions of dollars are being spent in a House race in California. And you know what, Mr. President? Those funds and those campaigns are not being conducted by the candidates. They are being conducted by organizations that enter into these races that sometimes have no connection with the candidate themselves. And you know they all have one thing in common. They are all negative, Mr. President, they are all negative.

One of the radio ads says, ''Call Bordonaro and tell him you're not buying Planned Parenthood. Tom Bordonaro is the definition of a religious political extremist.'' That came from Planned Parenthood.

The same thing on both sides. You will never see one of these, Mr. President, in a so-called independent campaign that says, ''Vote for our guy or woman. They're very decent and wonderful people.'' Then we wonder why there is the cynicism and the lack of respect for those of us who engage in public service.

Mr. President, since last year there have been several indictments that have come down. One thing I can predict to you with absolute certainty on this floor; there will be more indictments, Mr. President, and there will be more scandals and more indictments and more scandals and more indictments and more people going to prison until we clean up this system. There is too much money washing around. This money makes good people do bad things and bad people do worse things.

I guarantee you, Mr. President, this system is so debasing as it is today that we will see lots of indictments, prison sentences and, frankly, these investigations reaching levels which many of us had never anticipated in the past.

We have also, thanks to our tenacity, gotten a vote. For the first time, Members of the Senate will be on record on campaign finance reform. I have no doubt about what this vote is about. It is on campaign finance reform.

Later, hopefully, we will have a vote on the Snowe amendment, which I think is a compromise which is carefully crafted and one that deserves the support of all of us. I believe that we are closer to the point that I have long espoused and advocated to my friends and colleagues from both sides of this issue. We are closer to the point where all 100 of us agree that the system is broken and needs to be fixed and we need to sit down together and work out the resolution to this terrible problem which is afflicting America, which we can work out in a bipartisan fashion that favors neither one party nor the other.

The American people are demanding it, the American people deserve it, and the American people will get it. Mr. President, we will never give up on this issue because we know we are right in the pursuit of an issue that affects the very fiber of American life and American Government.

Mr. President, I yield the remainder of my time.

Mr. MCCONNELL. I move to table the McCain-Feingold amendment.

The PRESIDING OFFICER (Mr. HAGEL). Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

VOTE ON MOTION TO TABLE AMENDMENT NO. 1646

The PRESIDING OFFICER. The question is on agreeing to the motion to table the McCain-Feingold amendment numbered 1646.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Iowa (Mr. HARKIN) is necessarily absent.

The result was announced—yeas 48, nays 51, as follows:

[Rollcall Vote No. 12 Leg.]

YEAS—48

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

NAYS—51

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

NOT VOTING—1

Harkin

The motion to lay on the table the amendment (No. 1646) was rejected.

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

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

The motion to lay on the table was agreed to.

Mr. LOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Ms. SNOWE addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine.

AMENDMENT NO. 1647

(Purpose: Relating to electioneering communications)

Ms. SNOWE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Maine [Ms. SNOWE], for herself, Mr. JEFFORDS, Mr. LEVIN, Mr. LIEBERMAN, Mr. MCCAIN, Mr. FEINGOLD, Mr. CHAFEE, Ms. COLLINS, and Mr. THOMPSON, proposes an amendment numbered 1647.

Ms. SNOWE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

Strike section 201 and insert:

Subtitle A—Electioneering Communications

SEC. 200. DISCLOSURE OF ELECTIONEERING COMMUNICATIONS.

Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) is amended by adding at the end the following new subsection:

''(d) ADDITIONAL STATEMENTS ON ELECTIONEERING COMMUNICATIONS.—

''(1) STATEMENT REQUIRED.—Every person who makes a disbursement for electioneering communications in an aggregate amount in excess of $10,000 during any calendar year shall, within 24 hours of each disclosure date, file with the Commission a statement containing the information described in paragraph (2).

''(2) CONTENTS OF STATEMENT.—Each statement required to be filed under this subsection shall be made under penalty of perjury and shall contain the following information:

''(A) The identification of the person making the disbursement, of any entity sharing or exercising direction or control over the activities of such person, and of the custodian of the books and accounts of the person making the disbursement.

''(B) The State of incorporation and the principal place of business of the person making the disbursement.

''(C) The amount of each disbursement during the period covered by the statement and the identification of the person to whom the disbursement was made.

''(D) The elections to which the electioneering communications pertain and the names (if known) of the candidates identified or to be identified.

''(E) If the disbursements were paid out of a segregated account to which only individuals could contribute the names and addresses of all contributors who contributed an aggregate amount of $500 or more to that account during the period beginning on the first day of the preceding calendar year and ending on the disclosure date.

''(F) If the disbursements were paid out of funds not described in subparagraph (E), the names and addresses of all contributors who contributed an aggregate amount of $500 or more to the organization or any related entity during the period beginning on the first day of the preceding calendar year and ending on the disclosure date.

''(G) Whether or not any electioneering communication is made in coordination, cooperation, consultation, or concert with, or at the request or suggestion of, any candidate or any authorized committee, any political party or committee, or any agent of the candidate, political party, or committee and if so, the identification of any candidate, party, committee, or agent involved.

''(3) ELECTIONEERING COMMUNICATION.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'electioneering communication' means any broadcast from a television or radio broadcast station which—

''(i) refers to a clearly identified candidate for Federal office;

''(ii) is made (or scheduled to be made) within—

''(I) 60 days before a general, special, or runoff election for such Federal office, or

''(II) 30 days before a primary or preference election, or a convention or caucus of a political party that has authority to nominate a candidate, for such Federal office, and

''(iii) is broadcast from a television or radio broadcast station whose audience includes the electorate for such election, convention, or caucus.

''(B) EXCEPTIONS.—Such term shall not include—

''(i) communications appearing in a news story, commentary, or editorial distributed through the facilities of any broadcasting station, unless such facilities are owned or controlled by any political party, political committee, or candidate, or

''(ii) communications which constitute expenditures or independent expenditures under this Act.

''(4) DISCLOSURE DATE.—For purposes of this subsection, the term 'disclosure date' means—

''(A) the first date during any calendar year by which a person has made disbursements for electioneering communications aggregating in excess of $10,000, and

''(B) any other date during such calendar year by which a person has made disbursements for electioneering communications aggregating in excess of $10,000 since the most recent disclosure date for such calendar year.

''(5) CONTRACTS TO DISBURSE.—For purposes of this subsection, a person shall be treated as having made a disbursement if the person has contracted to make the disbursement.

''(6) COORDINATION WITH OTHER REQUIREMENTS.—Any requirement to report under this subsection shall be in addition to any other reporting requirement under this Act.''

SEC. 200A. COORDINATED COMMUNICATIONS AS CONTRIBUTIONS.

Section 315(a)(7)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(7)(B)) is amended by inserting after clause (ii) the following new clause:

''(iii) if—

''(I) any person makes, or contracts to make, any payment for any electioneering communication (within the meaning of section 304(d)(3)), and

''(II) such payment is coordinated with a candidate for Federal office or an authorized committee of such candidate, a Federal, State, or local political party or committee thereof, or an agent or official of any such candidate, party, or committee.

such payment or contracting shall be treated as a contribution to such candidate and as an expenditure by such candidate; and''.

SEC. 200B. PROHIBITION OF CORPORATE AND LABOR DISBURSEMENTS FOR ELECTIONEERING COMMUNICATIONS.

(a) IN GENERAL.—Section 316(b)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b(b)(2)) is amended by inserting ''or for any applicable electioneering communication'' before '', but shall not include''.

(b) APPLICABLE ELECTIONEERING COMMUNICATION.—Section 316 of such Act is amended by adding at the end the following new subsection:

''(c) RULES RELATING TO ELECTIONEERING COMMUNICATIONS.—

''(1) APPLICABLE ELECTIONEERING COMMUNICATION.—For purposes of this section, the term 'applicable electioneering communication' means an electioneering communication (within the meaning of section 304(d)(3)) which is made by—

''(A) any entity to which subsection (a) applies other than a section 501(c)(4) organization, or

''(B) a section 501(c)(4) organization from amounts derived from the conduct of a trade or business or from an entity described in subparagraph (A).

''(2) SPECIAL OPERATING RULES.—For purposes of paragraph (1), the following rules shall apply:

''(A) An electioneering communication shall be treated as made by an entity described in paragraph (1)(A) if—

''(i) the entity described in paragraph (1)(A) directly or indirectly disburses any

amount for any of the costs of the communication; or

''(ii) any amount is disbursed for the communication by a corporation or organization or a State or local political party or committee thereof that receives anything of value from the entity described in paragraph (1)(A), except that this clause shall not apply to any communication the costs of which are defrayed entirely out of a segregated account to which only individuals can contribute.

''(B) A section 501(c)(4) organization that derives amounts from business activities or from any entity described in paragraph (1)(A) shall be considered to have paid for any communication out of such amounts unless such organization paid for the communication out of a segregated account to which only individuals can contribute.

''(3) DEFINITIONS AND RULES.—For purposes of this subsection—

''(A) the term 'section 501(c)(4) organization' means—

''(ii) an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code; or

''(ii) an organization which has submitted an application to the Internal Revenue Service for determination of its status as an organization described in clause (i); and

''(B) a person shall be treated as having made a disbursement if the person has contracted to make the disbursement.

''(4) COORDINATION WITH INTERNAL REVENUE CODE.—Nothing in this subsection shall be construed to authorize an organization exempt from taxation under section 501(a) of the Internal Revenue Code of 1986 from carrying out any activity which is prohibited under such Code.''

Subtitle B—Independent and Coordinated Expenditures

SEC. 201. DEFINITION OF INDEPENDENT EXPENDITURE.

Section 301 of the Federal Election Campaign Act (2 U.S.C. 431) is amended by striking paragraph (17) and inserting the following:

''(17) INDEPENDENT EXPENDITURE.—The term 'independent expenditure' means an expenditure by a person—

''(A) expressly advocating the election or defeat of a clearly identified candidate; and

''(B) that is not provided in coordination with a candidate or a candidate's agent or a person who is coordinating with a candidate or a candidate's agent.''

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 1648 TO AMENDMENT NO. 1647

(Purpose: To prohibit new welfare for politicians)

Mr. LOTT. Mr. President, I send an amendment to the desk to the pending Snowe amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT] proposes an amendment numbered 1648 to amendment No. 1647.

Mr. LOTT. Mr. President, I ask unanimous consent the amendment be considered as having been read.

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

The amendment is as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. 200. ELECTIONEERING COMMUNICATIONS.

(a) PROHIBITION.—None of the funds appropriated or otherwise made available to the Federal Communications Commission may be expended to impose or enforce any requirement or obligation with respect to the provision of free or discounted television broadcast time for campaign advertising unless such requirement or obligation is specifically and expressly authorized by title III of the Communications Act of 1934.

AMENDMENT NO. 1649

(Purpose: To prohibit new welfare for politicians)

Mr. LOTT. Mr. President, I now send a perfecting amendment to the desk to the underlying bill.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT] proposes an amendment numbered 1649.

Mr. LOTT. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

In the language proposed to be stricken in the bill, strike all after the word ''political'' on page 2, line 23, and insert the following:

''party.

SEC. 3. ELECTIONEERING COMMUNICATIONS.

(a) PROHIBITION.—None of the funds appropriated or otherwise made available to the Federal Communications Commission may be expended to impose or enforce any requirement or obligation with respect to the provision of free or discounted television broadcast time for campaign advertising unless such requirement or obligation is specifically and expressly authorized by title III of the Communications Act of 1934.

(b) EFFECTIVE DATE.—This section shall take effect one day after enactment of this Act.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1650 TO AMENDMENT NO. 1649

(Purpose: To prohibit new welfare for politicians)

Mr. LOTT. I now send an amendment to the desk to my amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT] proposes an amendment numbered 1650 to amendment No. 1649.

Mr. LOTT. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

Strike all after the first word in the pending amendment and insert the following:

SECTION 3. ELECTIONEERING COMMUNICATIONS.

(a) PROHIBITIONS.—None of the funds appropriated or otherwise made available to the Federal Communications Commission may be expended to impose or enforce any requirement or obligations with respect to the provision of free or discounted television broadcast time for campaign advertising unless such requirement or obligations is specifically and expressly authorized by title III of the Communication Act of 1934.

(b) EFFECTIVE DATE.—This section shall take effect two days after enactment of this Act.

MOTION TO COMMIT

Mr. LOTT. I send to the desk a motion to commit the bill to the Commerce Committee with instructions to report back forthwith.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT] moves that the Senate commit S. 1663 to the Committee on Commerce, Science and Transportation with instructions that it report back the bill forthwith.

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.

AMENDMENT NO. 1651

(Purpose: To prohibit new welfare for politicians)

Mr. LOTT. I now send an amendment to the desk to the instructions.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT] proposes an amendment numbered 1651 to the motion to commit the bill to committee.

Mr. LOTT. I ask the amendment be considered as having been read.

Mr. FORD. I object.

The PRESIDING OFFICER. Objection is heard. The clerk will report.

The legislative clerk read further as follows:

At the end of the instructions add the following:

''with an amendment as follows:

Strike all after the enacting clause and insert the following:

SEC. 1. ELECTIONEERING COMMUNICATIONS.

(a) PROHIBITION.—None of the funds appropriated or otherwise made available to the Federal Communications Commission may be expended to impose or enforce any requirement or obligation with respect to the provision of free or discounted television broadcast time for campaign advertising unless such requirement or obligation is specifically and expressly authorized by title III of the Communications Act of 1934.''

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.

AMENDMENT NO. 1652 TO AMENDMENT NO. 1651

(Purpose: To prohibit new welfare for politicians)

Mr. LOTT. I now send an amendment to the desk to my amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT] proposes an amendment numbered 1652 to amendment No. 1651.

In lieu of the matter proposed to be inserted, insert the following:

SEC. 1. ELECTIONEERING COMMUNICATIONS.

(a) PROHIBITION.—None of the funds appropriated or otherwise made available to the Federal Communications Commission may

be expended to impose or enforce any requirement or obligation with respect to the provision of free or discounted television broadcast time for campaign advertising unless such requirement or obligation is specifically and expressly authorized by title III of the Communications Act of 1934.

(b) EFFECTIVE DATE.—This section shall take effect one day after enactment of this Act.

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. DASCHLE. Parliamentary inquiry.

Mr. LOTT. I now send a final amendment to my amendment to the desk——

Mr. DASCHLE. What constitutes a sufficient second in this case?

The PRESIDING OFFICER. Does the Senator yield for a parliamentary inquiry?

Mr. LOTT. I yield for a parliamentary inquiry.

Mr. DASCHLE. I appreciate the majority leader's yielding. I ask the Chair, what would constitute a sufficient second, given the number of Senators on the floor currently?

The PRESIDING OFFICER. The Constitution requires one-fifth of those present.

Mr. DASCHLE. Mr. President, I hope we will count carefully, because I think we are getting very close here to whether or not we have a sufficient second. I appreciate the answer of the Chair.

AMENDMENT NO. 1653 TO AMENDMENT NO. 1651

(Purpose: To prohibit new welfare for politicians)

Mr. LOTT. I now send a final amendment to the desk to my amendment. I believe the desk has that amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT] proposes an amendment numbered No. 1653 to Amendment No. 1651.

Strike all after the word ''section'' in the pending amendment and insert the following:

1. ELECTIONEERING COMMUNICATIONS.

(a) PROHIBITION.—None of the funds appropriated or otherwise made available to the Federal Communications Commission may be expended to impose or enforce any requirement or obligation with respect to the provision of free or discounted television broadcast time for campaign advertising unless such requirement or obligation is specifically and expressly authorized by title III of the Communications Act of 1934.

(b) EFFECTIVE DATE.—This section shall take effect two days after enactment of this Act.

Mr. LOTT. Mr. President, for the information of all Senators, the Senate is now in a posture where the tree is filled with respect to the pending campaign finance legislation. Senator MCCAIN has offered his substitute amendment and we have had a very good discussion about the issue prior to the motion to table, and the time for the vote was agreed to and that occurred, of course, at 4 o'clock. The motion to table did fail, although I think we should note that it was the identical vote that we had on this same issue last year.

Now our colleague, Senator SNOWE, has offered her version of paycheck protection to the McCain-Feingold amendment, and I intend to file a cloture motion on that today. However, it is my hope that cloture votes on the Snowe amendment could occur Thursday morning, but after we have had debate tonight. She is prepared, I believe, to talk about her amendment.

There also are a number of Senators who are very interested in talking about the second-degree amendment, or the amendment I offered to her amendment. I know Senator MCCAIN feels very strongly that the FCC should not impose the requirement of free broadcast time. Senator BURNS had indicated he wanted to speak on this. We had been hoping he would be here momentarily, and I am sure he will be, and he will want to speak on that issue, too.

So, after a debate on this issue, we expect to have a time set for a vote. But I will consult with the minority leader and also with the sponsor of the amendment and the second-degree amendment before we announce a time on that.

I ask for the yeas and nays on amendment No. 1647.

The PRESIDING OFFICER. Is there a sufficient second? So ordered.

The yeas and nays were ordered.

Mr. MCCAIN. Will the majority leader yield for a second?

Mr. LOTT. I ask for the yeas and nays on amendment No. 1646.

The PRESIDING OFFICER. It would take unanimous consent to do that. Is there objection?

Mr. DORGAN. Reserving the right to object, what is the request?

The PRESIDING OFFICER. To be able to order the yeas and nays on amendment No. 1646.

Mr. DASCHLE. Did the majority leader ask unanimous consent to do that? In that case, we will be compelled to object.

Mr. MCCAIN. Will the majority leader yield for a question? My understanding of the majority leader's amendment is it would bar the FCC from allocating free television time to candidates. As the majority leader pointed out, that is a position that I share because I believe only the legislative and executive branch should be responsible for what basically changes the entire electoral system in this country.

But my question to the majority leader is that, following disposition of his amendment, either through tabling or up-or-down vote, would the majority leader be amenable to a unanimous consent request that Senator SNOWE's amendment be taken up without amendment, so that the Senate can vote on this issue?

Mr. LOTT. Let me discuss this with you, Senator MCCAIN, and with Senator SNOWE. I want to make sure we had considered all of the ramifications to that. I think probably the answer may be yes, but I would like to make sure we have had a chance to talk it through. I am not making a commitment at this point.

I think it is important that we have a full discussion on the FCC effort and we have a full discussion on our amendment. That will give us time. I presume she is not interested in having a vote this afternoon, so we will have some time tonight to talk about that and then tomorrow, after the funeral services for Senator Ribicoff, and then after the vote on the military construction appropriations bill, we will come back to this issue around, I guess, 3:30. Then, hopefully, we will have a vote sometime tomorrow afternoon, probably around this time or a little earlier. We will talk about what order that would be in prior to that.

Mr. MCCAIN. If the majority leader will further yield, I thank him for that consideration. I do believe, obviously, that we should have a vote on the Snowe amendment, and I appreciate his consideration of it. Of course, whether we were going to have a vote on the Snowe amendment would obviously dictate my vote and, I think, that of some of my colleagues, including those on the other side of the aisle who may share our view concerning whether the FCC should be deciding these things or not. Because, if it serves just to kill our ability to vote on the Snowe amendment, then obviously that may not be something that I would want to support. But I appreciate the majority leader's consideration.

Mr. LOTT. I agree with the chairman of the committee. I feel very strongly the FCC should not be doing this. I would like to inquire, does the chairman of the committee intend to have some hearings on this and maybe move this as an amendment or as a part of another bill at some point? Perhaps this year?

Mr. MCCAIN. I would hope so. As you know, the majority leader knows I am loath—loath—to determine policy issues on appropriations bills. But on occasion there might be some exception made to my absolute opposition to any authorization on appropriations bills, because I feel this is a very important issue. I thank the majority leader.

Mr. LOTT. I yield the floor.

The PRESIDING OFFICER. The Senate minority leader.

Mr. DASCHLE. I file two cloture motions, one on the McCain-Feingold amendment and then on the Snowe—first on Snowe and then on McCain.

CLOTURE MOTION

Mr. DASCHLE. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. 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 Snowe amendment:

Edward M. Kennedy, Daniel Inouye, Byron Dorgan, Max Cleland, Russell D. Feingold, Ernest F. Hollings, Daniel K. Akaka, Wendell Ford, Patrick J. Leahy, Christopher J. Dodd, Jack Reed, Patty Murray, Robert Torricelli, Barbara Boxer, Ron Wyden, Carol Moseley-Braun, Kent Conrad, and Jeff Bingaman.

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 debate on the McCain-Feingold amendment:

Russell D. Feingold, Paul Wellstone, J. Lieberman, Richard J. Durban, Tim Johnson, Edward M. Kennedy, Byron L. Dorgan, Barbara A. Mikulski, Daniel K. Akaka, Jay Rockefeller, Dale Bumpers, Wendell H. Ford, John Breaux, J.R. Kerrey, Ernest F. Hollings, Daniel Moynihan, Patty Murray, Carol Moseley-Braun, and Max Cleland.

Mr. DASCHLE. Mr. President, here we go again. I thought that we had an understanding about the opportunity that we would be presented to have a good debate. In fact, I am going to go back to the RECORD and check, but I am quite sure that there was some understanding that there would not be any need to fill trees and to prevent open and free debate, because we saw what happened the last time we tried this. It locked up the Senate for weeks on end with absolutely no result.

I would ask my colleagues, what are you afraid of here? Why are our colleagues on the other side not willing to allow this body to work its will? Why is the majority party filibustering legislation that the majority of Senators supports?

Mr. President, I am disappointed and frustrated. I am prepared to take this to whatever length is required to bring it to a successful resolution this week, next week, at some point in the future. We have a lot of work to do here, and I want to work with the majority leader to find a way to accomplish all that must be done. But I can't think of a better way to slow progress, to stop progress, to preclude us from getting our work done than to deny this body the opportunity to have a good debate and some votes on this important issue.

I must say, it is, again, a reminder to the Democratic caucus that when we enter into these agreements, we better check the writing, we better check the specifics, we better ensure we have a clear understanding of what the agreement is.

There was a colloquy just a moment ago about whether or not we could have an up-or-down vote on the Snowe amendment. Clearly, with this scenario, there is no way you can have an up-or-down vote on the Snowe amendment. This is a tree so loaded that the branches are breaking. And so I suppose I could dream someday of drafting a scenario that would allow us to get to the amendment of the Senator from Maine. It ain't going to happen. With the tree as filled as it is right now, there is no way there will be a vote on the Snowe amendment.

I note, and the majority leader even noted, that there is maybe another option, another route, another bill, maybe, as the Senator from Arizona suggested, an appropriations bill. I suspect that this loaded tree will provide both sides with ample opportunity to offer amendments and bills to other amendments, and with a limited period of time, we all know what that means. But if those are the cards we are dealt, I am prepared to accept that as the circumstance and deal with it.

It is really amazing to me that there are those in the Senate who profess to support a process by which we can accomplish all of our legislative goals, but then continue to put obstacles in the path of resolution to the objectives in reaching those goals.

So, I am disappointed and, frankly, somewhat amazed that we have not learned our lessons of the past. But so be it, the tree is filled, the opportunities will be there, either this week, next week, the week after, but they will be there, just as they were last fall.

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

Mr. DASCHLE. I will be happy to yield to the Senator from North Dakota.

Mr. DORGAN. I thank the minority leader for yielding for a question. So that those who watch these proceedings and listen to these proceedings understand, is it not the case that a procedure, a rarely used procedure until recently, has been used today that is designed to block legislation, that creates shackles and handcuffs designed in a way to lock the legislation up so it can't move?

We were, as I recall, promised some long while ago that we would be able to consider campaign finance reform legislation on the floor of the Senate. So, a date was set, a time for a vote was set, and the legislation came to the floor of the Senate, at which time we discover that, although we have a first vote on a tabling motion, following that vote, this procedure, throughout its history always used to block legislation, is immediately employed.

The implication of that, I guess, is that there is not a desire to proceed to consider, fully consider campaign finance reform. Many in this Chamber have other amendments they wish to offer, have considered and have votes on. It appears to me that the procedure now employed by the majority leader is to say, ''Yes, I brought it to the floor; yes, you had one tabling vote, and from now on we will do it the way I want to do it.'' As the Senator from South Dakota said, the majority leader expressed, ''I filled up the tree and we will allow only amendments that I will allow in the future.'' It seems to me that is not an approach that is designed to allow consideration of campaign finance reform.

I ask the Senator from South Dakota, was it your understanding when we had an agreement on this issue that campaign finance reform would be brought to the floor of the Senate for a debate and for the opportunity to offer amendments and to consider fully and have votes on issues related to that subject?

Mr. DASCHLE. The Senator from North Dakota is absolutely correct. I think we can all go back and look through the RECORD and, again, as I say, we have to look at the meaning of each word in these agreements with perhaps greater skepticism. This idea of filling the tree is great short-term strategy. It has a horrible long-term effect, long-term effect on the comity of the of the Senate, long-term effect on getting legislation accomplished.

So we are compelled, once again, to use the techniques and methods we have used in the past. It is very likely that we will be relegated to using them again in the future.

The Senator is right, clearly we had an understanding that we would have an opportunity to debate issues, to offer amendments and ultimately to resolve this issue. We have been denied that as a result of the actions taken just now, and I deeply regret it.

Mr. WELLSTONE. Will the minority leader yield for one moment?

Mr. DASCHLE. I will be happy to yield to the Senator.

Mr. WELLSTONE. It will take me only a few seconds. Since this is an effort to basically choke off debate and deny us an opportunity to present amendments—many of us worked on this for years and care fiercely about it and many of the people in the country do. The minority leader understands and certainly realizes that on any bill that comes up forthwith, it would be our right to come back with these amendments, is that correct?

Mr. DASCHLE. The Senator from Minnesota is absolutely right. We will have the opportunity on countless occasions over the course of the next 10 months to revisit this issue, which obviously we will be in a position to do and be prepared to begin at some point either this week or next week. But we will certainly pursue this in other ways.

Mr. WELLSTONE. I thank the leader, because I very much want to do that. We have a right to continue to do this and if we are serious about it, we will fight for it, and we can bring amendments out over and over and over again, is that correct?

Mr. DASCHLE. That is correct.

Mr. KERRY. Mr. President, will the leader yield for a question?

Mr. DASCHLE. I will be happy to yield to the Senator from Massachusetts.

Mr. KERRY. I ask the leader, referring back to the October 30, 1997, CONGRESSIONAL RECORD, reading from the language of the leader himself, he said:

This is not better—

Referring to the agreement—

This is not better necessarily for Democrats or Republicans. But in our view, this is a very big victory for the country. This will give us an opportunity to have a good debate as we have discussed.

And then going on further, the minority leader said:

I expect a full-fledged debate with plenty of opportunity to offer amendments. Given this agreement, now I have every assurance and confidence that will happen.

I recall, having been part of the discussion and referring back to Senator LOTT's request, Senator LOTT said:

I further ask that if the amendment—

Referring to Senator MCCAIN's amendment—

is not tabled . . . the underlying bill will be open to further amendments, debates and motions.

There was a clear understanding, if I am correct, and I ask the leader if there was not a clear understanding, that while the Republicans retained the right to filibuster, they would not fill up the tree and they would not deny the Senate the right to have the opportunity to debate and have a series of votes on the substantive issues, but that there would be a distinct opportunity for both sides to be able to amend and follow this debate? Is that the minority leader's understanding, and is that a correct reference to the language that he relied on at that time?

Mr. DASCHLE. There is no doubt about it. Again, Senator LOTT, and I quote a comment he made to reporters that very day, said: ''As far as I can tell at this point, amendments would certainly be in order, would be considered, they might be second-degreed and they certainly would be given a third degree.''

There is no question that we had the clear understanding that there would be an opportunity to have a good debate, offer amendments, have them voted upon and ultimately dispose of this issue.

So I am really disappointed we have not been able to reach that point in this debate to date, and this, in my view, is not what we had agreed to last fall.

Mr. KERRY. I thank the minority leader. I simply express on behalf of all of us I think who had an anticipation of an opportunity to bring a number of amendments that this is a setback for the Senate and it is clearly a setback for all those in the country who thought the Senate could approach the issue of reform responsibly.

When we talk about filling the tree here, for a lot of people who listen to these debates and don't know what that means, under the rules of the Senate, we are given an opportunity to be able to bring up an amendment according to the rules. But according to the rules, the majority leader has the opportunity of right of recognition to take up all of the options that the rules allow in order to bring up amendments. By doing that, he can choose to deny any other opportunity for an amendment.

That is precisely what the majority leader has chosen to do here. When we say he has filled up the tree, he has denied the Senate the opportunity to be able to bring amendments in order to be able to work the legislative process as people sent us here to do.

I think what he has asked for is a long process of delay. He has initiated gridlock in the U.S. Senate again, solely to protect a certain group of narrow vested interests represented in this campaign finance debate. It is very, very clear as of today, there are a majority of the U.S. Senate prepared to vote for campaign finance reform. There is a minority that is trying to stop it. They have that right, but they also, I hope, will be subject to the judgment of the American people who will recognize who is for campaign finance reform and who is against it. I thank the leader.

Mr. DASCHLE. Mr. President, I yield to the Senator from North Dakota.

Mr. DORGAN. For one additional question. I mentioned in my initial question to the Senator from South Dakota, this is a rarely used approach. It is true that this approach has been used by the majority leader a couple of times last year, but in history, it has been rarely used in the Senate. And the reason is, it is almost exclusively used to block legislation, but it is never successful, because you can block someone by tying legislation up in chains and shackles now and preventing anybody from offering an amendment, but you can't prevent that forever. You have to bring legislation to the floor of the Senate at some point which, according to the rules of the Senate, will allow another Senator to stand up and offer an amendment to such legislation.

In my judgment, this is very counterproductive. Some in this Chamber want to dig their heels in and say, ''Notwithstanding what the majority wants to do in this Chamber, we intend to block campaign finance reform.'' You can block the right of Members to offer amendments now if you use this rarely used procedure, but you can't block people here forever from doing what we want to do, and that is have a full and good debate on campaign finance reform, offer amendments and have votes on those amendments.

I don't think the American people are going to be denied on this issue. The American people know this system is broken, it needs fixing, and they want this Congress and this Senate to do something about it. We can temporarily tie it up in these legislative chains, but that is not going to last forever, and I think that simply delays the final consideration of this issue.

Mr. DASCHLE. I thank the Senator from North Dakota for his comments, and I yield the floor.

Mr. McCONNELL addressed the Chair.

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

Mr. McCONNELL. Mr. President, if I may, I listened with great interest to the comments of the Democratic leader and others on that side of the aisle. Point No. 1 should be crystal clear to everyone who has followed this debate. Forty-eight Senators are not in favor of this measure.

In the Senate, as we know in recent years, every issue of any controversy requires 60 votes. So it is not at all unusual when an issue cannot achieve 60 votes for it not to go forward. That is the norm around here.

Point 2. It does not make any difference in what context the issue comes up. There are 48 people in the Senate who are not willing to vote for this measure either on cloture or on a motion to table. So it isn't going to pass. It is not going to pass today, not tomorrow, not 3 months from now, not 5 months from now. We can decide whether we want to waste the Senate's time on an issue that is not going to pass. But it is clearly a waste of time.

With regard to how unusual it is to fill up the tree, let me just mention that when Senator Mitchell was majority leader in the 103d Congress, he filled up the tree on February 4, 1993; February 24, 1993; January 31, 1994; May 10, 1994; May 18, 1994; June 9, 1994; June 14, 1994; June 14, 1994; and August 18, 1994. Those are nine occasions, Mr. President, when Senator Mitchell, during the 103d Congress, nine occasions in which Senator Mitchell filled up the tree. This is not exactly uncommon. It is not a routine everyday activity, but it certainly is not uncommon.

In 1977, Jimmy Carter's energy deregulation bill, Senator BYRD was the leader and he filled up the amendment tree.

In 1984, in the Grove City case, Senator BYRD was in the minority, and he filled up the tree.

In 1985, the budget resolution, Senator Dole was the majority leader, and he filled up the tree.

In 1988, campaign finance—it has been around for a while—Senator BYRD filled up the tree, and there were eight cloture votes.

In 1993, there was an emergency supplemental appropriations bill, the so-called stimulus bill. Senator BYRD filled up the tree.

Let me say that it is not an everyday action but it is not uncommon for majority leaders to fill up the tree. What is fairly unusual is for the minorities to file cloture motions. Not common, typically done by the majority. And the only cloture motions we have at the desk at the moment are by the minority.

But the fundamental point is this, Mr. President. There are not enough votes in the Senate to pass this kind of measure. Consequently, it isn't going to happen. That is the way the process works around here. And we can waste a whole lot of time having repetitive

votes. The 48 votes that were cast in favor of the motion to table were the same 48 votes that were cast against cloture in October. And it will be the same 48 votes that will be cast whether it is a motion to table or a motion to invoke cloture no matter how many times it is offered. So who is wasting the people's time here? It is certainly not the majority.

The majority leader sets the agenda. He is anxious to move on to issues that people care about that will make a difference to this country. And clearly, any way you interpret what had happened last October and here in February, there are not enough votes to pass this kind of campaign finance reform.

So, Mr. President, I just wanted to set the record straight with regard to how unusual it is for a majority leader to fill up the tree and to make the point that the 48 votes that were cast in favor of the motion to table today were the same 48 votes cast against the cloture motion back in October. This is a high water mark in the 10 years I have handled this debate. And 48 votes is the best we have ever done. This measure simply isn't going to pass.

Mr. President, I yield the floor.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, in response to the Senator from Kentucky, let me say the point still stands. I ask the Senator from Kentucky to do a little research and tell me whether in all of those instances, where he described the so-called filling of the tree, whether someone came to the floor of the Senate and tried to fill the legislative tree or create a set of chains beyond which the Senate could not work before filing a cloture motion and allowing the votes on amendments on an issue. I do not think he will find that circumstance existed.

He pointed out a number of occasions when the legislative approach was used. I said it is rarely used. I stand by that. But it is almost never used in a circumstance where prior to a cloture vote and prior to allowing amendments to be offered and voted, someone comes out here and ties the legislative system up with these chains and shackles. That has not been the case. And so we ought not to suggest this is some normal procedure that has been used on occasion over the years by both sides.

The point I make is this. This is not a partisan issue. There are Republicans that support campaign finance reform and Democrats who support campaign finance reform. In fact, there is a majority of the Members of this body that support campaign finance reform and if we can have a vote up or down on final passage in some reasonable form on campaign finance reform, it is going to pass. It is what the American people want and it is what this Congress ought to do.

The Senator from Kentucky appropriately said that there is a 60-vote issue in the Senate. And I understand that. That is what the rules provide. But it is extraordinary and it is unusual before a vote on cloture or vote on amendments with the exception of one for somebody to come out and say we are going to tie this whole system up and we are going to use a procedure that is always used to block legislation.

I say, we ought to let the American people have their day on the floor of the Senate. And their day is a day in which the Senate recognizes that this system needs reforming, this system needs changing. And if we debate between Republicans and Democrats and find a set of proposals, starting with McCain-Feingold, which I support, concluding perhaps with Snowe-Jeffords, which I also will support, and perhaps with some additional amendments, we will, I think, find an approach for campaign finance reform that, while not perfect, certainly does improve campaign finance in this country.

You cannot, in my judgment, stand here today and say, ''Gee, the current system works really well. This is really a good system.'' The genesis of this system starts in 1974, with the campaign finance reform legislation in 1974. The system has been changed somewhat over the years by virtue of court decisions and rule changes, and also by some of the smartest legal minds in our country trying to figure out how you get campaign money under the door and over the transom and into the campaign finance system. The rules have now been mangled and distorted so badly that the system just does not work.

And if you have a system that is not working, it seems to me our responsibility is to say: Let's fix it. And, by the way, despite many attempts to muddy the waters on this, we are not saying: Let's fix it in a way that denies anyone a voice in this system or attempts to shut anyone down or any group down.

The McCain-Feingold bill, in my judgment, is a very reasonable approach to addressing the abuses and the problems in the current campaign finance system.

The Snowe-Jeffords proposal, which I will support, is one that falls short of what I would like—I would like to expand its reach, and prefer the issue advocacy approach in the original McCain-Feingold.

Senator SNOWE is on the floor and prepared to speak to that amendment. Will her proposal advance us towards a better system? Yes, it will. So let us decide that we can be more than just roadblocks. I mean, the easiest thing in the world is to be a roadblock to something. I think it was Mark Twain who once said, when he was asked if he would be willing to debate an issue, ''Of course, providing I'm on the negative side.''

They said, ''You don't even know the subject.''

He said, ''It doesn't matter. It doesn't take any time to prepare for the negative side.''

It is always easy to be against something.

So I hope, as we go along, the majority leader and others will think better of a strategy that says we allowed you to bring it to the floor, but we are not going to allow a full and free debate and votes on amendments. I hope he will think better of that, because there isn't a way, in the long run, to shut off our opportunity to thoughtfully consider this legislation, and to prevent our ability to offer amendments.

Mr. President, I yield the floor.

Ms. SNOWE addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine.

Ms. SNOWE. Thank you, Mr. President.

AMENDMENT NO. 1647

Ms. SNOWE. Mr. President, I rise today to offer an amendment on behalf of myself and Senator JEFFORDS, along with a bipartisan group of colleagues—Senator MCCAIN, Senator FEINGOLD, Senator LEVIN, Senator LIEBERMAN, Senator CHAFEE, Senator COLLINS, Senator THOMPSON, which I believe represents a commonsense middle-ground approach to reforming our campaign financing system in America.

As I think our colleagues know, I have long been a proponent of fair, meaningful changes in the way campaigns are financed in this country. That is why, when this issue came to the floor last year, I worked with Senators MCCAIN, JEFFORDS, FEINGOLD, Senator DASCHLE, and others, to try to forge a compromise that would address the concerns of both sides and move the debate forward. I said then on the Senate floor, and say again today, that we should be putting our heads together, not building walls between us with intractable rhetoric and all-or-nothing propositions.

While that effort was not successful, I am pleased that we are again having the opportunity to address campaign reform, and I thank the distinguished majority leader for making this possible. I also want to thank the bill's sponsors—Senators MCCAIN and FEINGOLD—for their continued leadership and determination on this issue, and their support of the efforts that are being done here today with Senator JEFFORDS and myself.

I want to acknowledge the hard work of my colleagues who are committing themselves to this compromise amendment and have committed themselves to moving campaign finance reform forward: Senators LEVIN, CHAFEE, LIEBERMAN, THOMPSON, COLLINS, BREAUX, and SPECTER have worked very hard with us on crafting this amendment. They have made clear their support for meaningful reform this year.

Last year, this body became stuck in the mire of all-or-nothing propositions and intransigence. We missed an opportunity to coalesce around a middle

ground—any middle ground—and the result was that the status quo remained alive and well. Despite the efforts of some of us who tried to work to forge a compromise that would have moved the debate forward, campaign finance reform died a quiet and ignoble death here in the U.S. Senate.

The reasons are many but the central issue then, as now, centered on the objection of Republicans to a package that does not address the issue of protecting union members from having their dues used without their permission for political purposes with which they may disagree, and the objection of Democrats to singling out unions while not providing similar protections for corporation shareholders.

Let me say that I am among those Republicans who have had a concern about the use of union dues for political purposes and, in fact, the campaign finance reform bill that I introduced last year included language similar to the Paycheck Protection Act. I happen to think it is not a bad idea, and in a perfect world where I could get my way on this and still pass meaningful reform, I would support it.

But the fact is, I believe we can still have fair and meaningful reform at the same time we take a step back from this incredibly divisive issue. In fact, it is probably the only way we can have such reform. The bottom line is, we will never pass campaign finance legislation—at least in the foreseeable future—if we take an all-or-nothing approach on this facet of reform. And I believe that we can and must make significant changes that may not be perfect, that may not make everyone happy, but which will be a great improvement over the current morass we find ourselves in.

If we do nothing, we will see a repeat—or likely an even worse scenario—of what we saw in 1996, which confirmed all the reasons why it is imperative to be strong proponents of campaign finance reform. We saw over $223.4 million in soft money raised by the two national parties—three times more than in the last Presidential election. We saw more than $150 million—we do not know the precise amount because it is not disclosed—spent on attack ads paid with unlimited funds by third-party groups that made candidates largely incidental to their own campaigns.

We saw an electorate that was, to put it bluntly, disgusted by the spectacle. And the 1996 elections were barely over when allegations were made of illegal and improper activities, centered around the issues of so-called ''soft money'' and foreign influence peddling through campaign contributions, all egregious abuses highlighted by the Senate Governmental Affairs hearings.

All of this has only served to further undermine public confidence and underscore the importance of enacting meaningful and achievable campaign finance reform this year.

I believe that S. 25 is a good start, and I commend Senators MCCAIN and FEINGOLD for their tenacity in getting this bill to the Senate floor once again. One of the most important aspects of this scaled-back version of the original bill is its ban on soft money. We all know that soft money is becoming a major issue, and for good reason. It is money that circumvents the intent of the law—unaccounted for money which influences Federal campaigns above and beyond the intended limits.

S. 25 takes a tremendous step forward by putting an end to national party soft money, as well as codifying the so-called Beck decision, making prudent disclosure reforms, tightening coordinating definitions, and working to level the playing field for candidates facing opponents with vast personal wealth to spend in their own campaigns.

Do I think this is a perfect bill? No. Are there other things I would like included? Of course. Do I think it can be improved? Certainly. That is why I have again teamed up with my colleague from Vermont, Senator JEFFORDS, to work with the sponsors of this legislation, Senators MCCAIN and FEINGOLD and others, in a fresh approach developed by noted experts and reformers, including Norm Ornstein, Dan Ortiz of the University of Virginia School of Law, Josh Rosenkranz at the Brennan Center for Justice at NYU, as well as others. They developed a proposal to address the exploding use of unregulated and undisclosed advertising that affects Federal elections and the concerns of many that the intent of S. 25 to address this issue would not withstand or survive court scrutiny.

Therefore, the amendment that my colleague from Vermont and I are offering will fundamentally change the way in which the underlying bill addresses this issue. It strikes section 201 of title II, which redefines express advocacy and replaces it with the language that we have offered in our amendment that makes a clearly defined distinction between issue advocacy and influencing a Federal election. In other words, we are making a distinction between candidate advocacy and issue advocacy. This is important because, if the courts rule the efforts of S. 25 to address this distinction as unconstitutional, then essentially all that will remain from S. 25 is a ban on soft money. If that happens, we will be left with only one-half of the equation. I share the concerns of those who want to see balanced reform and who want to improve the system.

Our amendment applies to advertisements that constitute the most blatant form of electioneering. The chart to my left shows what the Snowe-Jeffords amendment does. It is a straightforward, two-tier approach that only applies to ads run on television or radio—those are the only ads that this amendment addresses—near an election, 60 days before a general election, 30 days before a primary, that identify a Federal candidate, that mentions a Federal candidate in that radio ad or that television ad, and only if the group spends more than $10,000 on such ads in a year. What we require is the sponsors' disclosure and also the donors on such ads because we think it is important that donors who contribute more than $500 to such ads should be disclosed by these organizations.

The amendment also prohibits direct or indirect use of corporation or union money to fund the ads in the 60 days before the general election and 30 days before the primary. We call this new category ''electioneering'' ads—again, making the distinction between issue advocacy and candidate advocacy designed to influence the outcome of a Federal election.

They are the only communications that we address in our amendment, and we define them very narrowly and very clearly. If the ad is not run on television or radio, if the ad is not aired within 30 days of a primary and 60 days before a general election, if the ad doesn't mention a candidate's name or otherwise identify either he or she clearly, if it isn't targeted at the candidate's electorate, or if a group hasn't spent more than $10,000 in that year on these ads, then it is not an electioneering ad. If an item appears in a news story, editorial, commentary, distributed through a broadcast station, it is also not an electioneering ad, plain and simple.

If one does run one of these electioneering ads, two things happen. First, the sponsor must disclose the amount spent and the identity of the contributors who donated more than $500 to the group since January 1 of the previous year. Right now, candidates, as we all well know since we have been candidates, have to disclose campaign contributions over $200. So the threshold and the requirement in this amendment is much higher.

Second, the ad cannot be paid for by funds from a business corporation or labor union in the nonvoluntary contributions such as union dues or corporate treasury funds.

Again, I just want to repeat, these are basically the provisions on what this amendment would do. We have heard a lot of things about what it would do, and I want to make sure that everybody understands. It is very simple, very direct, it is very narrow. The clear and narrow wording of this amendment is important because it passes two critical first amendment doctrines that were at the heart of the Supreme Court's landmark Buckley v. Valeo decision—vagueness and overbreadth.

Vagueness could chill free speech if someone who would otherwise speak chooses not to because the rules aren't clear and they fear running afoul of the law. We agree that free speech should not be chilled, and that is why our rules are clear. Any sponsor will know with certainty if their ad is an electioneering ad. That, again, gets back to when the ad is run and whether or not it mentions a candidate by name.

Overbreadth can unintentionally sweep in a substantial amount of constitutionally protected speech. But our amendment is so narrow that it easily satisfies the Supreme Court's overbreadth concerns. We strictly limit our requirement to ads near an election that identify a candidate or ads that plainly intend to convince voters to vote for or against a particular candidate.

Nothing in the Snowe-Jeffords amendment restricts the right of any advocacy group, labor union, or business corporation from engaging in issue advocacy or urging grassroots communications. If a group were truly interested in only the issues, all they would have to do to avoid our requirements is to run an ad talking about the issues and encouraging people to call their Senators rather than naming them. Indeed, nothing in our amendment prohibits groups like the National Right-to-Life Committee, the Sierra Club, and a host of groups that exist in America from running electioneering ads, either. We just require them to disclose how much they are spending on electioneering ads, who contributes more than $500, and we prohibit them from using union and corporation money during that 60-day period before the general election and 30 days before a primary.

So we create a very narrow standard. Even if the threshold of disclosure is $500, it is not like what it was in the Buckley v. Valeo decision where it was $10. That was broad and it was sweeping, drawing everybody in, and it raised questions in the Court. That is why they struck it down. We are raising a threshold of $500—$300 more than we are required in terms of disclosing our donors.

Both of the basic principles, disclosure and a prohibition on union and corporation treasury funds, not only make sense, they are also on solid, legal footing. As detailed in a letter recently circulated by legal experts Burt Neuborne, professor of law at NYU School of Law; Norm Ornstein; Dan Ortiz; and Josh Rosenkranz, executive director of the Brennan Center, the Supreme Court has made clear that, for constitutional purposes, electioneering is different from other forms of speech. Congress is permitted to demand the sponsor of an electioneering message to disclose the amount spent on the message and the source of funds. Congress may prohibit corporation and labor unions from spending money on electioneering. These legal scholars further state that in Buckley the court declared that the governmental interests that justify disclosure of election-related spending are considerably broader and more palatable than those justifying prohibitions or restrictions on election-related spending.

Disclosure rules, the Court said, enhance the information available to the voting public. That is why we disclose; that is why we are required to disclose; that is why the Congress can require us to disclose; and that is why the Supreme Court has upheld it. Disclosure rules, according to the Supreme Court, are the least restrictive means of curbing the evils of campaign ignorance and of corruption. Our disclosure rules are eminently reasonable.

Second, the Congress has had a long record, which has been upheld, of imposing more strenuous spending restrictions on corporations and labor unions. Corporations have been banned from electioneering since 1907, unions since 1947. As the Supreme Court pointed out in the United States v. UAW, Congress banned corporate and union contributions in order ''to avoid the deleterious influences on Federal elections resulting from the use of money by those who exercise control over large aggregations of capital.'' In 1990 the Supreme Court upheld that rationale, as well.

If anything, we have increased first amendment rights for union members and shareholders, while we maintain the right of labor and corporate management to speak through PACs and raising hard money like other political action committees.

As these legal experts further state, ''The Snowe-Jeffords amendment builds on these bedrock principles, extending current regulations cautiously and only in the areas in which the first amendment protection is at its lowest ebb. It works within the framework of the two contexts—disclosure rules and corporate and union spending—'' which the Supreme Court allows and says we have the broadest discretion when it comes to governmental interest and governmental regulations, as well as corporate and union spending because we have had a century of rulings by the Supreme Court, not to mention Congress, in this issue, ''in which the Supreme Court, as well, has been most tolerant of campaign finance regulations.''

Hearing the debate here today, there have already been misconceptions out there. I think it is important to make very clear what this amendment does not do. I have a chart here to my right that talks about what the Snowe-Jeffords amendment would not do. I think it is important to restate this because there is a lot of information that has been circulated here in the Congress about saying what it would do, from a variety of groups, saying they would not be able to disseminate electioneering communications.

That is not true. It would not prohibit groups like the Sierra Club or the right-to-life or any other group from disseminating electioneering communications. They can send out whatever they want.

It would not prohibit these groups, again, from accepting corporate or labor funds.

It would not require groups like the Sierra Club or right-to-life to create a PAC or other separate entities.

It would not bar or require disclosure of communications by print media, direct mail, voter guides or any other nonbroadcast media because, again, it only applies to TV and radio broadcast 60 days before the election.

It would not affect the ability of any organization to urge grassroots contacts with lawmakers on upcoming votes. They could say, ''Call your Senator.'' They could say, ''Call your Senator on the 1–800 number'' which is a very popular means of advertising today. But if they use the Senator's name 60 days before the election, they have to disclose their donors who donate more than $500.

It does not require invasive disclosure of all donors, because some have said it will require them to release their donors list. Well, we all have to release donors at a certain threshold. We are not requiring everybody to release donors lists. We are saying in a very narrow period, right before the election, those groups who identify candidates in their ads or use a likeness are required to disclose their donors who donate more than $500. That is not invasive. It is not intrusive.

It would not require advance disclosure of full contents of ads. Some have said in some of the material circulated here in Congress that somehow these groups will be required to disclose in advance the contents of their ad. That is not true.

So, it is important to understand what this amendment does as much as in terms of what it does not do. It is a very limiting amendment. That is why it will withstand constitutional scrutiny. That is why it is important for everybody to understand that. So every group can advertise, they can communicate, they can accept money. But in that narrow period of time before the general election, if they target a candidate by identifying them by name—because if they are doing that, it is designed to influence the outcome of the election—that will be upheld by the courts.

We are not saying they can't engage in grassroots activities and communications with their lawmakers who come and vote in Congress. They can urge their Senator or urge their Congressman to vote for or against such and such a bill. It is not affected by this amendment. All we are doing is requiring disclosure. Now that is for a very good reason, as to why we require disclosure, as we will see in the next chart of how much money is being placed in these elections by groups that don't have to disclose $1.

Mr. President, this is a sensitive and reasonable approach to addressing a burgeoning segment of electioneering that is making a mockery of our campaign finance system. That is why it is important to use the 1996 election. It is certainly the one that reflects the most significant changes in campaigns. As is indicated by the two charts behind me—and I am going to describe this because I think it is interesting to show the problem we are facing in elections today, and it will only get worse.

It will only get worse. We haven't seen a declining amount of money in each subsequent election. In fact, the opposite is true, as we well know.

According to the Annenberg Public Policy Center, it shows that $130 million to $150 million was spent on issue ads in the 1996 election. But that is just a guesstimate because they don't disclose. We don't know. It could be far more than that. It could be more than $150 million. That is the best guess, the best estimate anybody can make. Money spent by all candidates, including the President, U.S. Senate and U.S. House, was $400 million. So a third of the ad spending was done on issue ads. A third of all the money that was spent by candidate advertising was spent on issue ads, and they didn't even have to disclose a dime.

Now, something is wrong. Something is wrong with a system where a third of all the money was spent on candidate advertising and not one dime was disclosed in the last election. Do you think this number is going to get worse, or is it going to get better? It is going to get worse.

The chart represents the so-called issue ads in the 1996 elections. Again, according to the Annenberg Public Policy Center of the University of Pennsylvania survey—and it is important to look at this because when you see so-called issue ads, many of them are designed to influence the outcome of an election. It is not talking about legislative outcome. And no one wants to affect issue ads in which a group has a legitimate right and is entitled to discuss issues and run an ad that tells a Senator or a Member of Congress how to vote without identifying them. You must disclose it if their name is mentioned, if you do it 60 days before the election. Interestingly enough, on these so-called issue ads, almost 87 percent referred to an official or a candidate; 87 percent of the so-called issue ads referred to an official or a candidate. Instead of saying, ''Call your Senator,'' or, ''Call your Congressman,'' they identified that official or that candidate by name. That is the big distinction between issue advocacy and candidate advocacy. We do not want to infringe upon the rights of those groups who want to conduct grassroots communications through their membership or through Members of Congress and their elected officials on the issues of true issue advocacy. But now it is becoming candidate advocacy, designed to influence the outcome of a Federal election.

Pure attack in 1996 issue ads. According to the Annenberg survey, 41 percent of those issue ads were ''pure attack''—41 percent; 24 percent, Presidential ads; debates, 15 percent; free time, 8.9 percent; and 36 percent from the news organizations. But 41 percent of the attacks came from what were so-called issue ads. That is the problem that we are facing in the system today.

Now, that is why this amendment Senator JEFFORDS and I are offering requires disclosure. We are not even saying they can't do it. We are saying that 60 days before the election, if they mention a candidate by name, they have to disclose their donors of $500 or more. Now, I know there are some in this body who object to disclosure. But can anyone, with a straight face, tell me that when ads like these clearly cross the line into electioneering—which is a different category—there should not even be disclosure? Candidates, as I said earlier, have to disclose, and as candidates, I could not believe we would not want more disclosure in other areas that affect candidates in elections throughout this country.

So can somebody honestly say that groups that spend millions of dollars in ads near elections that mention specific candidates don't have to disclose anything? Are we prepared to say that we don't even have the right to know who is spending vast sums of money to influence Federal elections? It is interesting to me we had $150 million—it could be more—spent in the last election cycle and we don't even know who donated that money. Yet, 87 percent of those so-called issue ads identified the candidate.

As the letter from the legal scholars that I referenced earlier states:

> The Supreme Court has never held that there is only a single constitutionally permissible route a legislature may take when it defines ''electioneering'' to be regulated or reported. Congress has the power to enact a statute that defines electioneering in a more nuanced manner, as long as its definition adequately addresses the vagueness and overbreadth concerns expressed by the Court.

The letter from these distinguished scholars also says:

> The Supreme Court has made clear that, for constitutional purposes, electioneering is different from other speech (FEC v. Massachusetts Citizens for Life). Congress has the power to enact campaign finance laws that constrain the spending of money on electioneering in a variety of ways . . . (Buckley v. Valeo). Congress is permitted to demand that the sponsor of an electioneering message disclosure the amount spent on the message and the sources of funds. And Congress may prohibit corporations and labor unions from spending money on electioneering. This is black letter constitutional law about which there can be no serious dispute.

Again, these are their words, and these are constitutional experts. These are the words of experts who have made a life of studying these issues.

Mr. President, we have the power and the obligation to put elections and specifically electioneering ads—because that is what this amendment is all about—back into the hands of voluntary, individual contributors. The question before us now is, will we stand foursquare behind reform? Will we support this incremental, reasonable, constitutional approach that gets at some of the core abuses that we have seen in previous elections?

Maybe the question is better stated this way: How can we not support such a reasonable approach? How can we go home and face our constituents, our electorate, and explain that we didn't even want to vote for a measure that would give them the information they need to be informed voters? How can we go home without having voted for a measure that addresses at least some aspect of campaign reform that Americans view as out of control in a sensible and reasonable way?

Let's make no mistake about it; we will pay the price. To those who hide behind the mistaken notion—the doorkeepers of the status quo—that people don't really care, I say that you are making a grave mistake. Yes, some of you may point to studies such as the January poll conducted by the Pew Research Center, which ranked campaign reform 13th on a list of 14 major issues. But let's look at the reason. The report also said that the public's confidence in Congress to write an effective and fair campaign law had declined.

That is a sad commentary. Many Americans have taken campaign finance off of their radar screens simply because they have given up on us. Frankly, it is an embarrassment, Mr. President. That this great body has not come together on some reasonable, incremental reform to move the issue forward is unacceptable. That is why Senator JEFFORDS and I have worked, with a bipartisan group, to change the dynamic in this debate, to address what were some legitimate concerns about some of the issue advocacy provisions of the McCain-Feingold amendment, on some of their restrictions. So this takes a different approach, based on what legal and constitutional experts have said would withstand judicial scrutiny.

We have a chance to remedy this abrogation of our responsibility and, so far, we have failed to address some of the serious inequities and abuses in our campaign finance system. Our amendment would deal simultaneously and in a realistic way with broadcast electioneering messages at the time they have the most impact—which is right before an election, and, as we all know, that is where most of the money is spent in the final analysis—and a clear campaign context. It would provide the electorate with information as to who is running the ads. Isn't that something that everybody is entitled to know when we are seeing $150 million and we don't know who spends that money? Not one penny. In fact, it is probably much more.

Our amendment would reinforce the traditional rules, limiting the role of unions and corporations in elections. I believe that this amendment would move us forward, again, because the courts, as well as Congress, have been able to draw a line on imposing restrictions on certain groups, and it can do so when it comes to unions and corporations because of the preferential benefits that have been accorded to them through the U.S. Congress and by statute in law.

Typical of any compromise, both sides of the aisle have identified aspects of the measure they might not like. But I think that always means that we are on the right track. It is my hope, Mr. President, that this commonsense, incremental approach can be the impetus to passing an improved, balanced and fair S. 25. I sincerely believe that we can and must take a first step toward restoring public confidence and public faith in our campaign finance system. We are the stewards of this great democracy that has been handed down from our forefathers—who would be aghast if they saw the state of campaigning in this country today, I might add—and it is our responsibility to see that it does not disintegrate under the weight of public cynicism and mistrust.

As I said last year, it is the duty of leaders to lead and that means making some difficult choices and doing the right thing. I had hoped that our leaders would have been able to have come together and I had urged last fall that we have a bipartisan group to work out a plan, through the leaders, to come to the floor. That didn't happen. But many of us in the rank and file are working together on a bipartisan basis because we think this issue is important. Not to say that all we are doing is right and perfect; it is not. But it advances the process forward, the issue forward, and it makes substantial improvements on those areas which we have identified to be the most problematic in our campaign finance system today.

I hope that we would not entrench ourselves in the rhetoric of absolutism. Let us not shun progress in the name of perfection. The fact is, improved S. 25 would be a good bill and it would be a good start down the road to putting our elections back into the hands of the American people. I urge my colleagues to join my colleague Senator JEFFORDS and others in bringing this bill out of the shadows of obfuscation and into the light of honest discussion and debate. The American people expect as much and they certainly deserve as much.

Mr. President, I know we will have further discussions on this issue tomorrow before we have a vote on the motion to table. But I urge that each and every Senator give consideration to this amendment—that has been offered by a bipartisan group—that Senator JEFFORDS and I have been working on with others in hopes of moving this debate forward, to change the debate discussion and to show there is an earnestness and willingness to approach this very serious issue; not to set it aside, not to deflect it, not to ignore it, saying it will go away and people will not notice. I happen to think that people will notice. They will notice.

They will be quickly reminded when they see the next election, because more money will be spent, as we see in this $150 million. This number is going to go up and people will be reminded how much they care about this issue. But more important, they will be reminded, if we fail to take action here, of our unwillingness and our failure to take action on this issue.

I suggest to Members that we are embarking on a high-risk strategy by suggesting that somehow we can get away with not addressing this issue. I think that is a very high-risk strategy and I think it is dead wrong.

I hope Members of this Senate will look very carefully at this amendment. There is nothing tricky about it. It is pretty straightforward, in accordance with the decisions that have been rendered by the Court in the past. It is very narrowly drawn, very precisely drawn, requiring disclosure. Because that is where the Court has granted a greater prerogative to the Congress and to the public's right to know, and restrictions only in those areas in which the Court and Congress has ruled in the last century, because we have a right to draw that line when it comes to unions and corporations.

So, I hope that each Member of the Senate will have a chance, over the next 24 hours, to look at this amendment very carefully and to see that it does move in the right direction.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. The distinguished Senator from Maine asks rhetorically who would be opposed to disclosure of group contributions? I would say to my friend from Maine, the Supreme Court would be opposed to it. In the 1958 case of NAACP v. Alabama, the Court ruled definitively on the issue of whether a group could be required to disclose its membership or donor list as a precondition for criticism or discussion of public issues. So the Supreme Court very much is opposed to requiring groups, as a condition of engaging in issue advocacy, constitutionally-protected speech, that they have to disclose their list.

Interestingly enough, two groups that certainly have not been aligned with this Senator on this issue over the years had something to say about that. Public Citizen and the Sierra Club, on the question of disclosure of issue advocacy:

> Top officials in Public Citizen and the Sierra Club Foundation, a separate tax-exempt offshoot of the environmental organization, argued that divulging their donor lists would either give an unfair advantage to competitors or unfairly expose identities of their members.
>
> ''As I am sure you are aware, citizens have a First Amendment right to form organizations to advance their common goals without fear of investigation or harassment.''

That was Joan Claybrook, with whom I have dueled on this issue for a decade, in response to questions about whether or not Public Citizen would be willing to disclose their donor list. Claybrook goes on:

> We respect our members' right to freely and privately associate with others who share their beliefs, and we do not reveal their identities. We will not violate their trust simply to satisfy the curiosity of Congress or the press.
>
> Bruce Hamilton, national conservation director for the Sierra Club Foundation, said [of] donors to the separate Sierra Club's political action committee . . .

Of course they are required to disclose, because they engage in express advocacy. That is part of hard money, part of the Federal campaign system. What Senator SNOWE's amendment is about is issue advocacy, which is an entirely different subject under Supreme Court interpretations; an entirely different subject.

Now, the Sierra Club said with regard to compelling them to disclose their membership as a precondition for engaging in issue advocacy—Hamilton said:

> That is basically saying, ''Turn around and give us your membership . . . . We want public disclosure of the 650,000 members of the Sierra Club, which is a valuable resource, coveted by others, because they can turn around and make their own list.''

The last thing he had to say I find particularly interesting, and knowing the occupant of the Chair is from out West, he might appreciate this. He said:

> It can also be turned around and used against them. We have members in small towns in Wyoming and Alaska (who could by hurt) if word got out that they belong to the Sierra Club.

So I say to my friend from Maine, this is not in a gray area. The Supreme Court has opined on the question of the Government requiring a donor list of groups as a precondition for expressing themselves at any time—close to an election or any other time.

My good friend from Maine also cited a 1990 case, commonly referred to as the Austin case, in support of the notion that, somehow, the Court would sanction this new category of electioneering. The Austin case, I am sure my good friend from Maine knows, had to do with express advocacy, not issue advocacy. In the Austin case, they banned express advocacy by corporate treasurers. That of course has been the law since 1907. That is not anything new. You can't use corporate treasury money to engage in express advocacy of a candidate.

But the definitive case on the issue the Senator from Maine is really talking about, because her amendment deals with issue advocacy, is First National Bank of Boston v. Bellotti in 1978, where the Court held that corporations could fund out of their treasuries—out of their treasuries, issue advocacy.

So, with all due respect to my good friend from Maine, the courts have already ruled on the kind of issues that she is discussing here. No. 1, you can't compel the production of membership lists as a condition to criticize all of us. And, No. 2, issue advocacy cannot be redefined by Congress. The courts have defined what issue advocacy is.

Now, with regard to the opinion of various scholars, let me just say America's expert on the first amendment is

the American Civil Liberties Union, and they wrote me just yesterday, giving their view on the Snowe-Jeffords amendment. Let me read a pertinent part.

We are writing today, however, to set forth our views on an amendment to that bill dealing with controls on issue advocacy which is being sponsored by Senators Snowe and Jeffords. Although that proposal has been characterized as a compromise measure which would replace certain of the more egregious features of the comparable provisions of McCain-Feingold, the Snowe-Jeffords amendment still embodies the kind of unprecedented restraint on issue advocacy that violates bedrock First Amendment principles.

Those time-honored principles were set forth with great clarity in Buckley v. Valeo.

Which we frequently refer to. The ACLU goes on:

First, ''issue advocacy'' is at the core of democracy. In rejecting the claim that issue-oriented speech about incumbent politicians had to be regulated because it might influence public opinion and affect the outcome of elections, the Supreme Court reminded us of the critical relationship between unfettered issue advocacy and healthy democracy. ''Discussion of public issues and debate on the qualifications of candidates are integral to the operation of the system of government established by our Constitution.''

Further, the ACLU said:

. . . in an election season, citizens and groups cannot effectively discuss issues if they are barred from discussing candidates who take stands on those issues. ''For the distinction between discussion of issues and candidates and advocacy of election or defeat of candidates may often dissolve in practical application. Candidates, especially incumbents, are intimately tied to public issues involving legislative proposals and governmental actions. Not only do candidates campaign on the basis of their positions on various public issues, but campaigns themselves generate issues of public interest.'' 424 U.S. at 43. If any reference to a candidate in the context of advocacy on an issue rendered the speaker or the speech subject to campaign finance controls, the consequences for First Amendment rights would be intolerable.

Third [the ACLU says] to guard against that, the Court fashioned the critical express advocacy doctrine.

The Court fashioned it. They didn't say, Congress, you can make up something called electioneering. This is not our prerogative. The Court fashioned the critical express advocacy doctrine, which holds that:

Only express advocacy of electoral outcomes may be subject to any form of restraint. Thus, only ''communications that in express terms advocate the election or defeat of a clearly identified candidate'' can be subject to any campaign finance controls.

Express advocacy: Within the Federal Election Campaign Act. Issue advocacy: Outside the Federal Election Campaign Act. That just didn't happen last year. This has been the law since Buckley. Issue advocacy has been around since the beginning of the country.

Finally, and most importantly, all speech which does not in express terms advocate the election or defeat of a clearly identified candidate is totally immune from any regulation;

The ACLU continued:

The Court fashioned the express advocacy doctrine to safeguard issue advocacy from campaign finance controls, even though such advocacy might influence the outcome of an election. The doctrine provides a bright-line, objective test that protects political speech and association by focusing solely on the content of the speaker's words, not the motive in the speaker's mind or the impact on the speaker's audience, or the proximity to an election.

Nor does it matter whether the issue advocacy is communicated on radio or television, in newspapers or magazines, through direct mail or printed pamphlets. What counts for constitutional purposes is not the medium, but the message.

My understanding of the Snowe-Jeffords amendment is that these restrictions only apply to television and radio. But there is no constitutional basis for sort of segmenting out television and radio and saying those kinds of expenditures require the triggering of disclosure, but it's OK to go on and engage in direct mail or presumably telephones or anything other than the broadcast medium. That is in a somehow different category.

By the same token, it is constitutionally irrelevant whether the message costs $100 or $1,000 or $100,000. It is content, not amount, that marks the constitutional boundary for allowable regulation and frees issue advocacy from any impermissible restraint. The control of issue advocacy is simply beyond the pale of legislative authority.

So the Snowe-Jeffords amendment violates these cardinal principles. First, the amendment's new category, which we have not heard before, of electioneering communication is simply old wine in old bottles with a new label. The provision would reach, regulate and control any person, group or organization which spent more than $10,000 in an entire calendar year for any electioneering communications.

The ACLU says that critical term is defined solely as any broadcast communication which refers to any Federal candidate at any time within 60 days before a general or 30 days before a primary election and is primarily intended to be broadcast to the electorate for that election, whatever that means.

The unprecedented provision is an impermissible effort to regulate issue speech which contains not a whisper of express advocacy simply because it refers to a Federal candidate who is more often than not a congressional incumbent during an election season.

The ACLU says the first amendment disables Congress from enacting such a measure regardless of whether the provision includes a monetary threshold, covers only broadcast media, applies only to speech during an election season and employs prohibition or disclosure as its primary regulatory device. It would still cast a pall over grassroots lobbying and advocacy communication by nonpartisan, issue-oriented groups like the ACLU, for example.

It would do so by imposing burdensome, destructive and unprecedented disclosure and organizational requirements and barring use of any organizational funding for such communications if any corporations or unions made any donations to the organization.

Mr. President, I ask unanimous consent to have printed in the RECORD the entire letter.

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

ACLU,
WASHINGTON NATIONAL OFFICE,
Washington, DC, February 23, 1998.

DEAR SENATOR: We have shared with you our grave concerns about the different versions of the McCain-Feingold campaign finance bill that have been before the Senate. (See ''Dear Senator'' letter dated February 19, 1998 and enclosure.) For the reasons we have stated previously, the most recent ''pared down'' reincarnation of that bill remains fundamentally flawed, and we continue fully to oppose it.

We are writing today, however, to set forth our views on an amendment to that bill dealing with controls on issue advocacy which is being sponsored by Senators Snowe and Jeffords. Although that proposal has been characterized as a compromise measure which would replace certain of the more egregious features of the comparable provisions of McCain-Feingold, the Snow-Jeffords amendment still embodies the kind of unprecedented restraint on issue advocacy that violates bedrock First Amendment principles.

Those time-honored principles were set forth with great clarity in *Buckley* v. *Valeo*, 424 U.S. 1 (1976) and reaffirmed by numerous Supreme Court and lower court rulings ever since.

First, ''issue advocacy'' is at the core of democracy. In rejecting the claim that issue-oriented speech about incumbent politicians had to be regulated because it might influence public opinion and affect the outcome of elections, the Supreme Court reminded us of the critical relationship between unfettered issue advocacy and healthy democracy. ''Discussion of public issues and debate on the qualifications of candidates are integral to the operation of the system of government established by our Constitution.'' 424 U.S. at 14.

Second, in an election season, citizens and groups cannot effectively discuss issues if they are barred from discussing candidates who take stands on those issues. ''For the distinction between discussion of issues and candidates and advocacy of election or defeat of candidates may often dissolve in practical application. Candidates, especially incumbents, are intimately tied to public issues involving legislative proposals and governmental actions. Not only do candidates campaign on the basis of their positions on various public issues, but campaigns themselves generate issues of public interest.'' 424 U.S. at 43. If any reference to a candidate in the context of advocacy on an issue rendered the speaker or the speech subject to campaign finance controls, the consequences for First Amendment rights would be intolerable.

Third, to guard against that, the Court fashioned the critical express advocacy doctrine, which holds that only express advocacy of electoral outcomes may be subject to any form of restraint. Thus, only ''communications that in express terms advocate the election or defeat of a clearly identified candidate'' can be subject to any campaign finance controls.

Finally, and most importantly, all speech which does not in express terms advocate the election or defeat of a clearly identified candidate is totally immune from any regulations; ''So long as persons and groups eschew

expenditures that in express terms 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.'' 424 U.S. at 45.

The Court fashioned the express advocacy doctrine to safeguard issue advocacy from campaign finance controls, even though such advocacy might influence the outcome of an election. The doctrine provides a bright-line, objective test that protects political speech and association by focusing solely on the content of the speaker's words, not the motive in the speaker's mind or the impact on the speaker's audience, or the proximity to an election.

Nor does it matter whether the issue advocacy is communicated on radio or television, in newspapers or magazines, through direct mail or printed pamphlets. What counts for constitutional purposes is not the medium, but the message. By the same token, it is constitutionally irrelevant whether the message costs $100 or $1,000 or $100,000. It is content, not amount, that marks the constitutional boundary of allowable regulation and frees issue advocacy from any impermissible restraint. The control of issue advocacy is simply beyond the pale of legislative authority.

The Snowe-Jeffords amendment violates these cardinal principles.

First, the amendment's new category of ''electioneering communication'' is simply old wine in old bottles with a new label. The provision would reach, regulate and control any person, group or organization which spent more than $10,000, in an entire calendar year, for any ''electioneering communications.'' That critical term is defined solely as any broadcast communication which ''refers to'' any federal candidate, at any time within 60 days before a general or 30 days before a primary election, and ''is primarily intended to be broadcast to the electorate'' for that election, whatever that may mean.

This unprecedented provision is an impermissible effort to regulate issue speech which contains not a whisper of express advocacy, simply because it ''refers to'' a federal candidate—who is more often than not a Congressional incumbent—during an election season. The First Amendment disables Congress from enacting such a measure regardless of whether the provision includes a monetary threshold, covers only broadcast media, applies only to speech during an election season and employs prohibition or disclosure as its primary regulatory device. It would still cast a pall over grass-roots lobbying and advocacy communication by nonpartisan issue-oriented groups like the ACLU. It would do so by imposing burdensome, destructive and unprecedented disclosure and organizational requirements, and barring use of any organizational funding for such communications if any corporations or unions made any donations to the organization. The Snowe-Jeffords amendment would force such groups to choose between abandoning their issue advocacy or dramatically changing their organizational structure and sacrificing their speech and associational rights.

Beyond this new feature, the Snowe-Jeffords amendment simply leaves in place many of the objectionable features of McCain-Feingold that we have criticized previously. One is the unprecedented generic expansion of the definition of ''express advocacy'' applicable to all forms of political communication going forward in all media and occurring all year long. Another are the intrusive new ''coordination'' rules which will be so destructive of the ability of issue organizations to communicate with elected officials on such issues and later communicate to the public in any manner on such issues. And the radically expanded activities encompassed within the new category of ''electioneering communications'' would be subject to those radically expanded coordination restrictions as well. The net result will be to make it virtually impossible for any issue organization to communicate, directly or indirectly, with any politician on any issue and then communicate on that same issue to the public.

All of this will have an exceptionally chilling effect on organized issue advocacy in America by the hundreds and thousands of groups that enormously enrich political debate. The bill flies in the face of well-settled Supreme Court doctrine which is designed to keep campaign finance regulations from ensnaring and overwhelming all political and public speech. And the bill will chill issue discussion of the actions of incumbent officeholders standing for re-election at the very time when it is most vital in a democracy: during an election season. It may be inconvenient for incumbent politicians when groups of citizens spend money to inform the voters about a politician's public stands on controversial issues, like abortion, but it is the essence of free speech and democracy.

In conclusion, the ACLU remains thoroughly opposed to McCain-Feingold. The ACLU continues to believe that the most effective and least constitutionally problematic route to genuine reform is a system of equitable and adequate public financing. While reasonable people may disagree about the proper approaches to campaign finance reform, McCain-Feingold's restraints on issue advocacy raise profound constitutional problems, and nothing in the Snowe-Jeffords amendment cures those fatal First Amendment flaws.

Sincerely,

LAURA W. MURPHY,
Director, ACLU Washington Office.

JOEL GORA,
Dean & Professor of Law, Brooklyn Law School and Counsel to the ACLU.

Mr. McCONNELL. Mr. President, we will discuss this issue further tomorrow. Let me sum it up by saying the courts are clear. The definition of express advocacy has been written into the laws of this country through court decisions. It is clear what issue advocacy is. It is clear that under previous Supreme Court decisions that you cannot compel a group to disclose its donors or membership lists as a condition for expressing themselves on issues in proximity to an election or any other time for that matter.

Mr. President, I will be happy to discuss these issues further tomorrow. With that, I yield the floor.

Several Senators addressed the Chair.

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

Mr. JEFFORDS. Mr. President, I understand what my good friend from Kentucky is saying, but I remind everyone what the real issue is, and that is elections. We are talking about a system which has developed over the past couple of years which has seriously imposed upon us unfairness as far as candidates are concerned who find themselves faced with ads, and other areas of expression, to change the election. Why would they spend $135 million to $200 million unless it was successful?

Let us get a real-life situation of what we are talking about. I have been in the election process for many, many years, and I know from my own analysis—and I think it probably is carried forward everywhere—that the critical time in an election to make a change in people's minds is the last couple of weeks.

Basically, I find that probably of the electorate, only about 50 percent care enough about elections to even go. That is the average across the country. Of that 50 percent, probably half of them will make up their minds during the last 2 weeks.

So you are out and have a well-planned campaign and everything is coming down to the end. You can go and find out what your opponent has to spend, and you can try to be ready to match that. And then whammo, out of the blue comes all these ads that are supposedly issue ads, but they are obviously pointed at positions that are taken by you saying how horrible they are. So these are within the Snowe-Jeffords amendment.

What can you do about it? You cannot do anything. You cannot even find out who is running them, unless you are lucky and have an inside source in the TV and radio stations to tell you who it is. You cannot find out. There is no disclosure.

The most important part of our amendment is just plain disclosure. If it is far enough in advance, 30 days before a primary and 60 days before a general election, at least you have time to get ready for it. If you know you are going to get all these ads coming, then you can reorder your priorities of spending. You can say, ''Oh, my God, we have all this coming,'' and you never know until it is all over. You are gone. You lose the election and you didn't know. The opposition comes forth with this barrage and you are totally helpless.

What we do is not anywhere near what we would like to do in the sense of protection against this kind of thing, because I am sure they will find ways to get around it and feel they do not have to disclose. But it is so simple.

What is wrong with disclosure? What is wrong, if somebody is going to spend a couple of million bucks in the election against you, with at least knowing what is coming and who it is coming from? That is all we are asking for. We don't say you can't do it. Another thing we do, as explained very well by Senator SNOWE, is deal in a constitutional way with the money coming from the treasuries of corporations or money coming from the treasuries of unions by restricting that even more so they cannot even intervene within that last 30 to 60 days. But there are other ways, through PACs and other ways the money can be brought into the

election process, but it would be disclosed to the FEC and you have the ability to understand what you are going to be facing.

I cannot understand why anybody would be against this amendment. It makes such common sense. It doesn't do anything. It doesn't create anything except it requires people to disclose their intentions and also prohibits the use of the treasuries of the corporations and unions. There is nothing very dramatic about that as a change in the law. I really take serious issue with my good friend, the Senator from Kentucky, on the questions he raised.

Are these ads effective? Yes, I have talked with consultants, and I know one consultant who ran a lot of these ads. Obviously, what they were trying to do was win an election for their person who they were trying to help. No evidence of connection, but the people who wanted the ads sent the money for this purpose to defeat a candidate, and they felt those ads turned around at least five elections that would not have been turned around if it were not for use of these funds with no way for the poor candidate who is facing it to understand who it is, how much money is going to be spent and where it goes.

I want to give real-world situations we are involved with. What is so unfair about being fair and getting full disclosure?

I commend my good friend from Maine with whom I have worked very closely. I must say, this amendment is weaker than I would like to see, but I think we have done all we can do under the Constitution. I commend her for the presentation she has given and for her effort to raise the visibility to the Nation of the serious problems we have with these so-called advocacy or issue ads.

It has been my pleasure to work with her on this important endeavor, and today the Senate has the opportunity to enact real campaign finance reform.

The amendment we offer succeeds where others have failed in bringing the two sides closer to a workable solution. Combined with the underlying McCain-Feingold legislation, this amendment will ensure that all parties are treated equally in the reformed campaign finance structure.

As my record has shown, I have long been a supporter of campaign finance reform. I have sponsored a number of initiatives in the past and have worked actively to enact campaign finance reform. I have been reluctant to cosponsor the McCain-Feingold bill this time around because of my concerns in two areas which I have just been discussing. First, issue ads that have turned into blatant electioneering with no meaningful disclosure of the source of the attack; second, the unfettered spending by unions and corporations to influence the outcome of an election, especially close to elections, without the ability to identify the source.

Disclosure—how in the world can you be against disclosure?

The amendment Senator SNOWE and I are proposing strengthens the McCain-Feingold bill in a fair manner. Maybe too fair. That is the only criticism I can find of it.

Mr. President, the work that Senator SNOWE and I, as well as many other Senators, have done to develop an acceptable compromise is squarely within the goals of those calling for full campaign finance reform. We have been brought to this point by the disillusionment of the electorate. People across this Nation have grown wary of the tenor of campaigns in recent years. This disappointment is reflected in low voter participation and the diminished role of individuals in electing their representatives.

Our efforts to reform the financing of campaigns should begin to reinvigorate people to further participate in our democracy. I am ashamed at the voter turnouts across the Nation. I am a little bit less ashamed of Vermont which has one of the highest, but we all should be working to get fuller participation, closer to 60, 70, 80, 90 percent.

The 1996 election cycle reinforces the desperate situation we face. During this campaign, more than $135 million was spent by outside groups not associated with the candidates' campaigns. These expenditures indicated to the public that our election laws were not being enforced and the system was out of control. Additionally, recent hearings in both the Senate and the House point to the need for serious reform.

Senator SNOWE has clearly outlined the content of our amendment. Our proposal boosts disclosure requirements and tightens expenditures of certain funds in the weeks preceding a primary and general election. The amendment provides disclosure of the funding sources for electioneering communications broadcast within 30 days of a primary or 60 days of a general election.

The measure prohibits labor union or corporation treasury funds from being used for these electioneering broadcast ads 30 days before a primary or 60 days before a general election. These two main provisions should strengthen the efforts put forward by the proponents of reform.

Of equal importance is what this amendment will not do, and that was gone into in very great detail. In fact, we have so many things we will not do that it sometimes concerns me if we have done enough. The amendment will not restrict printed material nor require the text or a copy of a campaign advertisement to be disclosed.

The amendment does not restrict how much money can be spent on ads, nor restrict how much money a group raises. In fact, our amendment clearly protects the constitutional prerogatives while promoting reform in a system badly in need of change. We have taken great care not to violate the important principles of free speech.

In developing the amendment, we have reviewed the seminal cases in this area, particularly the Buckley case. The Supreme Court has been most tolerant in the area of limiting corporate and union spending and enhancing disclosure rules. We also worked to make the requirements sufficiently clear and narrow to overcome unconstitutional claims of vagueness and overbreadth.

I have long believed in Justice Brandeis' statement that ''Sunlight is said to be the best of disinfectants.'' That is what we are looking for here, just a little sunlight on some of the very, very devious types of procedures that are utilized to influence elections.

Discloser of electioneering campaign spending will provide the electorate with information to aid voters in evaluating candidates for Federal office. As we have seen in the last few campaign cycles, ads appear on local stations paid for by groups unknown to the public. These ads reference an identified candidate with the result of influencing the voters. Giving the electorate the information required in our amendment will give the public the facts they need to better evaluate the candidates but, more importantly, evaluate what information they are receiving and whether it is biased or where it came from, to be able to at least check where it came from and make sure it did not come from Indonesia or China or some other place.

Additionally, this disclosure, or disinfectant, as Justice Brandeis puts it, will also help deter actual corruption and help avoid the appearance of corruption that many feel pervades our campaign finance system.

Delivering this information into the public purview will enable candidates, the press, the FEC and interest groups to ensure that Federal campaign finance laws are being obeyed. Our amendment will expose any corruption and help reassure the public that our campaign laws will be followed and enforced.

The amendment will also prohibit corporations and unions from using general treasury funds to pay for electioneering communications in a defined period close to an election.

By treating both corporations and unions similarly, we extend current regulation cautiously and fairly. This prohibition, coupled with the disclosure requirements, will address many of the concerns my colleagues from both sides of the aisle have raised on campaign finance reform proposals. This provision will help satisfy our goal of creating a fair and equitable campaign finance system.

The amendment I am asking my colleagues to support will, hopefully, provide the additional momentum to bring this issue to closure. Although I am optimistic, I am not blind to the uphill battle we face in enacting appropriate change. I am encouraged by the fair and informative and productive debate we have had on campaign reform today. The proposal Senator SNOWE and I are offering, built upon the McCain-Feingold legislation, should become law.

I cannot conceive of how any legitimate objection can be made to the Snowe-Jeffords amendment. It is a step forward to making sure that elections are fair, that the public knows who it is trying to influence the elections, and that they have the right to find out that information.

Mr. President, I yield the floor.

Mr. BURNS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. Mr. President, I rise today to make a few comments about at least one amendment that has been offered here this afternoon.

As we work our way through the debate on campaign finance reform and you listen to Senators express themselves in the legal areas, the more one thinks that maybe we have got enough laws in place, maybe it is a matter of enforcing them.

I remind Senators that it was in 1996 when one major party failed to file their FEC report on the date it was supposed to be filed. In fact, it never was filed until after the election was over.

So I would argue that law enforcement probably has as much to do with the problems we see in political campaigns more than anything else. All through this process, we try to pass legislation that would maybe bring political campaigns into the light of public scrutiny. We would try to cap contributions, how much an individual or an organization can contribute to a particular campaign. We would try to cap spending. We would try to establish and make permanent filing dates.

Yet all of them would be to no purpose if we do not enforce them. In fact, we have gone into some approach of asking for free advertising from radio and television based on a faulty assumption, an assumption, if we do something, get something for nothing, we can limit the expenses, thus making it easier for everybody to run for political office.

I would ask those who would advocate such a regulation to offer free television and free radio time, I would ask them, the newspapers and publications, will they be made to offer free space? Will printers lay out people, graphic artists? Will they donate their labor for direct mail and fliers and stickers and, yes, those things that we mail direct to our constituency?

While we are talking about that, would we also write into the same regulation that they may be sent postage free? Should the laborers of the post office, or whoever, be made to do it for nothing? And my answer to that is, of course not.

Radio and television is a unique medium. Some would say it operates on the public airwaves. How public are they? If a radio station or a television station owns a chunk of frequency, do they not own it? They are only given so many hours in a day—like 24—that they can sell time. Once that time has passed, it cannot be recovered or made up later on. Are we asking them to give away their inventory? Are we asking them to pay their production people to dub and to produce? Why are not their expenses the same as any other segment of the American media?

The amendment is nothing more than that the FCC should not advocate or use funds to regulate radio and television stations for free time or free access. It just does not make a lot of sense, especially when broadcasters lead this country in public service, in news and weather and services to a community. Yes, they get paid for the advertising for some of those programs, but basically they are there 24 hours a day, 7 days a week, 52 weeks a year.

Of course, they are being asked to do something for nothing. So I hope in any kind of reform that passes this body, that this amendment to prevent the FCC from requiring radio and television stations to give free advertising space would be a part of that reform.

But bottom line—and I am not a lawyer; never been hinged with that handle—as I listen to the argument, it boils down to, bottom line, the integrity of the folks that are supporting an issue or an individual for political office. It all comes down to that. For if lawyers write this law, it will be lawyers that will figure a way around it. It is a matter merely of enforcing the law.

CLOTURE MOTION

Mr. BURNS. Mr. President, I send a cloture motion to the desk to the pending bill.

The PRESIDING OFFICER. 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 provision of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on S. 1663, the Paycheck Protection Act.

Trent Lott, Mitch McConnell, Wayne Allard, Paul Coverdell, Robert F. Bennett, Larry E. Craig, Rick Santorum, Michael B. Enzi, Jeff Sessions, Slade Gorton, Chuck Hagel, Don Nickles, Gordon H. Smith, Jesse Helms, Conrad Burns, and Lauch Faircloth.

Mr. BURNS. Mr. President, for the information of all Senators, this cloture vote will be the last of three consecutive cloture votes occurring Thursday morning, assuming none of the previous cloture votes is successful. The leadership will notify all Senators as to the time for these votes, once the leader has consulted with the minority leader. However, at this point, I ask unanimous consent that the mandatory quorum under rule XXII be waived with respect to all three cloture motions filed today.

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

MORNING BUSINESS

Mr. BURNS. Mr. President, I ask unanimous consent that there be a period for morning business with Senators permitted to speak for up to 5 minutes each.

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

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT OF EXECUTIVE ORDER ORDERING THE SELECTED RESERVE OF THE ARMED FORCES TO ACTIVE DUTY—MESSAGE FROM THE PRESIDENT—PM 97

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 Armed Services.

To the Congress of the United States:

Pursuant to title 10, United States Code, section 12304, I have authorized the Secretary of Defense, and the Secretary of Transportation with respect to the Coast Guard, when it is not operating as a Service within the Department of the Navy, to order to active duty Selected Reserve units and individuals not assigned to units to augment the Active components in support of operations in and around Southwest Asia.

A copy of the Executive order implementing this action is attached.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *February 24, 1998.*

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 5:20 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 927. An act to reauthorize the Sea Grant Program.

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

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. BOND (for himself, Mr. COCHRAN, Ms. SNOWE, and Mr. SHELBY):

S. 1669. A bill to restructure the Internal Revenue Service and improve taxpayer rights, and for other purposes; to the Committee on Finance.

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 1670. A bill to amend the Alaskan Native Claims Settlement Act to provide for selection of lands by certain veterans of the Vietnam era; to the Committee on Energy and Natural Resources.

By Mr. BENNETT (for himself and Mr. DODD):

S. 1671. A bill to address the Year 2000 computer problems with regard to financial institutions, to extend examination parity to the Director of the Office of Thrift Supervision and the National Credit Union Administration, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DASCHLE (for himself and Mr. JOHNSON):

S. 1672. A bill to expand the authority of the Secretary of the Army to improve the control of erosion on the Missouri River; to the Committee on Environment and Public Works.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BOND (for himself, Mr. COCHRAN, Ms. SNOWE, and Mr. SHELBY):

S. 1669. A bill to restructure the Internal Revenue Service and improve taxpayer rights, and for other purposes; to the Committee on Finance.

THE PUTTING THE TAXPAYER FIRST ACT OF 1998

Mr. BOND. Mr. President, I rise today to introduce a bill —Putting Taxpayers First. In the next few weeks the Senate will have a historic opportunity to make far-reaching changes to the operation of the Internal Revenue Service and to strengthen taxpayers' rights. For too long, taxpayers have had to put up with poor service when dealing with the IRS—often to the tune of larger tax bills because of interest and penalties that accrue during the lengthy delays in resolving disputes. While our ultimate goal must be a simpler and less burdensome tax law, taxpayers need help today when dealing with the IRS. We must put taxpayers first.

For my part, I have asked the people of Missouri for their suggestions on how to fix the IRS and better protect taxpayers' rights. In addition, as chairman of the Committee on Small Business, I have asked small businesses across the country for their recommendations on this issue. I am pleased to say that a great many people have taken the time to call or write with their suggestions for improving this country's tax administration system.

Over the last several months, the Finance Committee has focused extensively on abuse of taxpayers and the need to reform our tax administration system. In addition, my committee has held hearings on this issue and the importance of reform for entrepreneurs and small business owners throughout the country. The House has also completed its package of reform measures. That legislation provides a good start, but I believe we can make it even stronger.

With the input and recommendations from all these sources in mind, today I am introducing the Putting Taxpayers First Act. This bill will provide critical relief for a broad spectrum of taxpayers from single moms and married couples to small business owners and farmers. It is based on two fundamental principles. We must create an IRS and a tax system that are based on top-quality service for all taxpayers, and we must act swiftly to restore citizen confidence in that system.

My bill tackles these goals in three ways: by improving taxpayer rights and protections, restructuring the management and operation of the IRS, and using electronic filing technology to help taxpayers, not complicate their lives.

For more than 200 years, Americans have had the right, guaranteed by the fourth amendment, ''to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures,'' and have enjoyed the constitutional protections against being ''deprived of * * * property, without due process of law'' under the fifth amendment.

My bill will make the IRS fully respect these rights by requiring, as part of the Tax Code, that the IRS must obtain the approval by a judge or magistrate with notice and a hearing for the taxpayer before seizing a taxpayer's property. The Government ought to be required to treat ordinary taxpayers at least as well as they treat common criminals. It is way past time to level the playing field and preserve the constitutional rights of all taxpayers.

My bill also stops the runaway freight train of excessive penalties and interest in two ways. First, the interest on a penalty will only begin after the taxpayer fails to pay his tax bill. Today, interest on most penalties is applied retroactively to the date that the tax return was due, which may be as much as 2 to 3 years back. That is just not fair. Second, my bill eliminates multiple penalties that apply to the same error. Penalties should punish bad behavior, not honest errors that even well-intentioned people are bound to make now and then.

Next, with respect to restructuring the IRS, the second part of my bill addresses the need for structural changes within the IRS. I believe that the operations and staffing of the IRS should be based along customer lines, an idea supported by the National Commission on Restructuring the IRS. The IRS' current one-size-fits-all approach no longer meets the needs of taxpayers and is inefficient for the IRS as well.

By restructuring the IRS along customer lines, the agency could provide one-stop service for taxpayers with similar characteristics and needs, such as individuals, small businesses and large companies. As a result of these changes, a married couple could go to an IRS service center designed for individuals and get help on the issues they care about, like the new child tax credit and the ROTH IRA. Similarly, a small business owner could resolve questions about the depreciation deductions for her business equipment with IRS employees specifically trained in these areas.

I was extremely pleased to hear IRS Commissioner Rossotti embrace this one-stop-service proposal early this month. While the Commissioner has signaled his interest in a customer-based IRS, I want to make sure that it does not become one of the many reorganization ideas that lose favor after a few short years.

To protect against this risk, my bill that I introduce today will make this structure a permanent part of the Tax Code. But reorganizing the IRS front lines, however, is only part of the task. The top-level management of the IRS here in Washington must make taxpayer service a reality throughout the agency. My bill takes that step by creating a full-time board of governors, which will have full responsibility, authority and accountability for IRS operations.

This board composed of four individuals drawn from the private sector plus the IRS Commissioner will have the authority and information necessary to ensure that the agency's examinations and enforcement activities are conducted in a manner that treats taxpayers fairly and with respect.

The board will also oversee the service provided by the taxpayer advocate and will ensure that the IRS appeals process is handled in an impartial manner.

An independent, full-time board of governors will protect the IRS from being used for political purposes. Any efforts to instill confidence in our tax administration system are severely undercut when there are allegations that the IRS is being used for politically motivated audits. Regrettably, there have been recent reports suggesting the IRS has undertaken these types of audits with regard to certain individuals and nonprofit organizations like the Christian Coalition and the Heritage Foundation. An IRS board of governors with representatives of both political parties will help ensure that the agency is used for one purpose and one purpose alone: helping taxpayers to comply with the tax laws in the least burdensome manner possible.

Mr. President, in addition to redesigning the agency, my bill also creates a commonsense approach for redesigning IRS communications. Too often we have heard from constituents, especially small business owners, that the notice they receive from the IRS is incomprehensible. As a result, one of two things usually happens: The taxpayer pays the bill without question just to make the IRS go away, even if they are not sure they owe taxes; or the taxpayer has to hire a professional to tell

him or her what the notice means and then spend vast amounts of time and money getting the matter straightened out. This no-win situation has to end now.

My bill creates a panel of individual taxpayers, small entrepreneurs, large business managers and other types of taxpayers who will review all standardized IRS documents to make sure they are clear and understandable to the taxpayers who must read them. Any notice, letter or form that does not meet this minimum standard will be sent back to the IRS with a recommendation that it be rewritten before it is sent to the taxpayer. And clear communications, I believe, are essential for good customer service. America's taxpayers deserve no less.

Mr. President, as I said, in the next few weeks the Senate will have an historic opportunity to make far-reaching changes to the operation of the Internal Revenue Service and to strengthen taxpayers' rights. For too long, taxpayers have had to put up with poor service when dealing with the IRS—often to the tune of larger tax bills because of interest and penalties that accrue during the lengthy delays in resolving disputes. While our ultimate goal must be a simpler and less burdensome tax law, taxpayers need help today when dealing with the IRS. We must put taxpayers first.

For my part, I have asked people across Missouri for their suggestions on how to fix the IRS and better protect taxpayers' rights. In addition, as the Chairman of the Committee on Small Business, I have asked small businesses across the country for their recommendations on this issue. And I am pleased to say that a great many people have taken the time to call or write with their suggestions for improving this country's tax-administration system.

Over the last several months, the Finance Committee has focused extensively on abuse of taxpayers and the need to reform our tax-administration system. In addition, my Committee has held hearings on this issue and the importance of reform for entrepreneurs and small business owners throughout the country. The House has also completed its package of reform measures. That legislation provides a good start, but I believe we can make it even stronger.

With the input and recommendations from all of these sources in mind, today I am introducing the Putting the Taxpayer First Act. This bill will provide critical relief for a broad spectrum of taxpayers, from single moms and married couples to small business owners and farmers. And it is based on two fundamental principles. We must create an IRS and a tax system that are based on top quality service for all taxpayers, and we must act swiftly to restore citizen confidence in that system. My bill tackles these goals in three ways: by improving taxpayer rights and protections, restructuring the management and operation of the IRS, and using electronic filing technology to help taxpayers, not complicate their lives.

IMPROVING TAXPAYER RIGHTS

While our ultimate goal should be the wholesale reform or substantial replacement of the tax laws, much additional progress can be made now by strengthening taxpayers' rights in order to restore faith in the fairness of our tax system. My bill includes several improvements to taxpayers' rights, and I will stress just a few of them today.

Recent reports of excessive seizures by the IRS have alarmed all of us. These inexcusable practices were highlighted by Senator NICKLES in a hearing he held last December in Oklahoma City. Imagine the devastation to an individual who finds himself in trouble with the IRS over back taxes, and the next thing he knows, the IRS has seized his bank account or his car—or worse yet, his home. In the case of an unfortunate small business, an abrupt seizure can mean shutting the business down, ending the livelihoods of all the employees and their families.

While some will say that seizures are a last resort and do not happen that often, the IRS has disclosed that during Fiscal Year 1996, the agency made about 10,000 seizures of taxpayers' property. That is still a sizeable number, and what is truly alarming is that these seizures can be done on the IRS' own initiative, without judicial approval.

For more than 200 years, Americans have had the right, guaranteed by the Fourth Amendment, ''to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures,'' and have enjoyed the Constitutional protections against being ''deprived of . . . property, without due process of law'' under the Fifth Amendment. My bill will make the IRS more fully respect these rights by requiring, as part of the tax code, that the IRS must obtain the approval by a judge or magistrate, with notice and a hearing for the taxpayer, before seizing a taxpayer's property. The government ought to be required to treat ordinary taxpayers at least as well as they treat common criminals. It is way past time to level the playing field and preserve the Constitutional rights of all taxpayers.

Mr. President, taxpayers, and especially small enterprises, often need help when it comes to tax planning and examining alternatives to minimize their tax liability within the law. With the enormous complexity of the tax code today, taxpayers frequently have to make good faith judgment calls about whether a particular deduction or credit applies.

Today, there is an inequity in the law that results in unequal treatment of taxpayers based on their choice of tax professional or financial ability to afford a lawyer. Under the current law, a taxpayer who goes to an accountant to obtain advice for tax planning or assistance in a controversy to make sure he is not paying more tax than the law requires, does so at his peril. In fact, he may as well invite the IRS to that meeting because there is no privilege of confidentiality between a taxpayer and his accountant.

For a taxpayer to gain the confidentiality protection that is available, he must engage an attorney. Oddly enough, in many cases, the attorney may hire an accountant to gain accounting expertise, and then the work of the accountant would be protected from disclosure to the IRS. Now the taxpayer has assumed enormous additional costs, and for what? Just to prevent the IRS from having an even greater upper hand against taxpayers who already have to prove their innocence?

My bill ends this disparity. It permits a taxpayer, in non-criminal matters, to hire any individual authorized to practice before the IRS, such as an accountant, an enrolled agent, or an attorney, and be able to have conversations with that tax professional, which can remain private from the IRS. This taxpayer confidentiality provision will ensure that all taxpayers receive equal treatment from the IRS in a way that can save them money. In addition, it gives all taxpayers a wider choice of tax advisors without giving up their right to confidentiality. This is a common-sense protection for the millions of individuals and businesses that seek professional tax advice each year.

Penalties, too, have become an enormous burden for taxpayers who make mistakes, which is not uncommon with today's complex tax laws. Far too often, a minor tax bill grows into an unmanageable liability because of the interest on the tax owed, the penalties for negligence and late payment, and the interest on the penalties. Frequently, these penalties can prevent a taxpayer from settling his account and getting back into good standing.

Penalties were included in the tax code to encourage taxpayers to comply with our voluntary assessment system. But the multiplicity of penalties and hidden punishments disguised as interest on those penalties seriously undermines Americans' confidence that our system is fair.

My bill stops the runaway freight train of excessive penalties and interest in two ways. First, interest on a penalty will only begin after the taxpayer has failed to pay his tax bill. Today, interest on most penalties is applied retroactively to the date that the tax return was due, which may be as much as two to three years back. That's just not fair. Second, my bill eliminates multiple penalties that apply to the same error. Penalties should punish bad behavior, not honest errors that even well-intentioned people are bound to make now and then.

Mr. President, another issue of enormous importance to many entrepreneurs in this country is the status

of independent contractors. Over the past several years, I have worked hard for the adoption of a clear legislative safe-harbor for the classification of workers and protections against retroactive reclassification of independent contractors. I included these provisions as part of the Home-Based Business Fairness Act, S. 460, which I introduced last March. And I intend to pursue these important changes to the tax code through that bill as the Senate debates legislation to restructure the IRS and improve taxpayers' rights.

RESTRUCTURING THE IRS

The second part of my bill addresses the need for structural changes within the IRS. Over the past century, the IRS has evolved into a bureaucratic web of functions, regions, and district offices, all aimed at making the collection of taxes easy for the government. What has been overlooked is that those tax dollars come from citizens whom the government is supposed to serve and represent. With roughly 140 million individuals, alone, filing tax returns every year, the system must be made convenient for the taxpayer, not just for the government.

I believe that the operations and staffing of the IRS should be based along customer lines, an idea supported by the National Commission on Restructuring the IRS. The IRS' current ''one size fits all'' approach no longer meets the needs of taxpayers and is inefficient for the IRS as well. By restructuring the IRS along customer lines, the agency could provide one-stop service for taxpayers with similar characteristics and needs, such as individuals, small businesses, and large companies. As a result, a married couple could go to an IRS service center designed for individuals and get help on the issues that they care about like the new child tax credit and the Roth IRA. Similarly, a small business owner could resolve questions about the depreciation deductions for her business equipment with IRS employees specifically trained in these areas.

I was extremely pleased to hear IRS Commissioner Rossotti embrace this one-stop-service proposal earlier this month. And I look forward to working with the agency to make it a reality for taxpayers at the earliest possible date. While the Commissioner has signaled his interest in a customer-based IRS, I want to make sure that it does not become one of the many reorganization ideas that lose favor after a few short years. To protect against that risk, my bill will make this structure a permanent part of the tax code.

Reorganizing the IRS at the frontlines, however, is only part of the task. The top-level management of the IRS here in Washington must make taxpayer service a reality throughout the agency. My bill takes that step by creating a full-time Board of Governors, which will have full responsibility, authority, and accountability for IRS operations. This Board, composed of four individuals drawn from the private sector plus the IRS Commissioner, will have the authority and information necessary to ensure that the agency's examination and enforcement activities are conducted in a manner that treats taxpayers fairly and with respect. The Board will also oversee the service provided by the Taxpayer Advocate and will ensure that the IRS' appeals process is handled in an impartial manner.

An independent, full-time Board of Governors will also protect the IRS from being used for political purposes. Any efforts to instill confidence in our tax-administration system are severely undercut by allegations that the IRS is being used for politically-motivated audits. Regrettably, there have been recent reports suggesting that the IRS has undertaken these types of audits with regard to certain individuals and non-profit organizations like the Christian Coalition and the Heritage Foundation. An IRS Board of Governors with representatives of both political parties will help ensure that the agency is used for one purpose, and one purpose alone: helping taxpayers to comply with the tax laws in the least burdensome manner possible.

Mr. President, in addition to redesigning the agency, my bill also creates a common sense approach for redesigning IRS communications. Too often I have heard from constituents, especially small business owners, that a notice they received from the IRS is incomprehensible. As a result, one of two things usually happens. The taxpayer pays the bill without question just to make the IRS go away, even if they are not sure they owe any taxes. Or the taxpayer has to hire a professional to tell him what the notice means and then spend vast amounts of time and money getting the matter straightened out. This no-win situation has to end now.

My bill creates a panel of individual taxpayers, small entrepreneurs, large business managers, and other types of taxpayers, who will review all standardized IRS documents to make sure they are clear and understandable to the taxpayers who must read them. Any notice, letter or form that does not meet this minimum standard, will be sent back to the IRS with a recommendation that it be rewritten before it is sent to any taxpayer. Clear communications are essential for good customer service, and America's taxpayers deserve no less.

FAIR AND EFFICIENT USE OF TECHNOLOGY

The third part of my bill concerns the fair and efficient use of technology in our tax-administration system. With the continuing advances in technology, we have an enormous opportunity to make all taxpayers' lives easier. In fact, the IRS has already made good progress in this area with programs like TeleFile, which enables many taxpayers to file their tax returns through a brief telephone call.

But with technological advances comes the risk of imposing even more burdens on taxpayers, and Congress must make sure that these improvements are not implemented at the expense of the taxpayers, and especially the small businesses, who are expected to comply with them. To prevent that result, my bill makes clear that expanded electronic filing of tax and information returns should be a goal, not a mandate imposed on American taxpayers.

In addition, my bill ensures that in making electronic filing a reality, the IRS will involve representatives of all taxpayer groups—individuals, small business, large companies, and the tax-preparation community—to ensure that electronic filing does not complicate everyone's lives in the name of modernization and simplification.

Mr. President, the provisions of the Putting the Taxpayer First Act will make the IRS a better public servant and help restore confidence in our tax system. Taxpayers face enormous difficulties today just to comply with the tax law, and they have waited far too long for good service and fair treatment in a timely manner. I urge my colleagues on the Finance Committee to include the provisions of this bill when they markup IRS-reform legislation next month. Our efforts must focus on putting the taxpayer first if we are to make positive and lasting changes to the IRS and not keep America's taxpayers waiting any longer.

Mr. President, I ask unanimous consent that Senators COCHRAN, SNOWE and SHELBY be shown as original cosponsors. And I ask unanimous consent that a copy of the bill and a description of its provisions be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

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

S. 1669

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; AMENDMENT OF 1986 CODE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Putting the Taxpayer First Act of 1998''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—

Sec. 1. Short title; amendment of 1986 Code; table of contents.

TITLE I—TAXPAYER RIGHTS

Sec. 101. Court approval for seizure of taxpayer's property.

Sec. 102. Improved offers-in-compromise procedure.

Sec. 103. Clarification that attorney's fees are available in unauthorized-disclosure and browsing cases.

Sec. 104. Uniform application of confidentiality privilege for taxpayer communications with federally authorized practitioners.

Sec. 105. Taxpayer's right to have an IRS examination take place at another site.
Sec. 106. Prohibition on IRS contact of third parties without taxpayer prenotification.
Sec. 107. Expansion of taxpayer's rights in administrative appeal.

TITLE II—PENALTY REFORM

Sec. 201. Imposition of interest on penalties only after a taxpayer's failure to pay.
Sec. 202. Repeal of the penalty for substantial understatement of income tax.
Sec. 203. Repeal of the failure-to-pay penalty.

TITLE III—INTERNAL REVENUE SERVICE RESTRUCTURING

Sec. 301. Internal Revenue Service Board of Governors; Commissioner of Internal Revenue.
Sec. 302. Restructuring of IRS operations along customer lines.
Sec. 303. Greater independence of the Taxpayer Advocate.
Sec. 304. Greater independence of the Office of Appeals.
Sec. 305. Improved IRS written communications to taxpayers and tax forms.

TITLE IV—ELECTRONIC FILING

Sec. 401. Goals for electronic filing; electronic-filing advisory group.
Sec. 402. Report on electronic filing and its effect on small businesses.

TITLE V—REGULATORY REFORM

Sec. 501. Congressional review of Internal Revenue Service rules that increase revenue.
Sec. 502. Small business advocacy panels for the IRS.
Sec. 503. Taxpayer's election with respect to recovery of costs and certain fees.

TITLE I—TAXPAYER RIGHTS

SEC. 101. COURT APPROVAL FOR SEIZURE OF TAXPAYER'S PROPERTY.

(a) IN GENERAL.—Section 6331(a) is amended by adding at the end the following new paragraph:

''(2) LIMITATION ON AUTHORITY OF SECRETARY.—Notwithstanding paragraph (1)—

''(A) GENERAL RULE.—The Secretary shall not levy upon any property or rights to property until—

''(i) the taxpayer has received the notice described in subsection (a) which notifies the taxpayer of the opportunity for judicial review under this subparagraph and advises the taxpayer that criminal penalties may be imposed if the property is transferred or otherwise made unavailable for collection while such review is pending, and

''(ii) a court of competent jurisdiction has determined, after the taxpayer has received notice and an opportunity for a hearing, that such levy is reasonable under the circumstances.

''(B) EXCEPTION.—A court may waive the right to notice and hearing under subparagraph (A) if the Secretary demonstrates to the court's satisfaction that—

''(i) irreparable harm will occur with respect to the Secretary's ability to collect the tax if relief is not granted,

''(ii) the Secretary has provided the taxpayer with notice and demand pursuant to section 6303(a),

''(iii) the taxpayer has neglected or refused to pay the tax within 10 days after notice and demand, and

''(iv) the Secretary has a reasonable probability of success on the merits with regard to the taxpayer's liability for the tax.''

(b) CONFORMING AMENDMENT.—Section 6331(a) is amended by striking ''If any person'' and inserting:

''(1) IN GENERAL.—If any person''.

(c) EFFECTIVE DATE.—The amendments made by this section shall be effective for levies occurring on or after the date of the enactment of this Act.

SEC. 102. IMPROVED OFFERS-IN-COMPROMISE PROCEDURE.

(a) IN GENERAL.—Section 7122 (relating to compromises) is amended by adding at the end the following new subsection:

''(c) OFFERS IN COMPROMISE.—

''(1) IN GENERAL.—If the Secretary receives an offer in compromise which is based on the taxpayer's inability to pay the taxpayer's tax liability in full, the Secretary shall accept such offer in compromise if it reasonably reflects the taxpayer's ability to pay.

''(2) TIMELY RESPONSE.—

''(A) GENERAL RULE.—The Secretary shall accept, reject, or make a counteroffer to an offer in compromise described in paragraph (1) within 120 days from the date that the offer is filed and reasonable documentation is submitted regarding the taxpayer's ability to pay.

''(B) FAILURE TO RESPOND.—If the Secretary fails to respond within such time, interest on the underpayment under section 6601(a) shall be suspended until such date as the Secretary responds. This subparagraph shall not apply if the Secretary reasonably determines that the taxpayer's offer in compromise is frivolous.

''(C) UNACCEPTABLE OFFERS.—If the Secretary does not accept an offer in compromise from a taxpayer—

''(i) the Secretary shall provide a detailed description of the reasons that the offer was not accepted, and

''(ii) the taxpayer may appeal the Secretary's determination to the Office of Appeals.

''(3) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out the purposes of this subsection, including regulations—

''(A) establishing standards for acceptable offers in compromise based on the economic reality of the taxpayer's ability to pay, and

''(B) providing for the application of this subsection to offers in compromise made by small businesses and the self-employed.''

(b) EFFECTIVE DATE.—The amendments made by this section shall be effective for offers in compromise filed after the date of the enactment of this Act.

SEC. 103. CLARIFICATION THAT ATTORNEY'S FEES ARE AVAILABLE IN UNAUTHORIZED-DISCLOSURE AND BROWSING CASES.

(a) IN GENERAL.—Subsection (a) of section 7430 (relating to awarding of costs and certain fees) is amended to read as follows:

''(a) IN GENERAL.—In any administrative or court proceeding which is brought by or against the United States in connection with the determination, collection, or refund of any tax, interest, or penalty under this title (including any civil action under section 7431), the prevailing party may be awarded a judgment or settlement for—

''(1) reasonable administrative costs incurred in connection with such administrative proceeding within the Internal Revenue Service, and

''(2) reasonable litigation costs incurred in connection with such court proceeding.''

(b) EFFECTIVE DATE.—The amendments made by this section shall be effective for any proceeding which—

(1) arises after the date of the enactment of this Act, or

(2) arises on or before such date and which does not become final before the 30th day after such date.

SEC. 104. UNIFORM APPLICATION OF CONFIDENTIALITY PRIVILEGE FOR TAXPAYER COMMUNICATIONS WITH FEDERALLY AUTHORIZED PRACTITIONERS.

(a) IN GENERAL.—Chapter 77 (relating to miscellaneous provisions) is amended by adding at the end the following new section:

''SEC. 7525. UNIFORM APPLICATION OF CONFIDENTIALITY PRIVILEGE FOR TAXPAYER COMMUNICATIONS WITH FEDERALLY AUTHORIZED PRACTITIONERS.

''(a) GENERAL RULE.—With respect to tax advice, the same common law protections of confidentiality which apply to a communication between a taxpayer and an attorney shall also apply to a communication between a taxpayer and any federally authorized tax practitioner if the communication would be considered a privileged communication if it were between a taxpayer and an attorney.

''(b) LIMITATIONS.—Subsection (a) may only be asserted in—

''(1) noncriminal tax matters before the Internal Revenue Service, and

''(2) proceedings in Federal courts with respect to such matters.

''(c) FEDERALLY AUTHORIZED TAX PRACTITIONER.—For purposes of this section, the term 'federally authorized tax practitioner' means any individual who is authorized under Federal law to practice before the Internal Revenue Service but only if such practice is subject to Federal regulation under section 330 of title 31, United States Code.''

(b) CONFORMING AMENDMENT.—The table of sections for chapter 77 is amended by adding at the end the following new item:

''Sec. 7525. Uniform application of confidentiality privilege for taxpayer communications with federally authorized practitioners.''

SEC. 105. TAXPAYER'S RIGHT TO HAVE AN IRS EXAMINATION TAKE PLACE AT ANOTHER SITE.

(a) IN GENERAL.—Subsection (a) of section 7605 (relating to time and place of examination) is amended to read as follows:

''(a) TIME AND PLACE.—

''(1) IN GENERAL.—The time and place of examination pursuant to the provisions of section 6420(e)(2), 6421(g)(2), 6427(j)(2), or 7602 shall be such time and place as may be fixed by the Secretary and as are reasonable under the circumstances. In the case of a summons under authority of paragraph (2) of section 7602, or under the corresponding authority of section 6420(e)(2), 6421(g)(2), or 6427(j)(2), the date fixed for appearance before the Secretary shall not be less than 10 days from the date of the summons.

''(2) LIMITATION.—Upon request of a taxpayer, the Secretary shall conduct any examination described in paragraph (1) at a location other than the taxpayer's residence or place of business, if such location is reasonably accessible to the Secretary and the taxpayer's original books and records pertinent to the examination are available at such location.''

(b) EFFECTIVE DATE.—The amendments made by this section shall be effective for examinations occurring after the date of the enactment of this Act.

SEC. 106. PROHIBITION ON IRS CONTACT OF THIRD PARTIES WITHOUT TAXPAYER PRE-NOTIFICATION.

(a) IN GENERAL.—Section 7602 (relating to examination of books and witnesses) is amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

''(c) LIMITATION OF AUTHORITY TO SUMMON.—In the case of a taxpayer engaged in a trade or business, no summons concerning such trade or business may be issued under this title with respect to any person other than such taxpayer without providing reasonable notice to the taxpayer that such

summons will be issued. This subsection shall not apply if the Secretary determines for good cause shown that such notice would jeopardize collection of any tax or any pending criminal investigation.''

(b) EFFECTIVE DATE.—The amendments made by this section shall be effective for summons issued after the date of the enactment of this Act.

SEC. 107. EXPANSION OF TAXPAYER'S RIGHTS IN ADMINISTRATIVE APPEAL.

(a) IN GENERAL.—Subchapter B of chapter 63 (relating to assessment) is amended by adding before section 6212 the following new section:

''SEC. 6211A. NOTICE OF PROPOSED ADJUSTMENT.

''(a) INCOME TAXES.—At least 60 days prior to issuing a notice of deficiency under section 6212, the Secretary shall send a notice explaining the adjustments that the Secretary believes should be made to the amount shown as tax by the taxpayer on his return that would result in a deficiency. If the taxpayer does not agree with the Secretary's proposed adjustments, the taxpayer may appeal such proposed adjustments to the Office of Appeals.

''(b) ADDRESS FOR NOTICE OF PROPOSED ADJUSTMENT.—The provisions of section 6212(b) shall apply with respect to mailing of the notice of proposed adjustment described in subsection (a).''

(b) EMPLOYMENT TAXES.—Section 6205(b) is amended—

(1) by adding at the end the following new paragraph:

''(2) NOTICE OF PROPOSED ASSESSMENT.—At least 60 days prior to making any assessment with respect to paragraph (1), the Secretary shall send a notice of proposed assessment (mailed to the taxpayer at its last known address) explaining the adjustments that the Secretary believes should be made to the amount paid or deducted with respect to any payment of wages or compensation which would result in an underpayment. If the taxpayer disagrees with the Secretary's adjustments, the taxpayer may appeal such adjustments to the Office of Appeals.'', and

(2) by striking ''If less than'' and inserting: ''(1) IN GENERAL.—If less than''.

(b) CONFORMING AMENDMENTS.—The table of sections for subchapter B of chapter 63 is amended by inserting the following new item:

''Sec. 6211A. Notice of proposed adjustment.''

(c) EFFECTIVE DATE.—The amendments made by this section shall be effective 60 days after the date of the enactment of this Act.

TITLE II—PENALTY REFORM

SEC. 201. IMPOSITION OF INTEREST ON PENALTIES ONLY AFTER A TAXPAYER'S FAILURE TO PAY.

(a) IN GENERAL.—Section 6601(e)(2) is amended to read as follows:

''(2) INTEREST ON PENALTIES, ADDITIONAL AMOUNTS, OR ADDITIONS TO THE TAX.—Interest shall be imposed under subsection (a) in respect of any assessable penalty, additional amount, or addition to the tax only if such assessable penalty, additional amount, or addition to the tax is not paid within 21 calendar days from the date of notice and demand therefor (10 business days if the amount for which such notice and demand is made equals or exceeds $100,000), and in such case interest shall be imposed only for the period from the date of the notice and demand to the date of payment.''

(b) EFFECTIVE DATE.—The amendments made by this section shall be effective for penalties assessed after the date of the enactment of this Act.

SEC. 202. REPEAL OF THE PENALTY FOR SUBSTANTIAL UNDERSTATEMENT OF INCOME TAX.

(a) IN GENERAL.—Subsection (d) of section 6662 is repealed.

(b) CONFORMING AMENDMENTS.—

(1) Section 6662(b) is amended by striking paragraph (2) and redesignating paragraphs (3), (4), and (5) as paragraphs (2), (3), and (4), respectively.

(2) Section 6662 is amended by redesignating subsections (e), (f), (g), and (h) as subsections (d), (e), (f), and (g), respectively.

(3) Section 461(i)(3)(C) is amended to read as follows:

''(C) any partnership or other entity, any investment plan or arrangement, or any other plan or arrangement if a significant purpose of such partnership, entity, plan, or arrangement is the avoidance or evasion of Federal income tax.''

(4) Section 1274(b)(3)(B)(i) is amended by striking ''section 6662(d)(2)(C)(iii)'' and inserting ''section 461(i)(3)(C)''.

(5) Section 6013(e)(3) is amended to read as follows:

''(3) SUBSTANTIAL UNDERSTATEMENT.—

''(A) IN GENERAL.—For purposes of this subsection, the term 'substantial understatement' means any understatement which exceeds $500.

''(B) UNDERSTATEMENT.—For purposes of subparagraph (A), the term ''understatement'' means the excess of—

''(i) the amount of the tax required to be shown on the return for the taxable year, over

''(ii) the amount of the tax imposed which is shown on the return, reduced by any rebate (within the meaning of section 6211(b)(2)).

''(C) REDUCTION FOR UNDERSTATEMENT DUE TO POSITION OF TAXPAYER OR DISCLOSED ITEM.—The amount of the understatement under subparagraph (B) shall be reduced by that portion of the understatement which is attributable to—

''(i) the tax treatment of any item by the taxpayer if there is or was substantial authority for such treatment, or

''(ii) any item if—

''(I) the relevant facts affecting the item's tax treatment are adequately disclosed in the return or in a statement attached to the return, and

''(II) there is a reasonable basis for the tax treatment of such item by the taxpayer.

''(D) SPECIAL RULES IN CASES INVOLVING TAX SHELTERS.—

''(i) IN GENERAL.—In the case of any item of a taxpayer which is attributable to a tax shelter—

''(I) subparagraph (C)(ii) shall not apply, and

''(II) subparagraph (C)(i) shall not apply unless (in addition to meeting the requirements of such subparagraph) the taxpayer reasonably believed that the tax treatment of such item by the taxpayer was more likely than not the proper treatment.

''(ii) TAX SHELTER.—For purposes of this subparagraph, the term 'tax shelter' has the meaning given such term by section 461(i)(3)(C).

''(E) SECRETARIAL LIST.—The Secretary shall prescribe (and revise not less frequently than annually) a list of positions—

''(i) for which the Secretary believes there is not substantial authority, and

''(ii) which affect a significant number of taxpayers.

Such list (and any revision thereof) shall be published in the Federal Register.''

(6) Section 6694(a) is amended—

(A) by striking ''section 6662(d)(2)(B)(ii)'' and inserting ''section 6013(e)(3)(C)(ii)'' in paragraph (3), and

(B) by adding at the end the following: ''For purposes of paragraph (3), in applying section 6013(e)(3)(C)(ii)(II), in no event shall a corporation be treated as having a reasonable basis for its tax treatment of an item attributable to a multiple-party financing transaction if such treatment does not clearly reflect the income of the corporation.''

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 203. REPEAL OF THE FAILURE-TO-PAY PENALTY.

(a) IN GENERAL.—Section 6651(a) is amended by striking paragraphs (2) and (3).

(b) CONFORMING AMENDMENTS TO SECTION 6651.—

(1) Section 6651(a) is amended—

(A) by striking ''In the case of failure—

''(1) to'' and inserting ''In the case of failure to'', and

(B) by striking the semicolon at the end of paragraph (1) and inserting a period.

(2) Section 6651(b) is amended—

(A) by striking ''For purposes of—

''(1) subsection (a)(1)'' and inserting ''For purposes of subsection (a)'',

(B) by striking the comma at the end of paragraph (1) and inserting a period, and

(C) by striking paragraphs (2) and (3).

(3) Section 6651 is amended by striking subsections (c), (d), and (e).

(4) Section 6651(f) is amended by striking ''paragraph (1) of''.

(5) Section 6651(g) is amended to read as follows:

''(g) TREATMENT OF RETURNS PREPARED BY SECRETARY UNDER SECTION 6020(b).—In the case of any return made by the Secretary under section 6020(b), such return shall be disregarded for purposes of determining the amount of the addition under subsection (a).''

(6) Section 6651, as amended by paragraphs (3) and (4), is amended by redesignating subsections (f) and (g) as subsections (c) and (d), respectively.

(7) The heading of section 6651 is amended to read as follows:

''SEC. 6651. FAILURE TO FILE TAX RETURN.''

(8) The table of sections for subchapter A of chapter 68 is amended by striking the item relating to section 6651 and inserting the following new item:

''Sec. 6651. Failure to file tax return.''

(9) Section 5684(c)(2) is amended by striking ''or pay tax''.

(c) EFFECTIVE DATE.—The amendments made by this section shall be effective for failures to pay occurring after the date of the enactment of this Act.

TITLE III—INTERNAL REVENUE SERVICE RESTRUCTURING

SEC. 301. INTERNAL REVENUE SERVICE BOARD OF GOVERNORS; COMMISSIONER OF INTERNAL REVENUE.

(a) IN GENERAL.—Chapter 80 (relating to general rules) is amended by adding after section 7801 the following new section:

''SEC. 7801A. INTERNAL REVENUE SERVICE BOARD OF GOVERNORS; COMMISSIONER OF INTERNAL REVENUE.

''(a) INTERNAL REVENUE SERVICE BOARD OF GOVERNORS.—

''(1) ESTABLISHMENT.—There is established within the Department of the Treasury the Internal Revenue Service Board of Governors (in this title referred to as the 'Board').

''(2) MEMBERSHIP.—

''(A) COMPOSITION.—The Board shall be composed of 5 members, of whom—

''(i) 4 shall be individuals who are appointed by the President, by and with the advice and consent of the Senate, and

''(ii) 1 shall be the Commissioner of Internal Revenue.

Not more than 2 members of the Board appointed under clause (i) may be affiliated with the same political party.

''(B) QUALIFICATIONS.—Members of the Board described in subparagraph (A)(i) shall be appointed solely on the basis of their professional experience and expertise in the following areas:

''(i) The needs and concerns of taxpayers.

''(ii) Organization development.

''(iii) Customer service.

''(iv) Operation of small businesses.

''(v) Management of large businesses.

''(vi) Information technology.

''(vii) Compliance.

In the aggregate, the members of the Board described in subparagraph (A)(i) should collectively bring to bear expertise in these enumerated areas.

''(C) TERMS.—Each member who is described in subparagraph (A)(i) shall be appointed for a term of 5 years, except that of the members first appointed—

''(i) 1 member who is affiliated with the same political party as the President shall be appointed for a term of 1 year,

''(ii) 1 member who is not affiliated with the same political party as the President shall be appointed for a term of 2 years,

''(iii) 1 member who is affiliated with the same political party as the President shall be appointed for a term of 3 years, and

''(iv) 1 member who is not affiliated with the same political party as the President shall be appointed for a term of 4 years.

A member of the Board may serve on the Board after the expiration of the member's term until a successor has taken office as a member of the Board.

''(D) REAPPOINTMENT.—An individual who is described in subparagraph (A)(i) may be appointed to no more than two 5-year terms on the Board.

''(E) VACANCY.—Any vacancy on the Board—

''(i) shall not affect the powers of the Board, and

''(ii) shall be filled in the same manner as the original appointment.

Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed for the remainder of that term.

''(F) REMOVAL.—

''(i) IN GENERAL.—A member of the Board may be removed at the will of the President.

''(ii) COMMISSIONER OF INTERNAL REVENUE.—An individual described in subparagraph (A)(ii) shall be removed upon termination of employment.

''(3) GENERAL RESPONSIBILITIES.—

''(A) IN GENERAL.—The Board shall oversee the Internal Revenue Service in the administration, management, conduct, direction, and supervision of the execution and application of the internal revenue laws or related statutes and tax conventions to which the United States is a party.

''(B) CONSULTATION ON TAX POLICY.—The Board shall be responsible for consulting with the Secretary of the Treasury with respect to the development and formulation of Federal tax policy relating to existing or proposed internal revenue laws, related statutes, and tax conventions.

''(4) SPECIFIC RESPONSIBILITIES.—The Board shall have the following specific responsibilities:

''(A) STRATEGIC PLANS.—To review and approve strategic plans of the Internal Revenue Service, including the establishment of—

''(i) mission and objectives, and standards of performance relative to either, and

''(ii) annual and long-range strategic plans.

''(B) OPERATIONAL PLANS.—To review and approve the operational functions of the Internal Revenue Service, including—

''(i) plans for modernization of the tax system,

''(ii) plans for outsourcing or managed competition, and

''(iii) plans for training and education.

''(C) MANAGEMENT.—To—

''(i) review and approve the Commissioner's selection, evaluation, and compensation of senior managers,

''(ii) oversee the operation of the Office of the Taxpayer Advocate and the Office of Appeals, and

''(iii) review and approve the Commissioner's plans for reorganization of the Internal Revenue Service.

''(D) BUDGET.—To—

''(i) review and approve the budget request of the Internal Revenue Service prepared by the Commissioner,

''(ii) submit such budget request to the Secretary of the Treasury,

''(iii) ensure that the budget request supports the annual and long-range strategic plans of the Internal Revenue Service, and

''(iv) ensure appropriate financial audits of the Internal Revenue Service.

The Secretary shall submit, without revision, the budget request referred to in subparagraph (D) for any fiscal year to the President who shall submit, without revision, such request to Congress together with the President's annual budget request for the Internal Revenue Service for such fiscal year.

''(5) BOARD PERSONNEL MATTERS.—

''(A) COMPENSATION OF MEMBERS.—Each member of the Board who is described in subsection (b)(1)(A)(i) shall be compensated at an annual rate equal to the rate for Executive Schedule IV under title 5 of the United States Code. The Commissioner shall receive no additional compensation for service on the Board.

''(B) STAFF.—The Chairperson of the Board shall have the authority to hire such personnel as may be necessary to enable the Board to perform its duties.

''(6) ADMINISTRATIVE MATTERS.—

''(A) CHAIR.—The Commissioner of Internal Revenue shall serve as the chairperson of the Board.

''(B) COMMITTEES.—The Board may establish such committees as the Board determines appropriate.

''(C) MEETINGS.—The Board shall meet at least once each month and at such other times as the Board determines appropriate.

''(D) QUORUM; VOTING REQUIREMENTS; DELEGATION OF AUTHORITIES.—3 members of the Board shall constitute a quorum. All decisions of the Board with respect to the exercise of its duties and powers under this section shall be made by a majority vote of the members present and voting. A member of the Board may not delegate to any person the member's vote or any decisionmaking authority or duty vested in the Board by the provisions of this section.

''(E) REPORTS.—The Board shall each year report to the President and the Congress with respect to the conduct of its responsibilities under this title.

''(b) COMMISSIONER OF INTERNAL REVENUE.—

''(1) APPOINTMENT.—There shall be in the Department of the Treasury a Commissioner of Internal Revenue who shall be appointed by the President, by and with the advice and consent of the Senate, to a 5-year term. The appointment shall be made without regard to political affiliation or activity.

''(2) VACANCY.—Any individual appointed to fill a vacancy in the position of Commissioner occurring before the expiration of the term for which such individual's predecessor was appointed shall be appointed for the remainder of that term.

''(3) REMOVAL.—The Commissioner may be removed at the will of the President.

''(4) DUTIES.—Subject to the powers of the Board, the Commissioner shall have such duties and powers as the Secretary may prescribe, including the power to—

''(A) administer, manage, conduct, direct, and supervise the execution and application of the internal revenue laws or related statutes and tax conventions to which the United States is a party; and

''(B) recommend to the President (after consultation with the Board) a candidate for appointment as Chief Counsel for the Internal Revenue Service when a vacancy occurs, and recommend to the President (after consultation with the Board) the removal of such Chief Counsel.

If the Secretary determines not to delegate a power specified in subparagraph (A) or (B), such determination may not take effect until 30 days after the Secretary notifies the Committees on Finance, Appropriations, and Governmental Affairs of the Senate, the Committees on Ways and Means, Appropriations, and Government Reform and Oversight of the House of Representatives, and the Joint Committee on Taxation.

''(5) CONSULTATION WITH BOARD.—The Commissioner shall consult with the Board on all matters set forth in subsection (a)(4).''

(b) CONFORMING AMENDMENTS.—

(1) Section 5315 of title 5, United States Code, is amended by adding at the end the following new item:

''Members, Internal Revenue Service Board of Governors.''

(2) Section 7701(a) (relating to definitions) is amended by inserting after paragraph (46) the following new paragraph:

''(47) BOARD.—The term 'Board' means the Board of Governors of the Internal Revenue Service.''

(3) The table of sections for subchapter A of chapter 80 is amended by inserting after the item relating to section 7801 the following new item:

''Sec. 7801A. Internal Revenue Service Board of Governors; Commissioner of Internal Revenue.''

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall take effect on the date of the enactment of this Act.

(2) NOMINATIONS TO INTERNAL REVENUE SERVICE BOARD OF GOVERNORS.—The President shall submit nominations under section 7801A(a) of the Internal Revenue Code of 1986, as added by this section, to the Senate not later than 6 months after the date of the enactment of this Act.

(3) CURRENT COMMISSIONER.—In the case of an individual serving as Commissioner of Internal Revenue on the date of the enactment of this Act who was appointed to such position before such date, the 5-year term required by section 7801A(b)(1) of the Internal Revenue Code of 1986, as added by this section, shall begin as of the date of such appointment.

SEC. 302. RESTRUCTURING OF IRS OPERATIONS ALONG CUSTOMER LINES.

(a) IN GENERAL.—Subsection (a) of section 7802 (relating to the Commissioner of Internal Revenue) is amended to read as follows:

''(a) ORGANIZATION OF THE INTERNAL REVENUE SERVICE.—

''(1) IN GENERAL.—The Internal Revenue Service shall be organized into divisions representing the following types of taxpayers:

''(A) Individual taxpayers subject to wage withholding.

''(B) Small businesses and self-employed individuals.

''(C) Large businesses.

''(D) Employee plans and exempt organizations.

''(E) Trusts and estates.

''(F) Such other divisions as the Board deems necessary and appropriate.

''(2) SUPERVISION AND DIRECTION OF DIVISIONS.—Each division established by paragraph (1) shall be under the supervision and direction of an Assistant Commissioner of Internal Revenue. As the head of a division, each Assistant Commissioner shall be responsible for carrying out the functions of taxpayer services, examinations, collections, counsel operations, and such other functions as the Board may designate with respect to the taxpayers covered by the division.''

(b) CONFORMING AMENDMENTS.—

(1) The section heading for section 7802 is amended to read as follows:

''SEC. 7802. ORGANIZATION OF THE INTERNAL REVENUE SERVICE; TAXPAYER ADVOCATE; OFFICE OF APPEALS.''

(2) The table of sections for subchapter A of chapter 80 is amended by striking the item relating to section 7802 and inserting the following new item:

''Sec. 7802. Organization of the Internal Revenue Service; Taxpayer Advocate; Office of Appeals.''

(3) Subsection (b) of section 5109 of title 5, United States Code, is amended by striking ''the employee appointed under section 7802(b)'' and inserting ''an employee appointed under section 7802(a)(2)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 303. GREATER INDEPENDENCE OF THE TAXPAYER ADVOCATE.

(a) IN GENERAL.—Section 7802(d)(1) is amended to read as follows:

''(1) IN GENERAL.—There is established in the Internal Revenue Service an office to be known as the 'Office of the Taxpayer Advocate'. Such office shall be independent of all other functions of the Internal Revenue Service and shall be under the supervision and direction of an official to be known as the 'Taxpayer Advocate' who shall be appointed by, and report directly to, the Board. The Taxpayer Advocate shall be entitled to compensation at the same rate as the highest level official reporting directly to the Commissioner of the Internal Revenue.''

(b) CONFORMING AMENDMENTS.—

(1) Section 7802, as amended by subsection (a), is amended by striking subsection (b) and by redesignating subsection (d) as subsection (b).

(2) Section 7802(b)(3), as so redesignated, is amended—

(A) by striking ''Commissioner of Internal Revenue'' and inserting ''Board'', and

(B) by striking ''Commissioner'' each place it appears in the text and heading and inserting ''Board''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 304. GREATER INDEPENDENCE OF THE OFFICE OF APPEALS.

(a) IN GENERAL.—Section 7802(c) is amended to read as follows:

''(c) OFFICE OF APPEALS.—

''(1) IN GENERAL.—There is established in the Internal Revenue Service an office to be known as the 'Office of Appeals'. Such office shall be independent of all other functions of the Internal Revenue Service and shall be under the supervision and direction of an officer to be known as the 'National Appeals Officer' who shall be appointed by, and report directly to, the Board. The National Appeals Officer shall be entitled to compensation at the same rate as the highest level official reporting directly to the Commissioner of the Internal Revenue.

''(2) FUNCTIONS OF OFFICE.—

''(A) IN GENERAL.—It shall be the function of the Office of Appeals to resolve tax controversies, without litigation, on a basis that is fair and impartial to both the Government and the taxpayer and in a manner that encourages voluntary compliance and public confidence in the integrity and efficiency of the Internal Revenue Service.

''(B) RESTRICTIONS.—In carrying out its functions, the Office of Appeals—

''(i) shall consider only those issues concerning the taxpayer's return raised by the division established under subsection (a) prior to its referral to the Office, and

''(ii) shall not have any communications with any officer or employee of the division with respect to such issues unless the taxpayer, or the taxpayer's representative, has the opportunity to be present for such communications.''

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 305. IMPROVED IRS WRITTEN COMMUNICATIONS TO TAXPAYERS AND TAX FORMS.

(a) TAXPAYER-COMMUNICATIONS ADVISORY GROUP.—

(1) IN GENERAL.—In order to ensure that the Internal Revenue Service Board of Governors receives input from the taxpayers who must comply with written communications from the Internal Revenue Service, the Board shall, not later than 180 days after the date of the enactment of this Act, convene a taxpayer-communications advisory group to review all—

(A) standardized letters, notices, bills, and other written communications sent to taxpayers by the Internal Revenue Service, and

(B) tax forms and instructions.

The advisory group shall recommend to the Board the rewriting of any standardized written document, form, or instruction which it finds is not clear to, or easily understood by, the taxpayers to whom it is directed.

(2) MEMBERSHIP.—

(A) IN GENERAL.—Members of the taxpayer-communications advisory group shall be appointed by the Board and shall include at least one representative of the following: individual taxpayers subject to withholding; small businesses and the self-employed; large businesses; trusts and estates; tax-exempt organizations; tax practitioners, preparers, and other tax professionals; and such other types of taxpayers that the Board deems appropriate.

(B) TERM.—A member of the advisory group shall be appointed for a term of one year and may be reappointed for one additional term.

(b) PERSONNEL AND OTHER MATTERS.—

(1) MEMBERS' COMPENSATION.—Each member of the advisory group shall serve without compensation, but shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in performance of services for the advisory group.

(2) DETAILS.—Any Federal Government employee may be detailed to the advisory group without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

TITLE IV—ELECTRONIC FILING

SEC. 401. GOALS FOR ELECTRONIC FILING; ELECTRONIC-FILING ADVISORY GROUP.

(a) IN GENERAL.—It is the policy of Congress that—

(1) paperless filing should be the preferred and most convenient means of filing Federal tax and information returns,

(2) electronic filing should be a voluntary option for taxpayers, and

(3) there be a goal that no more than 20 percent of all such returns should be filed on paper by the year 2007.

(b) STRATEGIC PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury or the Secretary's delegate (hereafter in this section referred to as the ''Secretary''), in consultation with the Board of Governors of the Internal Revenue Service and the electronic-filing advisory group described in paragraph (4), shall establish a plan to eliminate barriers, provide incentives, and use competitive market forces to increase electronic filing gradually over the next 10 years while maintaining processing times for paper returns at 40 days.

(2) PUBLICATION OF PLAN.—The plan described in paragraph (1) shall be published in the Federal Register and shall be subject to public comment for 60 days from the date of publication. Not later than 180 days after publication of such plan, the Secretary shall publish a final plan in the Federal Register.

(3) IMPLEMENTATION OF PLAN.—The Secretary shall prescribe rules and regulations to implement the plan developed under paragraph (1). Notwithstanding any other provision of law, the Secretary shall—

(A) prescribe such rules and regulations in accordance with section 553 (b), (c), (d), and (e) of title 5, United States Code, and

(B) in connection with such rules and regulations, perform an initial and final regulatory flexibility analysis pursuant to sections 603 and 604 of title 5, United States Code, and outreach pursuant to section 609 of title 5, United States Code.

(4) ELECTRONIC-FILING ADVISORY GROUP.—

(A) IN GENERAL.—To ensure that the Secretary receives input from the private sector in the development and implementation of the plan required by paragraph (1), not later than 60 days after the date of enactment of this Act, the Secretary shall convene an electronic-filing advisory group to include at least one representative of individual taxpayers subject to withholding, small businesses and the self-employed, large businesses, trusts and estates, tax-exempt organizations, tax practitioners, preparers, and other tax professionals, computerized tax processors, and the electronic-filing industry.

(B) PERSONNEL AND OTHER MATTERS.—The provisions of section 305(b) of this Act shall apply to the advisory group.

(5) TERMINATION.—The advisory group shall terminate on December 31, 2008.

(c) PROMOTION OF ELECTRONIC FILING AND INCENTIVES.—Section 6011 is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

''(f) PROMOTION OF ELECTRONIC FILING.—

''(1) IN GENERAL.—The Secretary is authorized to promote the benefits of and encourage the use of electronic tax administration programs, as they become available, through the use of mass communications and other means.

''(2) INCENTIVES.—The Secretary may implement procedures to provide for the payment of appropriate incentives for electronically filed returns.''

SEC. 402. REPORT ON ELECTRONIC FILING AND ITS EFFECT ON SMALL BUSINESSES.

Not later than June 30 of each calendar year after 1997 and before 2009, the Chairperson of the Internal Revenue Service Board of Governors, the Secretary of the

Treasury, and the Chairperson of the electronic-filing advisory group established under section 401(b)(4) of this Act shall report to the Committees on Finance, Appropriations, Governmental Affairs, and Small Business of the Senate, the Committees on Ways and Means, Appropriations, Government Reform and Oversight, and Small Business of the House of Representatives, and the Joint Committee on Taxation, on—

(1) the progress of the Internal Revenue Service in meeting the goal of receiving 80 percent of tax and information returns electronically by 2007,

(2) the status of the plan required by section 401(b) of this Act,

(3) the legislative changes necessary to assist the Internal Revenue Service in meeting such goal, and

(4) the effects on small businesses and the self-employed of electronically filing tax and information returns, including a detailed description of the forms to be filed electronically, the equipment and technology required for compliance, the cost to a small business and self-employed individual of filing electronically, implementation plans, and action to coordinate Federal, State, and local electronic filing requirements.

TITLE V—REGULATORY REFORM

SEC. 501. CONGRESSIONAL REVIEW OF INTERNAL REVENUE SERVICE RULES THAT INCREASE REVENUE.

(a) IN GENERAL.—Section 804(2) of title 5, United States Code, is amended to read as follows:

''(2) The term 'major rule'—

''(A) means any rule that—

''(i) the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget finds has resulted in or is likely to result in—

''(I) an annual effect on the economy of $100,000,000 or more;

''(II) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

''(III) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets; or

''(ii)(I) is promulgated by the Internal Revenue Service; and

''(II) the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget finds that the implementation and enforcement of the rule has resulted in or is likely to result in any net increase in Federal revenues over current practices in tax collection or revenues anticipated from the rule on the date of the enactment of the statute under which the rule is promulgated; and

''(B) does not include any rule promulgated under the Telecommunications Act of 1996 and the amendments made by that Act.''

(b) EFFECTIVE DATE.—The amendments made by this section shall be effective 90 days after the date of the enactment of this Act.

SEC. 502. SMALL BUSINESS ADVOCACY PANELS FOR THE IRS.

(a) IN GENERAL.—Section 609(d) of title 5, United States Code, is amended to read as follows:

''(d) For purposes of this section, the term 'covered agency' means the Internal Revenue Service, the Environmental Protection Agency, and the Occupational Safety and Health Administration of the Department of Labor.''

(b) EFFECTIVE DATE.—The amendments made by this section shall be effective 90 days after the date of the enactment of this Act.

SEC. 503. TAXPAYER'S ELECTION WITH RESPECT TO RECOVERY OF COSTS AND CERTAIN FEES.

(a) IN GENERAL.—

(1) Section 504(f) of title 5, United States Code, is amended to read as follows:

''(f) A party may elect to recover costs, fees, or other expenses under this section or under section 7430 of the Internal Revenue Code of 1986.''

(2) Section 2412(e) of title 28, United States Code, is amended to read as follows:

''(e) A party may elect to recover costs, fees, or other expenses under this section or under section 7430 of the Internal Revenue Code of 1986.''

(b) COORDINATION.—Section 7430 (relating to awarding of costs and certain fees) is amended by adding at the end the following new subsection:

''(g) COORDINATION WITH EQUAL ACCESS TO JUSTICE ACT.—This section shall not apply to any administrative or judicial proceeding with respect to which a taxpayer elects to recover costs, fees, or other expenses under section 504 of title 5, United States Code, or section 2412 of title 28, United States Code.''

(c) EFFECTIVE DATE.—The amendments made by this section shall be effective for proceedings initiated after the date of the enactment of this Act.

PUTTING THE TAXPAYER FIRST ACT

EXPLANATION OF PROVISIONS

TITLE I—TAXPAYER RIGHTS

Section 101. Court approval for seizure of taxpayer's property

In response to recent concerns raised about the IRS' unchecked authority to seize a taxpayer's property, the bill requires that before the IRS may seize property the agency must obtain court approval with notice to the taxpayer and an opportunity for a hearing. This requirement will protect a taxpayer's right against unreasonable search and seizure under the Fourth Amendment of the Constitution and ensure the taxpayer's right to due process under the Fifth Amendment.

The bill includes an exception when a taxpayer tries to hide, damage, or destroy property to evade paying his or her taxes. In such a case, if the IRS demonstrates that the property is likely to be lost or damaged, the court may provide immediate relief, without involving the taxpayer, to protect the property. To obtain such relief, the IRS must demonstrate to the court's satisfaction that without relief, the government's ultimate ability to collect the tax due from the property will be lost. The IRS must also demonstrate that the taxpayer has been given notice that tax is due, the taxpayer has failed to pay, and the IRS has a reasonable probability of success on the merits of the case.

Section 102. Improved offers-in-compromise procedure

The bill strengthens the IRS' current administrative program for taxpayers who have no chance of paying their tax liability in full. The program is intended to be a last resort, and the bill requires the IRS to accept offers in compromise when it is unlikely that the tax can be collected in full and the offer represents the taxpayer's ability to pay. The bill requires the IRS to accept, reject, or make a counteroffer to a taxpayer's offer-in-compromise within 120 days from the date that the taxpayer filed the offer and submitted reasonable documentation concerning his or her ability to pay. The bill suspends interest on the taxpayer's tax liability if the IRS fails to meet the 120-day deadline (with exceptions for frivolous offers made by taxpayers merely to buy time). In addition, if the IRS does not accept an offer (e.g., rejects it or returns it as unprocessable), the IRS will be required to provide a complete explanation to the taxpayer as to the reasons that the offer was not accepted, and the taxpayer may appeal the rejection to the Office of Appeals.

This section also requires the Treasury Department to issue regulations that establish the standard for an acceptable offer. The regulations will require that an acceptable offer be based on the economic reality of the taxpayer's ability to pay, and establish specific provisions addressing cases involving small businesses and the self-employed.

Section 103. Expansion of attorney's fees to cover unauthorized-disclosure and browsing cases

The bill clarifies that a court may award attorney's fees in cases involving unauthorized disclosure of taxpayer information and browsing of taxpayer records by IRS employees. This provision is intended to overrule McLarty v. United States, 6 F.3d 545 (8th Cir. 1993), which denied attorney's fees in a case involving unauthorized disclosure, and adopt the ruling in Huckaby v. United States Department of Treasury, 804 F.2d 297 (5th Cir. 1986), which permitted such fees. The bill is also intended to prevent the interpretation in McLarty from being applied to browsing cases.

Section 104. Uniform application of confidentiality privilege for taxpayer communications with Federally authorized practitioners

The bill expands the privilege of confidentiality that exists currently between a taxpayer and an attorney with respect to tax advice to any tax practitioner who is currently authorized to practice before the IRS, such as accountants and enrolled agents. Such confidentiality may be asserted only in non-criminal tax cases before the IRS and Federal courts, including Tax Court.

Section 105. Taxpayer's right to have an IRS examination take place at another site

The bill provides that the IRS must accept a taxpayer's request that an audit be moved away from his or her home or business premises if the off-site location is accessible to the auditor and the taxpayer's books and records are available at such a location. This provision will enable the IRS to conduct an audit but without the fear and disruption resulting from the auditor being present in a family home and among a business' employees and customers for days or weeks.

Section 106. Prohibition on IRS contact of third parties without taxpayer pre-notification

In many audit cases, especially employment tax audits, the IRS uses its summons authority to verify information from a business' customers, employees, suppliers, and others who do business with the taxpayer, but without notifying the taxpayer. Such inquiries often chill business relationships and can lead a third party to cease doing business with the taxpayer for fear of becoming ''involved'' in the audit themselves. To reduce the economic harm of such contacts, the bill requires pre-notification to a business taxpayer in advance of the IRS issuing a summons to the business' customers, employees, suppliers, and other third parties. An exception is provided for cases in which the IRS can demonstrate a specific bona fide reason that such notice would jeopardize the collection of tax (e.g., the business has threatened to fire any employee who talks to the IRS) or a criminal investigation.

Section 107. Expansion of taxpayer's rights in administrative appeal

In some cases, when an audit is completed, the IRS does not issue a notice of proposed

deficiency (i.e., 30-day letter) to the taxpayer, and instead the taxpayer receives a notice of deficiency (i.e., 90-day letter). As a result, the taxpayer loses the opportunity to resolve his or her tax dispute through an administrative appeal, and the taxpayer's only recourse is to pay the tax or file suit in the Tax Court. To prevent this situation, the bill requires the IRS to issue a notice of proposed deficiency and permits the taxpayer to appeal any proposed adjustments to the Office of Appeals. This section is intended to encourage disputes to be resolved at the agency level without the enormous costs to the taxpayer of litigation.

TITLE II—PENALTY REFORM

Section 201. Imposition of interest on penalties only after a taxpayer's failure to pay

Currently, interest on most penalties imposed by the IRS is retroactively applied back to the due date for the taxpayer's return. As a result, such interest amounts to an additional hidden penalty, which can increase a taxpayer's tax bill enormously. The bill provides that interest on a penalty begins to run only after the time has expired for the taxpayer to pay the bill.

Section 202. Repeal of the penalty for substantial understatement of income tax

To simplify the penalty rules, the bill repeals the penalty for substantial understatement of income tax. In most cases involving a substantial understatement, the existing negligence penalty will also apply. As a result, there will still be a deterrent against taxpayers who attempt to cheat on their taxes. However, with the growing complexity of the tax code, it is possible for an innocent mistake to lead to a substantial understatement, and the bill will protect taxpayers in such cases.

Section 203. Repeal of the failure-to-pay penalty

The failure-to-pay penalties were originally enacted in the 1960s to compensate for the low rate of interest applied to an individual's tax liability, and for the fact that such interest was not compounded. Today, with interest compounded daily and adjusted for changes in the interest rate, these penalties are no longer needed and serve only as another hidden, second penalty. In addition, these penalties are often applied on top of accuracy-related penalties, resulting in total punishment of as much as 45 percent in noncriminal cases. To reduce the multiplicity of punishment on taxpayers who make mistakes, the bill repeals the failure-to-pay penalties.

TITLE III—INTERNAL REVENUE SERVICE RESTRUCTURING

Section 301. Internal Revenue Service Board of Governors and Commissioner of Internal Revenue

The bill creates an independent, full-time Board of Governors for the Internal Revenue Service (IRS), which will exercise top-level administrative management over the agency. The Board of Governors will have full responsibility, authority, and accountability for the IRS' enforcement activities, such as examinations and collections, which are often at the heart of taxpayer complaints about the IRS. In addition, the Board will oversee the Office of the Taxpayer Advocate and the Office of Appeals. While the bill keeps the formulation of tax policy within the purview of the Treasury Department, the Board of Governors will have a significant consultative role in such policy decisions.

The Board will consist of five members appointed by the President and confirmed by the Senate, and the members will have staggered five-year terms (i.e., one member will be appointed each year). Two of the members will be affiliated with the Republican party and two with the Democratic party. The fifth member will be the Commissioner of Internal Revenue, who will continue to be appointed by the President with Senate confirmation, subject to a 5-year term. The Commissioner will also serve as the Chairperson of the Board. Collectively, the members of the Board will represent experience and expertise in the needs and concerns of taxpayers, organization development, customer service, the operation of small businesses, the management of large businesses, information technology, and compliance.

Section 302. Restructuring of IRS operations along customer lines

The bill reorganizes the IRS' operations according to customer groups to provide ''one stop service'' for taxpayers with similar characteristics and needs. This structure will replace the current functional or ''one size fits all'' approach under which an IRS function, such as taxpayer services, examinations, or collections, handles all taxpayers. The new IRS under this section of the bill will have the following customer groups:

Individual taxpayers (subject to wage withholding).

Small business and self-employed individuals.

Large business.

Exempt organizations and pension plans.

Trusts and estates.

Other division deemed necessary by the Board of Governors.

Each customer group will be headed by an Assistant Commissioner and will have existing IRS functions such as taxpayer service, examinations, collections, and counsel operations dedicated to the specific needs of the individuals or businesses within the division. This structure will be required by law in order to make it permanent and prevent it from becoming just one of the many reorganization plans that the IRS has undertaken over the past several decades.

Section 303. Greater independence of the Taxpayer Advocate

The bill requires that the Taxpayer Advocate be appointed by and report directly to the Board of Governors. The Office of the Taxpayer Advocate will also be independent of all other functions of the IRS. Currently, the Taxpayer Advocate is appointed by and reports only to the Commissioner of Internal Revenue.

Section 304. Greater independence of the Office of Appeals

The section establishes a statutory Office of Appeals within the IRS, which will be independent of all other IRS functions. The Office of Appeals will be managed by a National Appeals Officer, who will be appointed by and report to the Board of Governors.

In order to ensure that the Office of Appeals is an impartial arbiter, the bill prohibits two practices that currently occur in the IRS' appeals process. Under the bill, an appeals officer will be precluded from addressing issues and arguments outside of those identified by the auditor. In addition, this section prohibits communications between an appeals officer and the auditor handling the case without the presence of the taxpayer or his or her representative.

Section 305. Improved IRS written communications to taxpayers and tax forms

The bill directs the Board of Governors to create a taxpayer-communications advisory group to provide a common-sense review process for all new and existing IRS written communications to taxpayers, such as standardized letters, notices and bills as well as forms and instructions. The advisory group's goal will be to ensure that all written communications are clear and easy to understand by the taxpayer to whom it is directed. If a document does not meet this minimum standard, the advisory group will recommend to the Board of Governors that the letter, notice, etc. be rewritten before it is used.

The members of the advisory group will be volunteers with at least one representative of individual taxpayers, small businesses and the self-employed, large businesses, trusts and estates, tax-exempt organizations, tax compliance professionals and other constituencies deemed necessary by the Board of Governors.

TITLE IV—ELECTRONIC FILING

Section 401. Goals for electronic filing and the electronic-filing advisory group

This section establishes a goal, but not a mandate, that paperless filing should be the preferred and most convenient means of filing tax and information returns in 80 percent of cases by the year 2007. In addition, this section calls on the Treasury Secretary to create an electronic-filing advisory group to ensure that the private sector has a role in the implementation of that goal. The advisory group will include representatives of individual taxpayers, small businesses and the self-employed, large businesses, trusts and estates, tax-exempt organizations, and the tax preparation and filing industries.

This section requires the Treasury Secretary, in consultation with the Board of Governors and the advisory group, to develop a strategic plan for implementing the electronic-filing goal. The plan will be subject to public notice and comment and to the requirements of the Regulatory Flexibility Act to ensure that the costs and burdens on taxpayers who decide to file electronically are minimized.

This section also provides authority for the IRS to promote the benefits of electronic filing and to provide appropriate incentives to encourage taxpayers to file electronically.

Section 402. Report on electronic filing and its effect on small businesses

The bill requires the IRS Board of Governors, the Treasury Secretary, and the electronic-filing advisory group to issue an annual report to Congress through 2008 that specifically addresses the effects of electronic filing on small business and its feasibility. In particular, the report will include a detailed description of the forms to be filed electronically, the equipment and technology required for compliance, cost of filing electronically, implementation plans, and efforts undertaken to coordinate Federal, state and local filing requirements including the possibility of one-stop filing.

TITLE V—REGULATORY REFORM

Section 501. Congressional review of Internal Revenue Service rules that increase revenue

The bill includes the provisions of the Stealth Tax Prevention Act of 1997 (S. 831), which will provide Congress with a 60-day window to review any final IRS rule that raises revenue.

Under the bill, Congress will have expedited procedures to enact a joint resolution of disapproval to overrule the IRS rule before it takes effect. The primary example of this situation is the IRS' 1997 proposed regulations defining who is a limited partner for self-employment tax purposes (now known as the ''stealth tax regulations''), which is currently subject to a Congressionally imposed moratorium.

Section 502. Small Business Advocacy Panels for the IRS

The bill requires the IRS to increase small business participation in agency rulemaking

activities by convening a Small Business Advocacy Review Panel for a proposed rule with a significant economic impact on small entities. For such rules, the IRS will have to notify SBA's Chief Counsel of Advocacy that the rule is under development and provide sufficient information so that the Chief Counsel can identify affected small entities and gather advice and comments on the effects of the proposed rule. A Small Business Advocacy Review Panel, comprising Federal government employees from the IRS, the Office of Advocacy, and OMB, must be convened to review the proposed rule and to collect comments from small businesses. Within 60 days, the panel will have to issue a report of the comments received from small entities and the panel's findings, which will become part of the public record. As appropriate, the IRS may modify the rule or the initial Reg Flex analysis (or its decision on whether a Reg Flex analysis is required) based on the panel's report.

Currently, the requirement for Small Business Advisory Panels applies to the Occupational Safety and Health Administration (OSHA) and the Environmental Protection Agency (EPA). By expanding it to the IRS, the bill will ensure that the views of small businesses are taken into account early in the process of developing new rules and regulations and that the IRS will take action to reduce the burdens of such rules on these small enterprises.

Section 503. Taxpayer's election with respect to recovery of costs and certain fees

Under the Internal Revenue Code, a taxpayer may recover costs and fees, including attorney's fees, against the IRS if he or she prevails and the IRS' litigation position was not substantially justified. The Equal Access to Justice Act (EAJA) permits a small business to recover such costs when an unreasonable agency demand for fines or civil penalties is not sustained in court or in an administrative proceeding. In addition, a small business may also recover such costs and fees under the EAJA when it is the prevailing party and the agency enforcement action is not substantially justified. Currently, the EAJA prohibits a taxpayer seeking to recover costs and fees in an IRS enforcement action from doing so under the EAJA if the fees and costs can be recovered under the Internal Revenue Code.

The bill permits taxpayers to elect whether to pursue recovery of attorney's fees and expenses under the Equal Access to Justice Act ("EAJA") or the Internal Revenue Code.

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 1670. A bill to amend the Alaskan Native Claims Settlement Act to provide for selection of lands by certain veterans of the Vietnam era; to the Committee on Energy and Natural Resources.

THE ALASKA NATIVE VIETNAM VETERANS ALLOTMENT OPEN SEASON ACT OF 1998

Mr. MURKOWSKI. Mr. President, I am pleased to rise today to introduce on behalf of myself and Senator STEVENS, legislation that will provide Alaska Native Veterans of the Vietnam era, from 1964–75, a chance to apply for Native Allotments. Because these brave men and women were outside of the country, serving America with distinction, they missed the opportunity to apply for these allotments. Our bill will create a year-long open season for these veterans and their heirs to apply for and select allotment parcels.

The Alaska Native Allotment Act, in effect from 1906–71, allowed Alaska Natives who had continuous use of either vacant land or certain mineral lands set aside for federal use, the opportunity to apply for, select, and ultimately be granted conveyance of these lands. Alaska Native Vietnam Veterans did not receive the outreach and assistance in applying that other Alaska Natives received during the time the act was in effect, and were effectively denied the opportunity to apply for allotments when they were serving their country. Our legislation calls for the same standards that were in effect under the Allotment Act be used to evaluate these new applications. It calls for DOI to develop rules to implement this bill, in consultation with Alaska Native groups. Congressman YOUNG has introduced a companion measure in the House, and our respective committees plan to hold hearings this winter on these pieces of legislation.

Mr. President, I am pleased that my 1995 authorizing legislation, Public Law 104–2, that required the Department of the Interior to produce a report on the possible impacts of allotment legislation, has led to this day. The time has come to give these veterans the opportunity to join their fellow Alaska Natives in reaping the benefits of the historic Alaska Native Allotment Act.

By Mr. BENNETT (for himself and Mr. DODD):

S. 1671. A bill to address the Year 2000 computer problems with regard to financial institutions, to extend examination parity to the Director of the Office of Thrift Supervision and the National Credit Union Administration, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

THE EXAMINATION PARITY AND YEAR 2000 READINESS FOR FINANCIAL INSTITUTIONS ACT

Mr. BENNETT. Mr. President, I rise today, with my esteemed colleague Senator DODD, to address an issue of significant import. Almost all of our nation's commercial banks, thrifts, and credit unions are regulated and insured. This brings great peace of mind to the American public. We all rest easier knowing that our funds, held by our insured and regulated financial institutions, are protected by (a) an insurance fund, (b) a safety and soundness regulator, and (c) the full faith and credit of the US Treasury. In order to continue this tradition of safe and sound banking practice, we need to ensure that banking law stays abreast of current practices in the market place and that our banks have the most up-to-date information available on upcoming issues affecting the safety and soundness of their operations.

The Bill we introduce today has a two-fold purpose. It grants the Office of Thrift Supervision (OTS) and the National Credit Union Administration (NCUA) the authority to examine third party service organizations which have assumed more of the traditional bank functions. This bill will make OTS and NCUA comparable to the Office of the Controller of the Currency and the Federal Deposit Insurance Corporation in their ability to ensure safe and sound banking practices as they relate to third party service organizations. This Bill also requires federal financial regulatory agencies to hold seminars for financial institutions on the implications of the Year 2000 (Y2K) problem for safe and sound operations, and to provide model approaches for solving common Y2K problems.

The authorities proposed for the NCUA and OTS have been requested by both regulatory agencies. NCUA "strongly supports [this proposal] and urges its quick enactment." OTS, in separate letters to Senator DODD and myself, refers to the current situation as an "obstacle" to their supervisory efforts and a "statutory deficiency". OTS Director Seidman further states "I support your efforts. . . . I have asked my staff to cooperate fully with Senate Banking Committee staff to address any concerns you may have regarding this provision."

OTS staff has been very helpful in this effort and I want to take this opportunity to thank OTS Director Seidman for her assistance as well as Ms Deborah Dakins. I also want to express appreciation to the Senate Banking Committee staff, especially Mr. Andrew Lowenthal, and my own Subcommittee staff for their efforts.

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. 1671

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 "Examination Parity and Year 2000 Readiness for Financial Institutions Act".

SEC. 2. YEAR 2000 READINESS FOR FINANCIAL INSTITUTIONS.

(a) FINDINGS.—The Congress finds that—

(1) the Year 2000 computer problem poses a serious challenge to the American economy, including the Nation's banking and financial services industries;

(2) thousands of banks, savings associations, and credit unions rely heavily on internal information technology and computer systems, as well as outside service providers, for mission-critical functions, such as check clearing, direct deposit, accounting, automated teller machine networks, credit card processing, and data exchanges with domestic and international borrowers, customers, and other financial institutions; and

(3) Federal financial regulatory agencies must have sufficient examination authority to ensure that the safety and soundness of the Nation's financial institutions will not be at risk.

(b) DEFINITIONS.—For purposes of this section—

(1) the terms "depository institution" and "Federal banking agency" have the same meanings as in section 3 of the Federal Deposit Insurance Act;

(2) the term ''Federal home loan bank'' has the same meaning as in section 2 of the Federal Home Loan Bank Act;

(3) the term ''Federal reserve bank'' means a reserve bank established under the Federal Reserve Act;

(4) the term ''insured credit union'' has the same meaning as in section 101 of the Federal Credit Union Act; and

(5) the term ''Year 2000 computer problem'' means, with respect to information technology, any problem which prevents such technology from accurately processing, calculating, comparing, or sequencing date or time data—

(A) from, into, or between—

(i) the 20th and 21st centuries; or

(ii) the years 1999 and 2000; or

(B) with regard to leap year calculations.

(c) SEMINARS AND MODEL APPROACHES TO YEAR 2000 COMPUTER PROBLEM.—

(1) SEMINARS.—

(A) IN GENERAL.—Each Federal banking agency and the National Credit Union Administration Board shall offer seminars to all depository institutions and insured credit unions under the jurisdiction of such agency on the implication of the Year 2000 computer problem for—

(i) the safe and sound operations of such depository institutions and credit unions; and

(ii) transactions with other financial institutions, including Federal reserve banks and Federal home loan banks.

(B) CONTENT AND SCHEDULE.—The content and schedule of seminars offered pursuant to subparagraph (A) shall be determined by each Federal banking agency and the National Credit Union Administration Board taking into account the resources and examination priorities of such agency.

(2) MODEL APPROACHES.—

(A) IN GENERAL.—Each Federal banking agency and the National Credit Union Administration Board shall make available to each depository institution and insured credit union under the jurisdiction of such agency model approaches to common Year 2000 computer problems, such as model approaches with regard to project management, vendor contracts, testing regimes, and business continuity planning.

(B) VARIETY OF APPROACHES.—In developing model approaches to the Year 2000 computer problem pursuant to subparagraph (A), each Federal banking agency and the National Credit Union Administration Board shall take into account the need to develop a variety of approaches to correspond to the variety of depository institutions or credit unions within the jurisdiction of the agency.

(3) COOPERATION.—In carrying out this section, the Federal banking agencies and the National Credit Union Administration Board may cooperate and coordinate their activities with each other, the Financial Institutions Examination Council, and appropriate organizations representing depository institutions and credit unions.

SEC. 3. REGULATION AND EXAMINATION OF SERVICE PROVIDERS.

(a) REGULATION AND EXAMINATION OF SAVINGS ASSOCIATION SERVICE COMPANIES.—

(1) AMENDMENT TO HOME OWNERS' LOAN ACT.—Section 5(d) of the Home Owners' Loan Act (12 U.S.C. 1464(d)) is amended by adding at the end the following:

''(7) REGULATION AND EXAMINATION OF SAVINGS ASSOCIATION SERVICE COMPANIES, SUBSIDIARIES, AND SERVICE PROVIDERS.—

''(A) GENERAL EXAMINATION AND REGULATORY AUTHORITY.—A service company or subsidiary that is owned in whole or in part by a savings association shall be subject to examination and regulation by the Director to the same extent as that savings association.

''(B) EXAMINATION BY OTHER BANKING AGENCIES.—The Director may authorize any other Federal banking agency that supervises any other owner of part of the service company or subsidiary to perform an examination described in subparagraph (A).

''(C) APPLICABILITY OF SECTION 8 OF THE FEDERAL DEPOSIT INSURANCE ACT.—A service company or subsidiary that is owned in whole or in part by a saving association shall be subject to the provisions of section 8 of the Federal Deposit Insurance Act as if the service company or subsidiary were an insured depository institution. In any such case, the Director shall be deemed to be the appropriate Federal banking agency, pursuant to section 3(q) of the Federal Deposit Insurance Act.

''(D) SERVICE PERFORMED BY CONTRACT OR OTHERWISE.—Notwithstanding subparagraph (A), if a savings association, a subsidiary thereof, or any savings and loan affiliate or entity, as identified by section 8(b)(9) of the Federal Deposit Insurance Act, that is regularly examined or subject to examination by the Director, causes to be performed for itself, by contract or otherwise, any service authorized under this Act or, in the case of a State savings association, any applicable State law, whether on or off its premises—

''(i) such performance shall be subject to regulation and examination by the Director to the same extent as if such services were being performed by the savings association on its own premises; and

''(ii) the savings association shall notify the Director of the existence of the service relationship not later than 30 days after the earlier of—

''(I) the date on which the contract is entered into; or

''(II) the date on which the performance of the service is initiated.

''(E) ADMINISTRATION BY THE DIRECTOR.—The Director may issue such regulations and orders, including those issued pursuant to section 8 of the Federal Deposit Insurance Act, as may be necessary to enable the Director to administer and carry out this paragraph and to prevent evasion of this paragraph.

''(8) DEFINITIONS.—For purposes of this section—

''(A) the term 'service company' means—

''(i) any corporation—

''(I) that is organized to perform services authorized by this Act or, in the case of a corporation owned in part by a State savings association, authorized by applicable State law; and

''(II) all of the capital stock of which is owned by 1 or more insured savings associations; and

''(ii) any limited liability company—

''(I) that is organized to perform services authorized by this Act or, in the case of a company, 1 of the members of which is a State savings association, authorized by applicable State law; and

''(II) all of the members of which are 1 or more insured savings associations;

''(B) the term 'limited liability company' means any company, partnership, trust, or similar business entity organized under the law of a State (as defined in section 3 of the Federal Deposit Insurance Act) that provides that a member or manager of such company is not personally liable for a debt, obligation, or liability of the company solely by reason of being, or acting as, a member or manager of such company; and

''(C) the terms 'State savings association' and 'subsidiary' have the same meanings as in section 3 of the Federal Deposit Insurance Act.''.

(2) CONFORMING AMENDMENTS TO SECTION 8 OF THE FEDERAL DEPOSIT INSURANCE ACT.—Section 8 of the Federal Deposit Insurance Act (12 U.S.C. 1818) is amended—

(A) in subsection (b)(9), by striking ''to any service corporation of a savings association and to any subsidiary of such service corporation'';

(B) in subsection (e)(7)(A)(ii), by striking ''(b)(8)'' and inserting ''(b)(9)''; and

(C) in subsection (j)(2), by striking ''(b)(8)'' and inserting ''(b)(9)''.

(b) REGULATION AND EXAMINATION OF SERVICE PROVIDERS FOR CREDIT UNIONS.—Title II of the Federal Credit Union Act (12 U.S.C. 1781 et seq.) is amended by inserting after section 206 the following new section:

''SEC. 206A. REGULATION AND EXAMINATION OF CREDIT UNION ORGANIZATIONS AND SERVICE PROVIDERS.

''(a) REGULATION AND EXAMINATION OF CREDIT UNION ORGANIZATIONS.—

''(1) GENERAL EXAMINATION AND REGULATORY AUTHORITY.—A credit union organization shall be subject to examination and regulation by the Board to the same extent as that insured credit union.

''(2) EXAMINATION BY OTHER BANKING AGENCIES.—The Board may authorize to make an examination of a credit union organization in accordance with paragraph (1)—

''(A) any Federal regulator agency that supervises any activity of a credit union organization; or

''(B) any Federal banking agency that supervises any other person who maintains an ownership interest in a credit union organization.

''(b) APPLICABILITY OF SECTION 206.—A credit union organization shall be subject to the provisions of section 206 as if the credit union organization were an insured credit union.

''(c) SERVICE PERFORMED BY CONTRACT OR OTHERWISE.—Notwithstanding subsection (a), if an insured credit union or a credit union organization that is regularly examined or subject to examination by the Board, causes to be performed for itself, by contract or otherwise, any service authorized under this Act or, in the case of a State credit union, any applicable State law, whether on or off its premises—

''(1) such performance shall be subject to regulation and examination by the Board to the same extent as if such services were being performed by the insured credit union or credit union organization itself on its own premises; and

''(2) the insured credit union or credit union organization shall notify the Board of the existence of the service relationship not later than 30 days after the earlier of—

''(A) the date on which the contract is entered into; or

''(B) the date on which the performance of the service is initiated.

''(d) ADMINISTRATION BY THE BOARD.—The Board may issue such regulations and orders as may be necessary to enable the Board to administer and carry out this section and to prevent evasion of this section.

''(e) DEFINITIONS.—For purposes of this section—

''(1) the term 'credit union organization' means any entity that—

''(A) is not a credit union;

''(B) is an entity in which an insured credit union may lawfully hold an ownership interest or investment; and

''(C) is owned in whole or in part by an insured credit union; and

''(2) the term 'Federal banking agency' has the same meaning as in section 3 of the Federal Deposit Insurance Act.

''(f) EXPIRATION OF AUTHORITY.—This section and all powers and authority of the Board under this section shall cease to be effective as of December 31, 2001.''.

Mr. DODD. Mr. President. I am very pleased to join with Senator BENNETT to introduce the ''Examination Parity and Year 2000 Readiness For Financial Institutions Act.'' This legislation, while technical in nature, will provide badly needed authority and guidance to Federal financial regulators to help their supervised institutions cope with the Year 2000 computer problem.

The Year 2000—or Y2K—computer problem is caused by the inability of most of the major financial systems to process the year 2000 as the one that follows the year 1999. This is caused by the fact that basic computer code, much of it written as many as thirty years ago, reads dates as two-digits, ''98'' or ''99,'' instead of four digits ''1999'' or ''2000.'' If left untreated, computers will read the year 2000 as the years 1900, 1980 or some other default date. The result is not only erroneous calculations, but the total crash of many critical financial systems.

Federal financial regulators have been very active, of late, in helping their supervised institutions prepare for this extremely dangerous problem. However, both the Office of Thrift Supervision and the National Credit Union Administration have notified Senator BENNETT and I that they lack the authority to examine the Year 2000 preparations of service providers to thrifts and credit unions. Currently, other federal financial regulators—the Federal Reserve, Office of the Comptroller of the Currency and the Federal Deposit Insurance Corporation—have this authority.

These service providers perform many of the key transaction and data processing for federally-insured thrifts and credit unions, particularly smaller institutions for whom it is not cost-effective to establish their own computer systems. As a result, it is imperative to the safety and soundness of these institutions for the regulators to be able to establish that their service providers will be Year 2000 compliant.

The legislation also contains provisions that require all financial regulators to hold seminars to educate their respective supervised institutions and, to the maximum extent possible, provide model solutions for fixing the problem. The beneficial impact of such outreach and education efforts for federally-insured institutions is self-evident.

Mr. President, the Year 2000 problem is one that we will have to confront in many more ways than this legislation. The extent of the problem goes well beyond the financial services industry to affect virtually every segment of our nation's economy. But this sensible bill is a good first step to ensuring that Federal financial regulators have the tools necessary to address the problem in their area of jurisdiction.

By Mr. DASCHLE (for himself and Mr. JOHNSON):

S. 1672. A bill to expand the authority of the Secretary of the Army to improve the control of erosion on the Missouri River; to the Committee on Environment and Public Works.

THE MISSOURI RIVER EROSION CONTROL ACT OF 1998

Mr. DASCHLE. Mr. President, it is my pleasure today to introduce the Missouri River Erosion Control Act of 1998, a bill to provide much-needed assistance to homeowners who live along the Missouri River. Over the past several years, many South Dakotans have seen property values drop and homes nearly destroyed by shoreline erosion. This legislation will help these families to work with the U.S. Army Corps of Engineers to take responsible steps to prevent these problems. My colleague, Senator JOHNSON, is joining me as an original cosponsor of this legislation.

While erosion occurs naturally on any river, shorelines on the Missouri are particularly vulnerable to it. Releases from the hydroelectric dams that span the river in South Dakota cause its depth and speed to fluctuate drastically, sometimes with dangerous consequences. Following last year's flooding disaster, the rapid, swirling current caused by sustained high releases from the dams swept away half an acre of land near Burbank, South Dakota, in just 3 hours. A subsequent release destroyed an additional 40 feet of land, bringing the river's edge to the foundation of the home of Neil and Eileen Helvig. Thanks to last minute work by the Corps of Engineers to stabilize the shoreline, the Helvig's home, and several others nearby, were saved. However, this is not the only case when bank erosion has posed a threat to residential homes and without a comprehensive program in place to provide help to others in need, we may not be so lucky in the future.

Over the last several years, Mrs. Lois Hyde of rural Lake Andes has watched the river work its way to within a stone's throw of her home—an original homestead first settled by her family over 100 years ago. Without additional help, it is likely that she may be forced to abandon her farm. I believe it is our responsibility to give individuals like her the help they need to protect their homes.

The Missouri River Erosion Control Act of 1998 will give homeowners the opportunity to take responsible steps to protect their property. The bill amends current law to permit homeowners to work in partnership with the U.S. Army Corps of Engineers to take steps to stabilize their shoreline. Under the my bill, the Corps of Engineers will accept applications from private property owners along the Missouri River and rank those applications in order of need. The most vulnerable stretches of the shoreline would then be targeted for assistance. Like other erosion control programs, the bill requires a 35 percent non-federal cost share, while the federal government will provide the other 65 percent of the cost.

For many years the Corps of Engineers has been reluctant to work with private property owners to prevent damage to private property from erosion. Nevertheless, new circumstances require new thinking. Particularly in the wake of last year's disaster in South Dakota, circumstances have made it clear that we must help families take the steps they need to protect their homes. Homeowners want to take responsible measures to protect their property. We must give them that opportunity. I urge my colleagues to join me in support of this bill.

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. 1672

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 ''Missouri River Erosion Control Act of 1998''.

SEC. 2. MISSOURI RIVER EROSION CONTROL.

Section 9(f) of the Act entitled ''An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes'', approved December 22, 1944 (102 Stat. 4031)), is amended—

(1) by striking ''(f) The'' and inserting the following:

''(f) MISSOURI RIVER BETWEEN FORT PECK DAM, MONTANA, AND A POINT BELOW GAVINS POINT DAM, SOUTH DAKOTA AND NEBRASKA.—

''(1) IN GENERAL.—The'';

(2) in the first sentence of paragraph (1) (as designated by paragraph (1)), by striking ''58'' and inserting ''77'';

(3) in the second sentence—

(A) by striking ''The cost'' and inserting the following:

''(2) COSTS.—

''(A) MAXIMUM.—The cost''; and

(B) by striking ''$3,000,000'' and inserting ''$6,000,000'';

(4) in the third sentence, by striking ''Notwithstanding'' and inserting the following:

''(B) APPORTIONMENT AMONG PROJECT PURPOSES.—Notwithstanding'';

(5) in the last sentence, by striking ''In lieu'' and inserting the following:

''(3) ACQUISITION OF LAND.—

''(A) IN GENERAL.—In lieu'';

(6) in paragraph (3) (as designated by paragraph (5)), by adding at the end the following:

''(B) RECREATIONAL RIVER SEGMENTS.—Notwithstanding the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.), in the case of a segment of the Missouri River in the State of South Dakota that is administered as a recreational river under section 3(a) of that Act (16 U.S.C. 1274(a)), the Secretary of the Army may acquire, from willing sellers, such real estate interests as the Secretary determines are necessary to carry out this subsection.''; and

(7) by adding at the end the following:

''(4) MEASURES ON BEHALF OF NON-FEDERAL ENTITIES.—The Secretary of the Army may undertake measures authorized by paragraph (1) at the request of, or on behalf of, a non-Federal public or private entity or individual with respect to land owned by the entity or individual as of the date of enactment of this paragraph, if a non-Federal interest described in section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)) agrees in writing to provide 35 percent of the cost of the measures to be undertaken.''.

ADDITIONAL COSPONSORS

S. 230

At the request of Mr. THURMOND, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 230, a bill to amend section 1951 of title 18, United States Code (commonly known as the Hobbs Act), and for other purposes.

S. 314

At the request of Mr. THOMAS, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 314, a bill to require that the Federal Government procure from the private sector the goods and services necessary for the operations and management of certain Government agencies, and for other purposes.

S. 358

At the request of Mr. DEWINE, the names of the Senator from Michigan (Mr. ABRAHAM) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 358, a bill to provide for compassionate payments with regard to individuals with blood-clotting disorders, such as hemophilia, who contracted human immunodeficiency virus due to contaminated blood products, and for other purposes.

S. 375

At the request of Mr. MCCAIN, the names of the Senator from Missouri (Mr. BOND) and the Senator from Colorado (Mr. CAMPBELL) were added as cosponsors of S. 375, a bill to amend title II of the Social Security Act to restore the link between the maximum amount of earnings by blind individuals permitted without demonstrating ability to engage in substantial gainful activity and the exempt amount permitted in determining excess earnings under the earnings test.

S. 1067

At the request of Mr. KERRY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1067, a bill to prohibit United States military assistance and arms transfers to foreign governments that are undemocratic, do not adequately protect human rights, are engaged in acts of armed aggression, or are not fully participating in the United Nations Register of Conventional Arms.

S. 1163

At the request of Mr. BRYAN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1163, a bill to amend the Truth in Lending Act to prohibit the distribution of any negotiable check or other instrument with any solicitation to a consumer by a creditor to open an account under any consumer credit plan or to engage in any other credit transaction which is subject to that Act, and for other purposes.

S. 1194

At the request of Mr. LOTT, his name was added as a cosponsor of S. 1194, a bill to amend title XVIII of the Social Security Act to clarify the right of medicare beneficiaries to enter into private contracts with physicians and other health care professionals for the provision of health services for which no payment is sought under the medicare program.

S. 1251

At the request of Mr. D'AMATO, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 1251, a bill to amend the Internal Revenue Code of 1986 to increase the amount of private activity bonds which may be issued in each State, and to index such amount for inflation.

S. 1252

At the request of Mr. D'AMATO, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of S. 1252, a bill to amend the Internal Revenue Code of 1986 to increase the amount of low-income housing credits which may be allocated in each State, and to index such amount for inflation.

S. 1260

At the request of Mr. GRAMM, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 1260, a bill to amend the Securities Act of 1933 and the Securities Exchange Act of 1934 to limit the conduct of securities class actions under State law, and for other purposes.

S. 1283

At the request of Mr. BUMPERS, the name of the Senator from Minnesota (Mr. WELLSTONE) was added as a cosponsor of S. 1283, A bill to award Congressional gold medals to Jean Brown Trickey, Carlotta Walls LaNier, Melba Patillo Beals, Terrence Roberts, Gloria Ray Karlmark, Thelma Mothershed Wair, Ernest Green, Elizabeth Eckford, and Jefferson Thomas, commonly referred collectively as the ''Little Rock Nine'' on the occasion of the 40th anniversary of the integration of the Central High School in Little Rock, Arkansas.

S. 1365

At the request of Ms. MIKULSKI, the names of the Senator from South Carolina (Mr. HOLLINGS) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 1365, a bill to amend title II of the Social Security Act to provide that the reductions in social security benefits which are required in the case of spouses and surviving spouses who are also receiving certain Government pensions shall be equal to the amount by which two-thirds of the total amount of the combined monthly benefit (before reduction) and monthly pension exceeds $1,200, adjusted for inflation.

S. 1396

At the request of Mr. JOHNSON, the name of the Senator from Minnesota (Mr. WELLSTONE) was added as a cosponsor of S. 1396, A bill to amend the Child Nutrition Act of 1966 to expand the School Breakfast Program in elementary schools.

S. 1422

At the request of Mr. MCCAIN, the names of the Senator from South Dakota (Mr. JOHNSON), the Senator from Montana (Mr. BAUCUS), and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 1422, a bill to amend the Communications Act of 1934 to promote competition in the market for delivery of multichannel video programming and for other purposes.

S. 1481

At the request of Mr. DEWINE, the names of the Senator from Mississippi (Mr. COCHRAN), the Senator from Michigan (Mr. LEVIN), the Senator from North Dakota (Mr. DORGAN), and the Senator from Hawaii (Mr. INOUYE) were added as cosponsors of S. 1481, a bill to amend the Social Security Act to eliminate the time limitation on benefits for immunosuppressive drugs under the medicare program, to provide for continued entitlement for such drugs for certain individuals after medicare benefits end, and to extend certain medicare secondary payer requirements.

S. 1570

At the request of Mr. FAIRCLOTH, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S. 1570, a bill to limit the amount of attorneys' fees that may be paid on behalf of States and other plaintiffs under the tobacco settlement.

S. 1580

At the request of Mr. SHELBY, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 1580, a bill to amend the Balanced Budget Act of 1997 to place an 18-month moratorium on the prohibition of payment under the medicare program for home health services consisting of venipuncture solely for the purpose of obtaining a blood sample, and to require the Secretary of Health and Human Services to study potential fraud and abuse under such program with respect to such services.

S. 1631

At the request of Mr. HUTCHINSON, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 1631, a bill to amend the General Education Provisions Act to allow parents access to certain information.

SENATE JOINT RESOLUTION 30

At the request of Mr. WARNER, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of Senate Joint Resolution 30, a joint resolution designating March 1, 1998 as ''United States Navy Asiatic Fleet Memorial Day'', and for other purposes.

SENATE JOINT RESOLUTION 40

At the request of Mr. HATCH, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of Senate Joint Resolution 40, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

SENATE RESOLUTION 114

At the request of Mr. TORRICELLI, the name of the Senator from Ohio (Mr.

DEWINE) was added as a cosponsor of Senate Resolution 114, a resolution expressing the sense of the Senate that the transfer of Hong Kong to the People's Republic of China not alter the current or future status of Taiwan as a free and democratic country.

SENATE RESOLUTION 175

At the request of Mr. ROBB, the names of the Senator from Michigan (Mr. ABRAHAM), the Senator from Nevada (Mr. BRYAN), the Senator from South Dakota (Mr. DASCHLE), the Senator from New York (Mr. D'AMATO), the Senator from Kentucky (Mr. FORD), the Senator from North Carolina (Mr. HELMS), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Washington (Mrs. MURRAY), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Maryland (Mr. SARBANES), the Senator from New Jersey (Mr. TORRICELLI), and the Senator from Virginia (Mr. WARNER) were added as cosponsors of Senate Resolution 175, a resolution to designate the week of May 3, 1998 as ''National Correctional Officers and Employees Week.''

AMENDMENTS SUBMITTED ON FEBRUARY 23, 1998

THE PAYCHECK PROTECTION ACT

MCCAIN (AND OTHERS) AMENDMENT NO. 1646

Mr. MCCAIN (for himself, Mr. FEINGOLD, Mr. THOMPSON, Ms. COLLINS, Mr. LEVIN, and Mr. CLELAND) proposed an amendment to the bill (S. 1663) to protect individuals from having their money involuntarily collected and used for politics by a corporation or labor organization; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Bipartisan Campaign Reform Act of 1997''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—REDUCTION OF SPECIAL INTEREST INFLUENCE

Sec. 101. Soft money of political parties.
Sec. 102. Increased contribution limits for State committees of political parties and aggregate contribution limit for individuals.
Sec. 103. Reporting requirements.

TITLE II—INDEPENDENT AND COORDINATED EXPENDITURES

Sec. 201. Definitions.
Sec. 202. Civil penalty.
Sec. 203. Reporting requirements for certain independent expenditures.
Sec. 204. Independent versus coordinated expenditures by party.
Sec. 205. Coordination with candidates.

TITLE III—DISCLOSURE

Sec. 301. Filing of reports using computers and facsimile machines; filing by Senate candidates with Commission.
Sec. 302. Prohibition of deposit of contributions with incomplete contributor information.
Sec. 303. Audits.
Sec. 304. Reporting requirements for contributions of $50 or more.
Sec. 305. Use of candidates' names.
Sec. 306. Prohibition of false representation to solicit contributions.
Sec. 307. Soft money of persons other than political parties.
Sec. 308. Campaign advertising.

TITLE IV—PERSONAL WEALTH OPTION

Sec. 401. Voluntary personal funds expenditure limit.
Sec. 402. Political party committee coordinated expenditures.

TITLE V—MISCELLANEOUS

Sec. 501. Codification of Beck decision.
Sec. 502. Use of contributed amounts for certain purposes.
Sec. 503. Limit on congressional use of the franking privilege.
Sec. 504. Prohibition of fundraising on Federal property.
Sec. 505. Penalties for knowing and willful violations.
Sec. 506. Strengthening foreign money ban.
Sec. 507. Prohibition of contributions by minors.
Sec. 508. Expedited procedures.
Sec. 509. Initiation of enforcement proceeding.

TITLE VI—SEVERABILITY; CONSTITUTIONALITY; EFFECTIVE DATE; REGULATIONS

Sec. 601. Severability.
Sec. 602. Review of constitutional issues.
Sec. 603. Effective date.
Sec. 604. Regulations.

TITLE I—REDUCTION OF SPECIAL INTEREST INFLUENCE

SEC. 101. SOFT MONEY OF POLITICAL PARTIES.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by adding at the end the following:

''SEC. 324. SOFT MONEY OF POLITICAL PARTIES.

''(a) NATIONAL COMMITTEES.—

''(1) IN GENERAL.—A national committee of a political party (including a national congressional campaign committee of a political party) and any officers or agents of such party committees, shall not solicit, receive, or direct to another person a contribution, donation, or transfer of funds, or spend any funds, that are not subject to the limitations, prohibitions, and reporting requirements of this Act.

''(2) APPLICABILITY.—This subsection shall apply to an entity that is directly or indirectly established, financed, maintained, or controlled by a national committee of a political party (including a national congressional campaign committee of a political party), or an entity acting on behalf of a national committee, and an officer or agent acting on behalf of any such committee or entity.

''(b) STATE, DISTRICT, AND LOCAL COMMITTEES.—

''(1) IN GENERAL.—An amount that is expended or disbursed by a State, district, or local committee of a political party (including an entity that is directly or indirectly established, financed, maintained, or controlled by a State, district, or local committee of a political party and an officer or agent acting on behalf of such committee or entity) for Federal election activity shall be made from funds subject to the limitations, prohibitions, and reporting requirements of this Act.

''(2) FEDERAL ELECTION ACTIVITY.—

''(A) IN GENERAL.—The term 'Federal election activity' means—

''(i) voter registration activity during the period that begins on the date that is 120 days before the date a regularly scheduled Federal election is held and ends on the date of the election;

''(ii) voter identification, get-out-the-vote activity, or generic campaign activity conducted in connection with an election in which a candidate for Federal office appears on the ballot (regardless of whether a candidate for State or local office also appears on the ballot); and

''(iii) a communication that refers to a clearly identified candidate for Federal office (regardless of whether a candidate for State or local office is also mentioned or identified) and is made for the purpose of influencing a Federal election (regardless of whether the communication is express advocacy).

''(B) EXCLUDED ACTIVITY.—The term 'Federal election activity' does not include an amount expended or disbursed by a State, district, or local committee of a political party for—

''(i) campaign activity conducted solely on behalf of a clearly identified candidate for State or local office, provided the campaign activity is not a Federal election activity described in subparagraph (A);

''(ii) a contribution to a candidate for State or local office, provided the contribution is not designated or used to pay for a Federal election activity described in subparagraph (A);

''(iii) the costs of a State, district, or local political convention;

''(iv) the costs of grassroots campaign materials, including buttons, bumper stickers, and yard signs, that name or depict only a candidate for State or local office;

''(v) the non-Federal share of a State, district, or local party committee's administrative and overhead expenses (but not including the compensation in any month of an individual who spends more than 20 percent of the individual's time on Federal election activity) as determined by a regulation promulgated by the Commission to determine the non-Federal share of a State, district, or local party committee's administrative and overhead expenses; and

''(vi) the cost of constructing or purchasing an office facility or equipment for a State, district or local committee.

''(c) FUNDRAISING COSTS.—An amount spent by a national, State, district, or local committee of a political party, by an entity that is established, financed, maintained, or controlled by a national, State, district, or local committee of a political party, or by an agent or officer of any such committee or entity, to raise funds that are used, in whole or in part, to pay the costs of a Federal election activity shall be made from funds subject to the limitations, prohibitions, and reporting requirements of this Act.

''(d) TAX-EXEMPT ORGANIZATIONS.—A national, State, district, or local committee of a political party (including a national congressional campaign committee of a political party, an entity that is directly or indirectly established, financed, maintained, or controlled by any such national, State, district, or local committee or its agent, an agent acting on behalf of any such party committee, and an officer or agent acting on behalf of any such party committee or entity), shall not solicit any funds for, or make or direct any donations to, an organization that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code (or has submitted an application to the Secretary of the Internal Revenue Service for determination of tax-exemption under such section).

''(e) CANDIDATES.—

''(1) IN GENERAL.—A candidate, individual holding Federal office, or agent of a candidate or individual holding Federal office shall not solicit, receive, direct, transfer, or spend funds for a Federal election activity on behalf of such candidate, individual, agent or any other person, unless the funds are subject to the limitations, prohibitions, and reporting requirements of this Act.

''(A) STATE LAW.—Paragraph (1) does not apply to the solicitation or receipt of funds by an individual who is a candidate for a State or local office if the solicitation or receipt of funds is permitted under State law for any activity other than a Federal election activity.

''(B) FUNDRAISING EVENTS.—Paragraph (1) does not apply in the case of a candidate who attends, speaks, or is a featured guest at a fundraising event sponsored by a State, district, or local committee of a political party.''.

SEC. 102. INCREASED CONTRIBUTION LIMITS FOR STATE COMMITTEES OF POLITICAL PARTIES AND AGGREGATE CONTRIBUTION LIMIT FOR INDIVIDUALS.

(a) CONTRIBUTION LIMIT FOR STATE COMMITTEES OF POLITICAL PARTIES.—Section 315(a)(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(1)) is amended—

(1) in subparagraph (B), by striking ''or'' at the end;

(2) in subparagraph (C)—

(A) by inserting ''(other than a committee described in subparagraph (D))'' after ''committee''; and

(B) by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(D) to a political committee established and maintained by a State committee of a political party in any calendar year that, in the aggregate, exceed $10,000''.

(b) AGGREGATE CONTRIBUTION LIMIT FOR INDIVIDUAL.—Section 315(a)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(3)) is amended by striking ''$25,000'' and inserting ''$30,000''.

SEC. 103. REPORTING REQUIREMENTS.

(a) REPORTING REQUIREMENTS.—Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) (as amended by section 203) is amended by adding at the end the following:

''(e) POLITICAL COMMITTEES.—

''(1) NATIONAL AND CONGRESSIONAL POLITICAL COMMITTEES.—The national committee of a political party, any national congressional campaign committee of a political party, and any subordinate committee of either, shall report all receipts and disbursements during the reporting period.

''(2) OTHER POLITICAL COMMITTEES TO WHICH SECTION 324 APPLIES.—A political committee (not described in paragraph (1)) to which section 324(b)(1) applies shall report all receipts and disbursements made for activities described in paragraphs (2) and (3)(A)(v) of section 324(b).

''(3) ITEMIZATION.—If a political committee has receipts or disbursements to which this subsection applies from any person aggregating in excess of $200 for any calendar year, the political committee shall separately itemize its reporting for such person in the same manner as required in paragraphs (3)(A), (5), and (6) of subsection (b).

''(4) REPORTING PERIODS.—Reports required to be filed under this subsection shall be filed for the same time periods required for political committees under subsection (a).''.

(b) BUILDING FUND EXCEPTION TO THE DEFINITION OF CONTRIBUTION.—Section 301(8)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)(B)) is amended—

(1) by striking clause (viii); and

(2) by redesignating clauses (ix) through (xiv) as clauses (viii) through (xiii), respectively.

TITLE II—INDEPENDENT AND COORDINATED EXPENDITURES

SEC. 201. DEFINITIONS.

(a) DEFINITION OF INDEPENDENT EXPENDITURE.—Section 301 of the Federal Election Campaign Act (2 U.S.C. 431) is amended by striking paragraph (17) and inserting the following:

''(17) INDEPENDENT EXPENDITURE.—

''(A) IN GENERAL.—The term 'independent expenditure' means an expenditure by a person—

''(i) for a communication that is express advocacy; and

''(ii) that is not provided in coordination with a candidate or a candidate's agent or a person who is coordinating with a candidate or a candidate's agent.''.

(b) DEFINITION OF EXPRESS ADVOCACY.—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) EXPRESS ADVOCACY.—

''(A) IN GENERAL.—The term 'express advocacy' means a communication that advocates the election or defeat of a candidate by—

''(i) containing a phrase such as 'vote for', 're-elect', 'support', 'cast your ballot for', '(name of candidate) for Congress', '(name of candidate) in 1997', 'vote against', 'defeat', 'reject', or a campaign slogan or words that in context can have no reasonable meaning other than to advocate the election or defeat of 1 or more clearly identified candidates;

''(ii) referring to 1 or more clearly identified candidates in a paid advertisement that is broadcast by a radio broadcast station or a television broadcast station within 60 calendar days preceding the date of an election of the candidate and that appears in the State in which the election is occurring, except that with respect to a candidate for the office of Vice President or President, the time period is within 60 calendar days preceding the date of a general election; or

''(iii) expressing unmistakable and unambiguous support for or opposition to 1 or more clearly identified candidates when taken as a whole and with limited reference to external events, such as proximity to an election.

''(B) VOTING RECORD AND VOTING GUIDE EXCEPTION.—The term 'express advocacy' does not include a printed communication that—

''(i) presents information in an educational manner solely about the voting record or position on a campaign issue of 2 or more candidates;

''(ii) that is not made in coordination with a candidate, political party, or agent of the candidate or party; or a candidate's agent or a person who is coordinating with a candidate or a candidate's agent;

''(iii) does not contain a phrase such as 'vote for', 're-elect', 'support', 'cast your ballot for', '(name of candidate) for Congress', '(name of candidate) in 1997', 'vote against', 'defeat', or 'reject', or a campaign slogan or words that in context can have no reasonable meaning other than to urge the election or defeat of 1 or more clearly identified candidates.''.

(c) DEFINITION OF EXPENDITURE.—Section 301(9)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(9)(A)) is amended—

(1) in clause (i), by striking ''and'' at the end;

(2) in clause (ii), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(iii) a payment for a communication that is express advocacy; and

''(iv) a payment made by a person for a communication that—

''(I) refers to a clearly identified candidate;

''(II) is provided in coordination with the candidate, the candidate's agent, or the political party of the candidate; and

''(III) is for the purpose of influencing a Federal election (regardless of whether the communication is express advocacy).''.

SEC. 202. CIVIL PENALTY.

Section 309 of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g) is amended—

(1) in subsection (a)—

(A) in paragraph (4)(A)—

(i) in clause (i), by striking ''clause (ii)'' and inserting ''clauses (ii) and (iii)''; and

(ii) by adding at the end the following:

''(iii) If the Commission determines by an affirmative vote of 4 of its members that there is probable cause to believe that a person has made a knowing and willful violation of section 304(c), the Commission shall not enter into a conciliation agreement under this paragraph and may institute a civil action for relief under paragraph (6)(A).''; and

(B) in paragraph (6)(B), by inserting ''(except an action instituted in connection with a knowing and willful violation of section 304(c))'' after ''subparagraph (A)''; and

(2) in subsection (d)(1)—

(A) in subparagraph (A), by striking ''Any person'' and inserting ''Except as provided in subparagraph (D), any person''; and

(B) by adding at the end the following:

''(D) In the case of a knowing and willful violation of section 304(c) that involves the reporting of an independent expenditure, the violation shall not be subject to this subsection.''.

SEC. 203. REPORTING REQUIREMENTS FOR CERTAIN INDEPENDENT EXPENDITURES.

Section 304(c) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(c)) is amended—

(1) in paragraph (2), by striking the undesignated matter after subparagraph (C);

(2) by redesignating paragraph (3) as paragraph (7); and

(3) by inserting after paragraph (2) (as amended by paragraph (1)) the following:

''(d) TIME FOR REPORTING CERTAIN EXPENDITURES.—

''(1) EXPENDITURES AGGREGATING $1,000.—

''(A) INITIAL REPORT.—A person (including a political committee) that makes or contracts to make independent expenditures aggregating $1,000 or more after the 20th day, but more than 24 hours, before the date of an election shall file a report describing the expenditures within 24 hours after that amount of independent expenditures has been made.

''(B) ADDITIONAL REPORTS.—After a person files a report under subparagraph (A), the person shall file an additional report within 24 hours after each time the person makes or contracts to make independent expenditures aggregating an additional $1,000 with respect to the same election as that to which the initial report relates.

''(2) EXPENDITURES AGGREGATING $10,000.—

''(A) INITIAL REPORT.—A person (including a political committee) that makes or contracts to make independent expenditures aggregating $10,000 or more at any time up to and including the 20th day before the date of an election shall file a report describing the expenditures within 48 hours after that amount of independent expenditures has been made.

''(B) ADDITIONAL REPORTS.—After a person files a report under subparagraph (A), the person shall file an additional report within 48 hours after each time the person makes or contracts to make independent expenditures aggregating an additional $10,000 with respect to the same election as that to which the initial report relates.

''(3) PLACE OF FILING; CONTENTS.—A report under this subsection—

''(A) shall be filed with the Commission; and

''(B) shall contain the information required by subsection (b)(6)(B)(iii), including the name of each candidate whom an expenditure is intended to support or oppose.''.

SEC. 204. INDEPENDENT VERSUS COORDINATED EXPENDITURES BY PARTY.

Section 315(d) of the Federal Election Campaign Act (2 U.S.C. 441a(d)) is amended—

(1) in paragraph (1), by striking ''and (3)'' and inserting '', (3), and (4)''; and

(2) by adding at the end the following:

''(4) INDEPENDENT VERSUS COORDINATED EXPENDITURES BY PARTY.—

''(A) IN GENERAL.—On or after the date on which a political party nominates a candidate, a committee of the political party shall not make both expenditures under this subsection and independent expenditures (as defined in section 301(17)) with respect to the candidate during the election cycle.

''(B) CERTIFICATION.—Before making a coordinated expenditure under this subsection with respect to a candidate, a committee of a political party shall file with the Commission a certification, signed by the treasurer of the committee, that the committee has not and shall not make any independent expenditure with respect to the candidate during the same election cycle.

''(C) APPLICATION.—For the purposes of this paragraph, all political committees established and maintained by a national political party (including all congressional campaign committees) and all political committees established and maintained by a State political party (including any subordinate committee of a State committee) shall be considered to be a single political committee.

''(D) TRANSFERS.—A committee of a political party that submits a certification under subparagraph (B) with respect to a candidate shall not, during an election cycle, transfer any funds to, assign authority to make coordinated expenditures under this subsection to, or receive a transfer of funds from, a committee of the political party that has made or intends to make an independent expenditure with respect to the candidate.''.

SEC. 205. COORDINATION WITH CANDIDATES.

(a) DEFINITION OF COORDINATION WITH CANDIDATES.—

(1) SECTION 301(8).—Section 301(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)) is amended—

(A) in subparagraph (A)—

(i) by striking ''or'' at the end of clause (i);

(ii) by striking the period at the end of clause (ii) and inserting ''; or''; and

(iii) by adding at the end the following:

''(iii) anything of value provided by a person in coordination with a candidate for the purpose of influencing a Federal election, regardless of whether the value being provided is a communication that is express advocacy, in which such candidate seeks nomination or election to Federal office.''; and

(B) by adding at the end the following:

''(C) The term 'provided in coordination with a candidate' includes—

''(i) a payment made by a person in cooperation, consultation, or concert with, at the request or suggestion of, or pursuant to any general or particular understanding with a candidate, the candidate's authorized committee, or an agent acting on behalf of a candidate or authorized committee;

''(ii) a payment made by a person for the production, dissemination, distribution, or republication, in whole or in part, of any broadcast or any written, graphic, or other form of campaign material prepared by a candidate, a candidate's authorized committee, or an agent of a candidate or authorized committee (not including a communication described in paragraph (9)(B)(i) or a communication that expressly advocates the candidate's defeat);

''(iii) a payment made by a person based on information about a candidate's plans, projects, or needs provided to the person making the payment by the candidate or the candidate's agent who provides the information with the intent that the payment be made;

''(iv) a payment made by a person if, in the same election cycle in which the payment is made, the person making the payment is serving or has served as a member, employee, fundraiser, or agent of the candidate's authorized committee in an executive or policymaking position;

''(v) a payment made by a person if the person making the payment has served in any formal policy making or advisory position with the candidate's campaign or has participated in formal strategic or formal policymaking discussions with the candidate's campaign relating to the candidate's pursuit of nomination for election, or election, to Federal office, in the same election cycle as the election cycle in which the payment is made;

''(vi) a payment made by a person if, in the same election cycle, the person making the payment retains the professional services of any person that has provided or is providing campaign-related services in the same election cycle to a candidate in connection with the candidate's pursuit of nomination for election, or election, to Federal office, including services relating to the candidate's decision to seek Federal office, and the person retained is retained to work on activities relating to that candidate's campaign;

''(vii) a payment made by a person who has engaged in a coordinated activity with a candidate described in clauses (i) through (vi) for a communication that clearly refers to the candidate and is for the purpose of influencing an election (regardless of whether the communication is express advocacy);

''(viii) direct participation by a person in fundraising activities with the candidate or in the solicitation or receipt of contributions on behalf of the candidate;

''(ix) communication by a person with the candidate or an agent of the candidate, occurring after the declaration of candidacy (including a pollster, media consultant, vendor, advisor, or staff member), acting on behalf of the candidate, about advertising message, allocation of resources, fundraising, or other campaign matters related to the candidate's campaign, including campaign operations, staffing, tactics, or strategy; or

''(x) the provision of in-kind professional services or polling data to the candidate or candidate's agent.

''(D) For purposes of subparagraph (C), the term 'professional services' includes services in support of a candidate's pursuit of nomination for election, or election, to Federal office such as polling, media advice, direct mail, fundraising, or campaign research.

''(E) For purposes of subparagraph (C), all political committees established and maintained by a national political party (including all congressional campaign committees) and all political committees established and maintained by a State political party (including any subordinate committee of a State committee) shall be considered to be a single political committee.''.

(2) SECTION 315(a)(7).—Section 315(a)(7) (2 U.S.C. 441a(a)(7)) is amended by striking subparagraph (B) and inserting the following:

''(B) a thing of value provided in coordination with a candidate, as described in section 301(8)(A)(iii), shall be considered to be a contribution to the candidate, and in the case of a limitation on expenditures, shall be treated as an expenditure by the candidate.

(b) MEANING OF CONTRIBUTION OR EXPENDITURE FOR THE PURPOSES OF SECTION 316.—Section 316(b)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b(b)) is amended by striking ''shall include'' and inserting ''includes a contribution or expenditure, as those terms are defined in section 301, and also includes''.

TITLE III—DISCLOSURE

SEC. 301. FILING OF REPORTS USING COMPUTERS AND FACSIMILE MACHINES; FILING BY SENATE CANDIDATES WITH COMMISSION.

(a) USE OF COMPUTER AND FACSIMILE MACHINE.—Section 302(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)(A) The Commission shall promulgate a regulation under which a person required to file a designation, statement, or report under this Act—

''(i) is required to maintain and file a designation, statement, or report for any calendar year in electronic form accessible by computers if the person has, or has reason to expect to have, aggregate contributions or 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 or an alternative form, including the use of a facsimile machine, if not required to do so under the regulation promulgated under clause (i).

''(B) The Commission shall make a designation, statement, report, or notification that is filed electronically with the Commission accessible to the public on the Internet not later than 24 hours after the designation, statement, report, or notification is received by the Commission.

''(C) In promulgating a regulation under this paragraph, the Commission shall provide methods (other than requiring a signature on the document being filed) for verifying designations, statements, and reports covered by the regulation. Any document verified under any of the methods shall be treated for all purposes (including penalties for perjury) in the same manner as a document verified by signature.''.

(b) SENATE CANDIDATES FILE WITH COMMISSION.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended—

(1) in section 302, by striking subsection (g) and inserting the following:

''(g) FILING WITH THE COMMISSION.—All designations, statements, and reports required to be filed under this Act shall be filed with the Commission.''; and

(2) in section 304—

(A) in subsection (a)(6)(A), by striking ''the Secretary or''; and

(B) in the matter following subsection (c)(2), by striking ''the Secretary or''.

SEC. 302. PROHIBITION OF DEPOSIT OF CONTRIBUTIONS WITH INCOMPLETE CONTRIBUTOR INFORMATION.

Section 302 of Federal Election Campaign Act of 1971 (2 U.S.C. 432) is amended by adding at the end the following:

''(j) DEPOSIT OF CONTRIBUTIONS.—The treasurer of a candidate's authorized committee shall not deposit, except in an escrow account, or otherwise negotiate a contribution from a person who makes an aggregate amount of contributions in excess of $200 during a calendar year unless the treasurer verifies that the information required by this section with respect to the contributor is complete.''.

SEC. 303. 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) IN GENERAL.—'' 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. The selection of any candidate for a random audit or investigation shall be based on criteria adopted by a vote of at least 4 members of the Commission.

''(B) LIMITATION.—The Commission shall not conduct an audit or investigation of a candidate's authorized committee under subparagraph (A) 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''.

SEC. 304. REPORTING REQUIREMENTS FOR CONTRIBUTIONS OF $50 OR MORE.

Section 304(b)(3)(A) of the Federal Election Campaign Act at 1971 (2 U.S.C. 434(b)(3)(A) is amended—

(1) by striking ''$200'' and inserting ''$50''; and

(2) by striking the semicolon and inserting '', except that in the case of a person who makes contributions aggregating at least $50 but not more than $200 during the calendar year, the identification need include only the name and address of the person;''.

SEC. 305. USE OF CANDIDATES' NAMES.

Section 302(e) of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(e)) is amended by striking paragraph (4) and inserting the following:

''(4)(A) The name of each authorized committee shall include the name of the candidate who authorized the committee under paragraph (1).

''(B) A political committee that is not an authorized committee shall not—

''(i) include the name of any candidate in its name; or

''(ii) except in the case of a national, State, or local party committee, use the name of any candidate in any activity on behalf of the committee in such a context as to suggest that the committee is an authorized committee of the candidate or that the use of the candidate's name has been authorized by the candidate.''.

SEC. 306. PROHIBITION OF FALSE REPRESENTATION TO SOLICIT CONTRIBUTIONS.

Section 322 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441h) is amended—

(1) by inserting after ''SEC. 322.'' the following: ''(a) IN GENERAL.—''; and

(2) by adding at the end the following:

''(b) SOLICITATION OF CONTRIBUTIONS.—No person shall solicit contributions by falsely representing himself or herself as a candidate or as a representative of a candidate, a political committee, or a political party.''.

SEC. 307. SOFT MONEY OF PERSONS OTHER THAN POLITICAL PARTIES.

(a) IN GENERAL.—Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) (as amended by section 103(c)) is amended by adding at the end the following:

''(g) DISBURSEMENTS OF PERSONS OTHER THAN POLITICAL PARTIES.—

''(1) IN GENERAL.—A person, other than a political committee or a person described in section 501(d) of the Internal Revenue Code of 1986, that makes an aggregate amount of disbursements in excess of $50,000 during a calendar year for activities described in paragraph (2) shall file a statement with the Commission—

''(A) on a monthly basis as described in subsection (a)(4)(B); or

''(B) in the case of disbursements that are made within 20 days of an election, within 24 hours after the disbursements are made.

''(2) ACTIVITY.—The activity described in this paragraph is—

''(A) Federal election activity;

''(B) an activity described in section 316(b)(2)(A) that expresses support for or opposition to a candidate for Federal office or a political party; and

''(C) an activity described in subparagraph (C) of section 316(b)(2).

''(3) APPLICABILITY.—This subsection does not apply to—

''(A) a candidate or a candidate's authorized committees; or

''(B) an independent expenditure.

''(4) CONTENTS.—A statement under this section shall contain such information about the disbursements made during the reporting period as the Commission shall prescribe, including—

''(A) the aggregate amount of disbursements made;

''(B) the name and address of the person or entity to whom a disbursement is made in an aggregate amount in excess of $200;

''(C) the date made, amount, and purpose of the disbursement; and

''(D) if applicable, whether the disbursement was in support of, or in opposition to, a candidate or a political party, and the name of the candidate or the political party.''.

(b) DEFINITION OF GENERIC CAMPAIGN ACTIVITY.—Section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) (as amended by section 201(b)) is amended by adding at the end the following:

''(21) GENERIC CAMPAIGN ACTIVITY.—The term 'generic campaign activity' means an activity that promotes a political party and does not promote a candidate or non-Federal candidate.''.

SEC. 308. CAMPAIGN ADVERTISING.

Section 318 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441d) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''Whenever'' and inserting ''Whenever a political committee makes a disbursement for the purpose of financing any communication through any broadcasting station, newspaper, magazine, outdoor advertising facility, mailing, or any other type of general public political advertising, or whenever'';

(ii) by striking ''an expenditure'' and inserting ''a disbursement''; and

(iii) by striking ''direct''; and

(B) in paragraph (3), by inserting ''and permanent street address'' after ''name''; and

(2) by adding at the end the following:

''(c) Any printed communication described in subsection (a) shall—

''(1) be of sufficient type size to be clearly readable by the recipient of the communication;

''(2) be contained in a printed box set apart from the other contents of the communication; and

''(3) be printed with a reasonable degree of color contrast between the background and the printed statement.

''(d)(1) Any broadcast or cablecast communication described in paragraphs (1) or (2) of subsection (a) shall include, in addition to the requirements of that paragraph, an audio statement by the candidate that identifies the candidate and states that the candidate has approved the communication.

''(2) If a broadcast or cablecast communication described in paragraph (1) is broadcast or cablecast by means of television, the communication shall include, in addition to the audio statement under paragraph (1), a written statement that—

''(A) appears at the end of the communication in a clearly readable manner with a reasonable degree of color contrast between the background and the printed statement, for a period of at least 4 seconds; and

''(B) is accompanied by a clearly identifiable photographic or similar image of the candidate.

''(e) Any broadcast or cablecast communication described in paragraph (3) of subsection (a) shall include, in addition to the requirements of that paragraph, in a clearly spoken manner, the following statement: '_____ is responsible for the content of this advertisement.' (with the blank to be filled in with the name of the political committee or other person paying for the communication and the name of any connected organization of the payor). If broadcast or cablecast by means of television, the statement shall also appear in a clearly readable manner with a reasonable degree of color contrast between the background and the printed statement, for a period of at least 4 seconds.''.

TITLE IV—PERSONAL WEALTH OPTION

SEC. 401. VOLUNTARY PERSONAL FUNDS EXPENDITURE LIMIT.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) (as amended by section 101) is amended by adding at the end the following:

''SEC. 325. VOLUNTARY PERSONAL FUNDS EXPENDITURE LIMIT.

''(a) ELIGIBLE SENATE CANDIDATE.—

''(1) PRIMARY ELECTION.—

''(A) DECLARATION.—A candidate is an eligible primary election Senate candidate if the candidate files with the Commission a declaration that the candidate and the candidate's authorized committees will not make expenditures in excess of the personal funds expenditure limit.

''(B) TIME TO FILE.—The declaration under subparagraph (A) shall be filed not later than the date on which the candidate files with the appropriate State officer as a candidate for the primary election.

''(2) GENERAL ELECTION.—

''(A) DECLARATION.—A candidate is an eligible general election Senate candidate if the candidate files with the Commission—

''(i) a declaration under penalty of perjury, with supporting documentation as required by the Commission, that the candidate and the candidate's authorized committees did not exceed the personal funds expenditure limit in connection with the primary election; and

''(ii) a declaration that the candidate and the candidate's authorized committees will not make expenditures in excess of the personal funds expenditure limit.

''(B) TIME TO FILE.—The declaration under subparagraph (A) shall be filed not later than 7 days after the earlier of—

''(i) the date on which the candidate qualifies for the general election ballot under State law; or

''(ii) if under State law, a primary or runoff election to qualify for the general election ballot occurs after September 1, the date on which the candidate wins the primary or runoff election.

''(b) PERSONAL FUNDS EXPENDITURE LIMIT.—

''(1) IN GENERAL.—The aggregate amount of expenditures that may be made in connection with an election by an eligible Senate candidate or the candidate's authorized committees from the sources described in paragraph (2) shall not exceed $50,000.

''(2) SOURCES.—A source is described in this paragraph if the source is—

''(A) personal funds of the candidate and members of the candidate's immediate family; or

''(B) proceeds of indebtedness incurred by the candidate or a member of the candidate's immediate family.

''(c) CERTIFICATION BY THE COMMISSION.—

''(1) IN GENERAL.—The Commission shall determine whether a candidate has met the requirements of this section and, based on the determination, issue a certification stating whether the candidate is an eligible Senate candidate.

''(2) TIME FOR CERTIFICATION.—Not later than 7 business days after a candidate files a declaration under paragraph (1) or (2) of subsection (a), the Commission shall certify whether the candidate is an eligible Senate candidate.

''(3) REVOCATION.—The Commission shall revoke a certification under paragraph (1), based on information submitted in such form and manner as the Commission may require or on information that comes to the Commission by other means, if the Commission determines that a candidate violates the personal funds expenditure limit.

''(4) DETERMINATIONS BY COMMISSION.—A determination made by the Commission under this subsection shall be final, except to the extent that the determination is subject to examination and audit by the Commission and to judicial review.

''(d) PENALTY.—If the Commission revokes the certification of an eligible Senate candidate—

''(1) the Commission shall notify the candidate of the revocation; and

''(2) the candidate and a candidate's authorized committees shall pay to the Commission an amount equal to the amount of expenditures made by a national committee of a political party or a State committee of a political party in connection with the general election campaign of the candidate under section 315(d).''.

SEC. 402. POLITICAL PARTY COMMITTEE COORDINATED EXPENDITURES.

Section 315(d) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(d)) (as amended by section 204) is amended by adding at the end the following:

''(5) This subsection does not apply to expenditures made in connection with the general election campaign of a candidate for the Senate who is not an eligible Senate candidate (as defined in section 325(a)).''.

TITLE V—MISCELLANEOUS

SEC. 501. CODIFICATION OF BECK DECISION.

Section 8 of the National Labor Relations Act (29 U.S.C. 158) is amended by adding at the end the following new subsection:

''(h) NONUNION MEMBER PAYMENTS TO LABOR ORGANIZATION.—

''(1) IN GENERAL.—It shall be an unfair labor practice for any labor organization which receives a payment from an employee pursuant to an agreement that requires employees who are not members of the organization to make payments to such organization in lieu of organization dues or fees not to establish and implement the objection procedure described in paragraph (2).

''(2) OBJECTION PROCEDURE.—The objection procedure required under paragraph (1) shall meet the following requirements:

''(A) The labor organization shall annually provide to employees who are covered by such agreement but are not members of the organization—

''(i) reasonable personal notice of the objection procedure, the employees eligible to invoke the procedure, and the time, place, and manner for filing an objection; and

''(ii) reasonable opportunity to file an objection to paying for organization expenditures supporting political activities unrelated to collective bargaining, including but not limited to the opportunity to file such objection by mail.

''(B) If an employee who is not a member of the labor organization files an objection under the procedure in subparagraph (A), such organization shall—

''(i) reduce the payments in lieu of organization dues or fees by such employee by an amount which reasonably reflects the ratio that the organization's expenditures supporting political activities unrelated to collective bargaining bears to such organization's total expenditures;

''(ii) provide such employee with a reasonable explanation of the organization's calculation of such reduction, including calculating the amount of organization expenditures supporting political activities unrelated to collective bargaining.

''(3) DEFINITION.—In this subsection, the term 'expenditures supporting political activities unrelated to collective bargaining' means expenditures in connection with a Federal, State, or local election or in connection with efforts to influence legislation unrelated to collective bargaining.''.

SEC. 502. USE OF CONTRIBUTED AMOUNTS FOR CERTAIN PURPOSES.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by striking section 313 and inserting the following:

''SEC. 313. USE OF CONTRIBUTED AMOUNTS FOR CERTAIN PURPOSES.

''(a) PERMITTED USES.—A contribution accepted by a candidate, and any other amount received by an individual as support for activities of the individual as a holder of Federal office, may be used by the candidate or individual—

''(1) for expenditures in connection with the campaign for Federal office of the candidate or individual;

''(2) for ordinary and necessary expenses incurred in connection with duties of the individual as a holder of Federal office;

''(3) for contributions to an organization described in section 170(c) of the Internal Revenue Code of 1986; or

''(4) for transfers to a national, State, or local committee of a political party.

''(b) PROHIBITED USE.—

''(1) IN GENERAL.—A contribution or amount described in subsection (a) shall not be converted by any person to personal use.

''(2) CONVERSION.—For the purposes of paragraph (1), a contribution or amount shall be considered to be converted to personal use if the contribution or amount is used to fulfill any commitment, obligation, or expense of a person that would exist irrespective of the candidate's election campaign or individual's duties as a holder of Federal officeholder, including—

''(A) a home mortgage, rent, or utility payment;

''(B) a clothing purchase;

''(C) a noncampaign-related automobile expense;

''(D) a country club membership;

''(E) a vacation or other noncampaign-related trip;

''(F) a household food item;

''(G) a tuition payment;

''(H) admission to a sporting event, concert, theater, or other form of entertainment not associated with an election campaign; and

''(I) dues, fees, and other payments to a health club or recreational facility.''.

SEC. 503. LIMIT ON CONGRESSIONAL USE OF THE FRANKING PRIVILEGE.

Section 3210(a)(6) of title 39, United States Code, is amended by striking subparagraph (A) and inserting the following:

''(A) A Member of Congress shall not mail any mass mailing as franked mail during a year in which there will be an election for the seat held by the Member during the period between January 1 of that year and the date of the general election for that Office, unless the Member has made a public announcement that the Member will not be a candidate for reelection to that year or for election to any other Federal office.''.

SEC. 504. PROHIBITION OF FUNDRAISING ON FEDERAL PROPERTY.

Section 607 of title 18, United States Code, is amended by—

(1) striking subsection (a) and inserting the following:

''(a) PROHIBITION.—

''(1) IN GENERAL.—It shall be unlawful for any person to solicit or receive a donation of money or other thing of value for a political committee or a candidate for Federal, State or local office from a person who is located in a room or building occupied in the discharge of official duties by an officer or employee of the United States. An individual who is an officer or employee of the Federal Government, including the President, Vice President, and Members of Congress, shall not solicit a donation of money or other thing of value for a political committee or candidate for Federal, State or local office, while in any room or building occupied in the discharge of official duties by an officer or employee of the United States, from any person.

''(2) PENALTY.—A person who violates this section shall be fined not more than $5,000, imprisoned more than 3 years, or both.''.

(2) inserting in subsection (b) after ''Congress'' ''or Executive Office of the President''.

SEC. 505. PENALTIES FOR KNOWING AND WILLFUL VIOLATIONS.

(a) INCREASED PENALTIES.—Section 309(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)) is amended—

(1) in paragraphs (5)(A), (6)(A), and (6)(B), by striking ''$5,000'' and inserting ''$10,000''; and

(2) in paragraphs (5)(B) and (6)(C), by striking ''$10,000 or an amount equal to 200 percent'' and inserting ''$20,000 or an amount equal to 300 percent''.

(b) EQUITABLE REMEDIES.—Section 309(a)(5)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)(5)) is amended by striking the period at the end and inserting '', and may include equitable remedies or penalties, including disgorgement of funds to the Treasury or community service requirements (including requirements to participate in public education programs).''.

(c) AUTOMATIC PENALTY FOR LATE FILING.—Section 309(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)) is amended—

(1) by adding at the end the following:

''(13) PENALTY FOR LATE FILING.—

''(A) IN GENERAL.—

''(i) MONETARY PENALTIES.—The Commission shall establish a schedule of mandatory monetary penalties that shall be imposed by the Commission for failure to meet a time requirement for filing under section 304.

''(ii) REQUIRED FILING.—In addition to imposing a penalty, the Commission may require a report that has not been filed within the time requirements of section 304 to be filed by a specific date.

''(iii) PROCEDURE.—A penalty or filing requirement imposed under this paragraph shall not be subject to paragraph (1), (2), (3), (4), (5), or (12).

''(B) FILING AN EXCEPTION.—

''(i) TIME TO FILE.—A political committee shall have 30 days after the imposition of a penalty or filing requirement by the Commission under this paragraph in which to file an exception with the Commission.

''(ii) TIME FOR COMMISSION TO RULE.—Within 30 days after receiving an exception, the Commission shall make a determination that is a final agency action subject to exclusive review by the United States Court of Appeals for the District of Columbia Circuit under section 706 of title 5, United States Code, upon petition filed in that court by the political committee or treasurer that is the subject of the agency action, if the petition is filed within 30 days after the date of the Commission action for which review is sought.'';

(2) in paragraph (5)(D)—

(A) by inserting after the first sentence the following: ''In any case in which a penalty or filing requirement imposed on a political committee or treasurer under paragraph (13) has not been satisfied, the Commission may institute a civil action for enforcement under paragraph (6)(A).''; and

(B) by inserting before the period at the end of the last sentence the following: ''or has failed to pay a penalty or meet a filing requirement imposed under paragraph (13)''; and

(3) in paragraph (6)(A), by striking ''paragraph (4)(A)'' and inserting ''paragraph (4)(A) or (13)''.

SEC. 506. STRENGTHENING FOREIGN MONEY BAN.

Section 319 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e) is amended—

(1) by striking the heading and inserting the following: ''CONTRIBUTIONS AND DONATIONS BY FOREIGN NATIONALS''; and

(2) by striking subsection (a) and inserting the following:

''(a) PROHIBITION.—It shall be unlawful for—

''(1) a foreign national, directly or indirectly, to make—

''(A) a donation of money or other thing of value, or to promise expressly or impliedly to make a donation, in connection with a Federal, State, or local election to a political committee or a candidate for Federal office; or

''(ii) a contribution or donation to a committee of a political party; or

''(B) for a person to solicit, accept, or receive such contribution or donation from a foreign national.''.

SEC. 507. PROHIBITION OF CONTRIBUTIONS BY MINORS.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) (as amended by section 401) is amended by adding at the end the following:

''SEC. 326. PROHIBITION OF CONTRIBUTIONS BY MINORS.

An individual who is 17 years old or younger shall not make a contribution to a candidate or a contribution or donation to a committee of a political party.''.

SEC. 508. EXPEDITED PROCEDURES.

(a) IN GENERAL.—Section 309(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)) (as amended by section 505(c)) is amended by adding at the end the following:

''(14)(A) If the complaint in a proceeding was filed within 60 days preceding the date of a general election, the Commission may take action described in this subparagraph.

''(B) If the Commission determines, on the basis of facts alleged in the complaint and other facts available to the Commission, that there is clear and convincing evidence that a violation of this Act has occurred, is occurring, or is about to occur, the Commission may order expedited proceedings, shortening the time periods for proceedings under paragraphs (1), (2), (3), and (4) as necessary to allow the matter to be resolved in sufficient time before the election to avoid harm or prejudice to the interests of the parties.

''(C) If the Commission determines, on the basis of facts alleged in the complaint and other facts available to the Commission, that the complaint is clearly without merit, the Commission may—

''(i) order expedited proceedings, shortening the time periods for proceedings under paragraphs (1), (2), (3), and (4) as necessary to allow the matter to be resolved in sufficient time before the election to avoid harm or prejudice to the interests of the parties; or

''(ii) if the Commission determines that there is insufficient time to conduct proceedings before the election, summarily dismiss the complaint.''.

(b) REFERRAL TO ATTORNEY GENERAL.—Section 309(a)(5) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)(5)) is amended by striking subparagraph (C) and inserting the following:

''(C) The Commission may at any time, by an affirmative vote of at least 4 of its members, refer a possible violation of this Act or chapter 95 or 96 of title 26, United States Code, to the Attorney General of the United States, without regard to any limitation set forth in this section.''.

SEC. 509. INITIATION OF ENFORCEMENT PROCEEDING.

Section 309(a)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)(2)) is amended by striking ''reason to believe that'' and inserting ''reason to investigate whether''.

TITLE VI—SEVERABILITY; CONSTITUTIONALITY; EFFECTIVE DATE; REGULATIONS

SEC. 601. SEVERABILITY.

If any provision of this Act or amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this Act and amendments made by this Act, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

SEC. 602. REVIEW OF CONSTITUTIONAL ISSUES.

An appeal may be taken directly to the Supreme Court of the United States from any final judgment, decree, or order issued by any court ruling on the constitutionality of any provision of this Act or amendment made by this Act.

SEC. 603. EFFECTIVE DATE.

Except as otherwise provided in this Act, this Act and the amendments made by this Act take effect on the date that is 60 days after the date of enactment of this Act or January 1, 1998, whichever occurs first.

SEC. 604. REGULATIONS.

The Federal Election Commission shall prescribe any regulations required to carry out this Act and the amendments made by this Act not later than 270 days after the effective date of this Act.

AMENDMENTS SUBMITTED ON FEBRUARY 24, 1998

THE PAYCHECK PROTECTION ACT

SNOWE (AND OTHERS) AMENDMENT NO. 1647

Ms. SNOWE (for herself, Mr. Jeffords, Mr. LEVIN, Mr. LIEBERMAN, Mr. MCCAIN, Mr. FEINGOLD, Mr. CHAFEE, Ms. COLLINS, and Mr. THOMPSON) proposed an amendment to amendment No. 1646 proposed by Mr. MCCAIN to the bill (S. 1663) to protect individuals from having their money involuntarily collected and used for politics by a corporation or labor organization; as follows:

Strike section 201 and insert:

Subtitle A—Electioneering Communications

SEC. 200. DISCLOSURE OF ELECTIONEERING COMMUNICATIONS.

Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) is amended by adding at the end the following new subsection:

''(d) ADDITIONAL STATEMENTS ON ELECTIONEERING COMMUNICATIONS.—

''(1) STATEMENT REQUIRED.—Every person who makes a disbursement for electioneering communications in an aggregate amount in excess of $10,000 during any calendar year shall, within 24 hours of each disclosure date, file with the Commission a statement containing the information described in paragraph (2).

''(2) CONTENTS OF STATEMENT.—Each statement required to be filed under this subsection shall be made under penalty of perjury and shall contain the following information:

''(A) The identification of the person making the disbursement, of any entity sharing or exercising direction or control over the activities of such person, and of the custodian of the books and accounts of the person making the disbursement.

''(B) The State of incorporation and the principal place of business of the person making the disbursement.

''(C) The amount of each disbursement during the period covered by the statement and the identification of the person to whom the disbursement was made.

''(D) The elections to which the electioneering communications pertain and the names (if known) of the candidates identified or to be identified.

''(E) If the disbursements were paid out of a segregated account to which only individuals could contribute the names and addresses of all contributors who contributed an aggregate amount of $500 or more to that account during the period beginning on the first day of the preceding calendar year and ending on the disclosure date.

''(F) If the disbursements were paid out of funds not described in subparagraph (E), the names and addresses of all contributors who contributed an aggregate amount of $500 or more to the organization or any related entity during the period beginning on the first day of the preceding calendar year and ending on the disclosure date.

''(G) Whether or not any electioneering communication is made in coordination, cooperation, consultation, or concert with, or at the request or suggestion of, any candidate or any authorized committee, any political party or committee, or any agent of the candidate, political party, or committee and if so, the identification of any candidate, party, committee, or agent involved.

''(3) ELECTIONEERING COMMUNICATION.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'electioneering communication' means any broadcast from a television or radio broadcast station which—

''(i) refers to a clearly identified candidate for Federal office;

''(ii) is made (or scheduled to be made) within—

''(I) 60 days before a general, special, or runoff election for such Federal office, or

''(II) 30 days before a primary or preference election, or a convention or caucus of a political party that has authority to nominate a candidate, for such Federal office, and

''(iii) is broadcast from a television or radio broadcast station whose audience includes the electorate for such election, convention, or caucus.

''(B) *Exceptions.*—Such term shall not include—

''(i) communications appearing in a news story, commentary, or editorial distributed through the facilities of any broadcasting station, unless such facilities are owned or controlled by any political party, political committee, or candidate, or

''(ii) communications which constitute expenditures or independent expenditures under this Act.

''(4) DISCLOSURE DATE.—For purposes of this subsection, the term 'disclosure date' means—

''(A) the first date during any calendar year by which a person has made disbursements for electioneering communications aggregating in excess of $10,000, and

''(B) any other date during such calendar year by which a person has made disbursements for electioneering communications aggregating in excess of $10,000 since the most recent disclosure date for such calendar year.

''(5) CONTRACTS TO DISBURSE.—For purposes of this subsection, a person shall be treated as having made a disbursement if the person has contracted to make the disbursement.

''(6) COORDINATION WITH OTHER REQUIREMENTS.—Any requirement to report under this subsection shall be in addition to any other reporting requirement under this Act.''

SEC. 200A. COORDINATED COMMUNICATIONS AS CONTRIBUTIONS.

Section 315(a)(7)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(7)(B)) is amended by inserting after clause (ii) the following new clause:

''(iii) if—

''(I) any person makes, or contracts to make, any payment for any electioneering communication (within the meaning of section 304(d)(3)), and

''(II) such payment is coordinated with a candidate for Federal office or an authorized committee of such candidate, a Federal, State, or local political party or committee thereof, or an agent or official of any such candidate, party, or committee.

such payment or contracting shall be treated as a contribution to such candidate and as an expenditure by such candidate; and''.

SEC. 200B. PROHIBITION OF CORPORATE AND LABOR DISBURSEMENTS FOR ELECTIONEERING COMMUNICATIONS.

(a) IN GENERAL.—Section 316(b)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b(b)(2)) is amended by inserting ''or for any applicable electioneering communication'' before '', but shall not include''.

(b) APPLICABLE ELECTIONEERING COMMUNICATION.—Section 316 of such Act is amended by adding at the end the following new subsection:

''(c) RULES RELATING TO ELECTIONEERING COMMUNICATIONS.—

''(1) APPLICABLE ELECTIONEERING COMMUNICATION.—For purposes of this section, the term 'applicable electioneering communication' means an electioneering communication (within the meaning of section 304(d)(3)) which is made by—

''(A) any entity to which subsection (a) applies other than a section 501(c)(4) organization, or

''(B) a section 501(c)(4) organization from amounts derived from the conduct of a trade or business or from an entity described in subparagraph (A).

''(2) SPECIAL OPERATING RULES.—For purposes of paragraph (1), the following rules shall apply:

''(A) An electioneering communication shall be treated as made by an entity described in paragraph (1)(A) if—

''(i) the entity described in paragraph (1)(A) directly or indirectly disburses any amount for any of the costs of the communication; or

''(ii) any amount is disbursed for the communication by a corporation or organization or a State or local political party or committee thereof that receives anything of value from the entity described in paragraph (1)(A), except that this clause shall not apply to any communication the costs of which are defrayed entirely out of a segregated account to which only individuals can contribute.

''(B) A section 501(c)(4) organization that derives amounts from business activities or from any entity described in paragraph (1)(A) shall be considered to have paid for any communication out of such amounts unless such organization paid for the communication out of a segregated account to which only individuals can contribute.

''(3) DEFINITIONS AND RULES.—For purposes of this subsection—

''(A) the term 'section 501(c)(4) organization' means—

''(ii) an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code; or

''(ii) an organization which has submitted an application to the Internal Revenue Service for determination of its status as an organization described in clause (i); and

''(B) a person shall be treated as having made a disbursement if the person has contracted to make the disbursement.

''(4) COORDINATION WITH INTERNAL REVENUE CODE.—Nothing in this subsection shall be construed to authorize an organization exempt from taxation under section 501(a) of the Internal Revenue Code of 1986 from carrying out any activity which is prohibited under such Code.''

Subtitle B—Independent and Coordinated Expenditures

SEC. 201. DEFINITION OF INDEPENDENT EXPENDITURE.

Section 301 of the Federal Election Campaign Act (2 U.S.C. 431) is amended by striking paragraph (17) and inserting the following:

''(17) INDEPENDENT EXPENDITURE.—The term 'independent expenditure' means an expenditure by a person—

''(A) expressly advocating the election or defeat of a clearly identified candidate; and

''(B) that is not provided in coordination with a candidate or a candidate's agent or a person who is coordinating with a candidate or a candidate's agent.''

LOTT AMENDMENT NO. 1648

Mr. LOTT proposed an amendment to amendment No. 1647 proposed by Ms. SNOWE to the bill, S. 1663, supra; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. 200. ELECTIONEERING COMMUNICATIONS.

(a) PROHIBITION.—None of the funds appropriated or otherwise made available to the Federal Communications Commission may be expended to impose or enforce any requirement or obligation with respect to the provision of free or discounted television broadcast time for campaign advertising unless such requirement or obligation is specifically and expressly authorized by title III of the Communications Act of 1934.

LOTT AMENDMENT NO. 1649

Mr. LOTT proposed an amendment to the bill, S. 1663, supra; as follows:

In the language proposed to be stricken in the bill, strike all after the word ''political'' on page 2, line 23, and insert the following:

''party.

SECTION 3. ELECTIONEERING COMMUNICATIONS.

(a) PROHIBITION.—None of the funds appropriated or otherwise made available to the Federal Communications Commission may be expended to impose or enforce any requirement or obligation with respect to the provision of free or discounted television broadcast time for campaign advertising unless such requirement or obligation is specifically and expressly authorized by title III of the Communications Act of 1934.

(b) EFFECTIVE DATE.—This section shall take effect one day after enactment of this Act.

LOTT AMENDMENT NO. 1650

Mr. LOTT proposed an amendment to amendment No. 1649 proposed by him to the bill, S. 1663, supra; as follows:

Strike all after the first word in the pending amendment and insert the following:

SECTION 3. ELECTIONEERING COMMUNICATIONS.

(a) PROHIBTION.—None of the funds appropriated or otherwise made available to the Federal Communications Commission may be expended to impose or enforce any requirement or obligation with respect to the provision of free or discounted television broadcast time for campaign advertising unless such requirement or obligation is specifically and expressly authorized by title III of the Communication Act of 1934.

(b) EFFECTIVE DATE.—This section shall take effect two days after enactment of this Act.

LOTT AMENDMENT NO. 1651

Mr. LOTT proposed an amendment to the motion to commit proposed by him to the bill, S. 1663, supra; as follows:

At the end of the instructions add the following:

''with an amendment as follows:

Strike all after the enacting clause and insert the following:

SEC. 1. ELECTIONEERING COMMUNICATIONS.

(a) PROHIBITION.—None of the funds appropriated or otherwise made available to the Federal Communications Commission may be expended to impose or enforce any requirement or obligation with respect to the provision of free or discounted television broadcast time for campaign advertising unless such requirement or obligation is specifically and expressly authorized by title III of the Communications Act of 1934.''

LOTT AMENDMENT NO. 1652

Mr. LOTT proposed an amendment to amendment No. 1651 proposed by him to the bill, S. 1663, supra; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. 1. ELECTIONEERING COMMUNICATIONS.

(a) PROHIBITION.—None of the funds appropriated or otherwise made available to the Federal Communications Commission may be expended to impose or enforce any requirement or obligation with respect to the provision of free or discounted television broadcast time for campaign advertising unless such requirement or obligation is specifically and expressly authorized by title III of the Communications Act of 1934.

(b) EFFECTIVE DATE.—This section shall take effect one day after enactment of this Act.

LOTT AMENDMENT NO. 1653

Mr. LOTT proposed an amendment to amendment No. 1651 proposed by him to the bill, S. 1663, supra; as follows:

Strike all after the word ''section'' in the pending amendment and insert the following:

1. ELECTIONEERING COMMUNICATIONS.

(a) PROHIBITION.—None of the funds appropriated or otherwise made available to the Federal Communications Commission may be expended to impose or enforce any requirement or obligation with respect to the provision of free or discounted television broadcast time for campaign advertising unless such requirement or obligation is specifically and expressly authorized by title III of the Communications Act of 1934.

(b) EFFECTIVE DATE.—This section shall take effect two days after enactment of this Act.

HUTCHISON AMENDMENTS NOS. 1654—1656

(Ordered to lie on the table.)

Mrs. HUTCHISON submitted three amendments intended to be proposed by her to the bill, S. 1663, supra; as follows:

AMENDMENT NO. 1654

At the appropriate place, insert the following:

SEC. ___. LIMIT ON CONGRESSIONAL USE OF THE FRANKING PRIVILEGE.

Section 3210(a)(6)(A) of title 39, United States Code, is amended to read as follows:

''(A) A Member of Congress shall not mail any mass mailing as franked mail during a year in which there will be an election for the seat held by the Member during the period between January 1 of that year and the date of the general election for that Office, unless the Member has made a public announcement that the Member will not be a candidate for election to any Federal office in that year (including the office held by the Member).''.

AMENDMENT NO. 1655

At the appropriate place, insert the following:

SEC. ___. LIMITATION ON REIMBURSEMENT FROM CAMPAIGNS FOR CONTRIBUTIONS BY SENATE CANDIDATES AND IMMEDIATE FAMILIES OF SENATE CANDIDATES.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by adding at the end the following:

''SEC. ___. LIMITATION ON REIMBURSEMENT FROM CAMPAIGNS FOR CONTRIBUTIONS BY SENATE CANDIDATES AND IMMEDIATE FAMILIES OF SENATE CANDIDATES.

''(a) IN GENERAL.—The aggregate amount of contributions made during an election cycle to a Senate candidate or the candidate's authorized committees from the sources described in subsection (b) that may be reimbursed to those sources shall not exceed $250,000.

''(b) SOURCES.—A source is described in this subsection if the source is—

''(1) personal funds of the candidate and members of the candidate's immediate family; or

''(2) personal loans incurred by the candidate and members of the candidate's immediate family.

''(c) INDEXING.—The $250,000 amount under subsection (a) shall be increased as of the beginning of each calendar year based on the increase in the price index determined under section 315(c), except that the base period shall be calendar year 1997.''.

AMENDMENT NO. 1656

At the appropriate place, insert the following:

SEC. ___. LIMITATION ON ACCEPTANCE OF OUT-OF-STATE CONTRIBUTIONS BY SENATE CANDIDATES.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by adding at the end the following:

''SEC. ___. LIMITATION ON ACCEPTANCE OF OUT-OF-STATE CONTRIBUTIONS BY SENATE CANDIDATES.

''(a) LIMITATION.—A Senate candidate and the candidate's authorized committees shall not accept, during an election cycle, contributions from persons other than individuals residing in the candidate's State in an amount exceeding 40 percent of the total amount of contributions accepted during the election cycle.

''(b) DEFINITION OF ELECTION CYCLE.—In this section, 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 the candidate seeks and ending on the date of the next general election for that office or seat.''.

NOTICES OF HEARINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will meet on Wednesday, February 25th, 1998 at 9:30 a.m. and Thursday, February 26th, 1998 at 11:00 a.m. in room 562 of the Dirksen Senate Office Building to conduct hearings on the President's FY '99 budget request for Indian programs.

Those wishing additional information should contact the Committee on Indian Affairs at 224–2251.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LUGAR. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry will meet on March 5, 1998 at 9:00 a.m. in SR–328A. The purpose of this meeting will be to examine the Kyoto Treaty on Climate Change and its effect on the agricultural economy.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Commerce, Science, and Transportation Committee be authorized to meet on Tuesday, February 24, 1998, at 9:30 a.m. on tobacco legislation.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. MCCONNELL. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet for a hearing on Tuesday, February 24, 1998, at 3:00 p.m. The subject of the hearing is the substitute for S. 981, The Regulatory Improvement Act of 1998.

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 February 24, 1998, at 10:00 AM to hold a hearing.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on Tobacco Settlement V during the session of the Senate on Tuesday, February 24, 1998, at 10:00 a.m.

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

SUBCOMMITTEE ON CONSTITUTION, FEDERALISM, AND PROPERTY RIGHTS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Subcommittee on Constitution, Federalism, and Property Rights, of the Senate Judiciary Committee, be authorized to meet during the session of the Senate on Tuesday, February 24, 1997 at 2:00 p.m. to hold a hearing in room 226, Senate Dirksen Building, on: ''Term Limits or Campaign Finance Reform: Which Provides True Political Reform?''

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

SUBCOMMITTEE ON NATIONAL PARKS, HISTORIC PRESERVATION, AND RECREATION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Subcommittee on National Parks, Historic Preservation, and Recreation of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Tuesday, February 24, for purposes of conducting a subcommittee hearing which is scheduled to begin at 2:00 p.m. The purpose of this oversight hearing is to receive testimony on the visitor center and museum facilities project at Gettysburg National Military Park.

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

SUBCOMMITTEE ON READINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Subcommittee on Readiness of the Committee on Armed Services be authorized to meet on Tuesday, February 24, 1998 at 3:00 p.m. in open session, to receive testimony on the status of the operational readiness of the U.S. Military Forces including the availability of resources and training opportunities necessary to meet our national security requirements.

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

SUBCOMMITTEE ON TECHNOLOGY, TERRORISM, AND GOVERNMENT INFORMATION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Subcommittee on Technology, Terrorism, and Government Information, of the Senate Judiciary Committee, be authorized to meet during the session of the Senate on Tuesday, February 24, 1997 at 9:00 a.m. to hold a hearing in room 226, Senate Dirksen Building, on: ''Foreign Terrorists in America: Five Years After the World Trade Center.''

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

ADDITIONAL STATEMENTS

ISTEA REAUTHORIZATION

● Mr. FAIRCLOTH. Mr. President, I would like to speak on reauthorization of the highway bill. I respectfully urge the Majority Leader to take up Senate Bill 1173—ISTEA—now. Let's not delay its consideration into the spring.

The State's highway programs are already operating under a temporary funding extension. I believe that further delaying consideration of S. 1173 will add more uncertainty to the States' highway construction.

As I mentioned, before this body adjourned last November, we passed a temporary extension of the highway bill, after repeated attempts to begin debate on the bill failed.

It now appears that floor consideration of S. 1173 may be delayed until after the Senate considers the Fiscal Year 1999 Budget Resolution.

I am second to no Member in my commitment to a balanced federal budget. However, I believe that we must also follow through on our commitment to quality infrastructure, and these two objectives are by no means mutually exclusive.

The current funding extension expires on March 31. That means that all federal highway funds will be cut off on May 1. Clearly, prompt action on ISTEA is critical to maintaining the flow of federal highway dollars.

Unlike delays last fall, however, these spring delays for ISTEA will occur in the middle of construction season. This will compound the disruptive effects of this halt on highway projects—and the jobs they support—around the country.

In the northern States, it is critical that construction funding flows at this time of year. The window for road construction work in many areas is limited by weather factors during the winter months.

Many states, including my own, have highway construction projects underway that are designed to reduce traffic congestion. This congestion worsens air quality, causes ''road rage,'' increases wear and tear on vehicles, wastes fuel, and robs American businesses and families of valuable time.

Cutting off crucial federal funds for these projects undermines State efforts to deal with their congestion problems.

It is very unfortunate that highway fatalities continue to rise. By Federal Highway Administration estimates, poor road maintenance may contribute to as many as 30 percent of fatal accidents, resulting in thousands of deaths per year. Safety-related highway work faces stoppage if we delay consideration of ISTEA.

In fact, in North Carolina, 300 million dollars in safety projects may be delayed if federal funds are not approved.

I want to emphasize that these funds come from gas taxes collected every time Americans pull up to the pump. This ''user fee'' arrangement is supposed to ensure that these taxes pay for improving their highways.

Mr. President, 31½ billion dollars in gas taxes are collected each year, of which about 20 billion dollars actually goes towards highways. Even as we delay consideration of S. 1173, Americans pay their gas taxes in the belief that much-needed highway improvements will be funded.

Looking at the legislative calendar between now and May 1, when federal highway funds will dry up, there are 41 legislative days including Mondays and Fridays.

Even after we debate and pass a bill in the Senate, we have a conference report to complete.

Other issues are sure to be considered here, including potential military conflict with Iraq, IRS restructuring, campaign finance reform, and the budget resolution. That will take us well into April at best.

If we do not act on S. 1173 now, a lapse in federal highway funding is a virtual certainty. The presence of other important matters on the calendar only increases the importance of bringing up the Highway bill.

This is our obligation. It is our obligation to the millions of motorists who pay gas taxes, and the contractors, subcontractors and employees working on highway projects.●

RED CEDAR ELEMENTARY SCHOOL 50TH ANNIVERSARY

● Mr. ABRAHAM. Mr. President, I rise today to acknowledge the 50th anniversary of the Red Cedar Elementary School in East Lansing, Michigan. The school began immediately following World War II in an effort to educate the children of G.I.s who moved to East Lansing to get an education promised by the G.I. bill. Since that time, Red Cedar has grown tremendously and has come to hold a prominent place in the East Lansing community. Because many of the students are from other countries, the diverse backgrounds and beliefs that make up the Red Cedar community provide for a truly unique learning environment.

This momentous occasion has been celebrated throughout the month of February within both the Red Cedar and East Lansing communities and will culminate on the evening February 27, 1998 with a reception and a dance for students, parents and other members of the community. It is with great pleasure that I recognize and congratulate the Red Cedar Elementary School on their 50th anniversary.

Mr. President, I yield the floor.●

DR. ROBERT A. REID, INCOMING PRESIDENT OF THE CALIFORNIA MEDICAL ASSOCIATION

● Mrs. BOXER. Mr. President, I rise to recognize Dr. Robert Reid, who on February 16, 1998, became the 133rd President of the California Medical Association, the largest state medical association in the nation. With a membership of 35,000 physicians, the California Medical Association represents California physicians from all regions, medical specialties, and modes of practice.

Dr. Reid's medical career is both long and distinguished. For more than 25 years, he was a practicing OB/GYN, and is currently Director of Medical Affairs for the Cottage Health System in Santa Barbara, California. Dr. Reid has also served as the hospital's Chief of Staff, and was a member of its Board of Directors from 1991 to 1996. Dr. Reid is a Fellow of the American College of Obstetrics-Gynecology and Past President of the Tri-Counties Obstetrics-Gynecology Society. A former President of the Santa Barbara County Medical Society, Dr. Reid also served as Alternate Delegate to the American Medical Association.

Born in Milan, Italy, Dr. Reid is a graduate of the University of Colorado Medical Center. He lives in Santa Barbara, California, with his wife Patricia, and is the father of four grown children.

At a time of rapid change in the medical profession, Dr. Reid's leadership will be most welcome. I extend my congratulations to him, and wish him the very best in his term as President of the California Medical Association.●

TRIBUTE TO EDWARD AKER, DEVOTED PUBLIC SERVANT

● Mr. SMITH of New Hampshire. Mr. President, I rise to pay tribute to the life and accomplishments of Edward Aker, of Adelphi, Maryland, who passed away last week of brain cancer.

Ed was an executive officer with the U.S. Agency for International Development (USAID) for nearly two decades. His service brought him posts in many countries, including Israel, Nicaragua, Guatemala, Pakistan, Somalia, Kenya and Tanzania. He was known by citizens throughout the Washington area and the world for his commitment to his mission, and his desire to help the underprivileged by encouraging economic development, humanitarian assistance and international cooperation.

Ed distinguished himself with his public service. He served in the United States Navy during the Korean War, and worked at a number of government agencies including Housing and Urban Development, the State Department, and the General Services Administration before commencing his distinguished career at the United States Agency for International Development. He graduated from the University of Maryland, received masters degrees from the U.S. International University in Nairobi and San Diego, and received a PhD in business administration from Pacific Western University.

Ed was admired by many for his patriotism, commitment to his family, dedication to his job, and uplifting

spirit. He was the type of dedicated public servant that all Americans can admire. He was a no-nonsense executive who could be tough when the job had to get done; but, he combined this strong work ethic with a quick wit, great sense of humor and special charm. His generous smile will be missed by all who knew him.

Ed Aker was buried today, Tuesday, February 24th, 1997, with military honors at Arlington National Cemetery. I extend my deepest sympathies to his wife, Lisa, his sons, Mike and Tim, his stepson, Jared, and his grandson, Mitchell. He leaves behind a legacy of which his family can be very proud.●

THE HEROISM OF CHRISTOPHER SIMMONS

● Mr. DURBIN. Mr. President, I would like to enter into the RECORD an amazing story of heroism and courage. Faced with the threat of severe injury to his 4-year-old brother, Michael, Christopher Simmons, an 8-year-old from Mt. Vernon, Illinois, boldly placed himself between his brother and a 95-pound dog. In doing so, Christopher demonstrated a profound sense of selflessness that is all too rarely reported. His heroism, as described in an article in the Mt. Vernon Register-News, was quite possibly the only thing that saved his younger brother from serious bodily harm.

On April 6, 1997, as the boys' father, Phillip Simmons, spoke with the dog's owner, Christopher noticed the boxer playfully tugging at Michael's jacket. Suddenly, the dog lunged for the 4-year-old's throat. Christopher, without the slightest hesitation, stepped in front of the attacking dog and kicked it in the left eye. The dog, startled momentarily, became more angry and jumped onto Christopher, clawing and biting his chest. Fortunately, Christopher's quick thinking gave his father enough time to come to his aid, removing the dog from the boy's chest and subduing it until the owner arrived.

Christopher received two chest wounds and lost a significant amount of blood. Michael, now 5 years old, needed surgery to repair a wounded jaw and a severely damaged ear. The dog's teeth barely missed nerves that help control the movements of the eyes and the jaw. If the dog had been able to do more harm to Michael, the little boy may not have survived.

This horrible incident had one positive consequence: Christopher will be in Washington next month to represent 2.1 million Cub Scouts as he presents President Clinton with the Scouts' annual Report to the Nation. I am pleased to have this opportunity to join President Clinton in honoring Christopher for his tremendous heroism and outstanding courage. I ask that the Mt. Vernon Register-News article describing Christopher Simmons' act of heroism be printed in the RECORD.

The article follows:

[From the Mount Vernon Register-News, Feb. 2, 1998]

MT. VERNON YOUTH WHO SAVED BROTHER FROM DOG TO MEET WITH CLINTON

MT. VERNON—A young boy who stepped between his 4-year-old brother and a 95-pound attacking dog is being rewarded for his bravery with a meeting with President Clinton.

Christopher Simmons, 8, has been chosen to represent the nation's 2.1 million Cub Scouts in presenting scouting's yearly Report to the Nation in the Oval Office next month.

His bravery also earned him the Scouts' rare Honor Medal, ''for unusual heroism in saving or attempting to save life at considerable risk to self.'' Only 42 such medals were earned last year by the nation's 4.5 million Cub Scouts, Boy Scouts and Explorers.

Christopher's story began last April 6 when his dad, Phillip, took along Christopher, then 7, and his brother, Michael, to help the dog's owner with some yard work.

Phillip Simmons was chatting with the man, who is in his 80s, when he saw the dog shaking Michael by his coat. The boxer then released its grip and aimed for Michael's throat.

''As his jaws closed on Michael's head, Christopher launched a kick that connected with the dog's left eye,'' the father recalled last week. ''The pain further enraged the dog, who instantly turned on Christopher.''

As Christopher stepped back, with the dog's paws on his chest and its jaws ripping at his coat, the momentary diversion gave Simmons time to reach his sons.

''I jumped on him and kicked him,'' Christopher, a third-grader at St. Mary's School, recalled last week at his home here. ''Then he jumped on me. By that time my dad was there. I pulled my brother out of reach of the dog.''

Seizing the dog by one ear, Phillip Simmons rammed his fist down the animal's throat and held him against a car.

''As the dog struggled, I looked back to see Michael standing frozen in a pool of blood, still within reach of the dog if he got loose,'' the father recalled.

''Chris, even though bleeding from two sets of chest wounds, had the presence of mind to pull Michael out of range of the boxer so I could release the dog,'' Phillip Simmons added. ''There is no doubt that if it had not been for Christopher's quick thinking and action, I would have lost my 4-year-old son.''

Michael, now 5, had to have surgery on his jaw and dangling left ear. Physicians stitched along a crease so that the ear would heal with no visible damage. The boxer's teeth barely missed a nerve that controls the eye and another that controls the jaw.

A typically lively 5-year-old, Michael seems to have few emotional scars, though his parents say he is very afraid of dogs.

The dog had no history of harming or threatening anyone.

Instead of insisting the dog be killed, the Simmons family agreed to allow the boxer to be sent to a breeding farm where children were not allowed. The dog has since died.●

TRIBUTE TO JACK VAN HOOSER

● Mr. FRIST. Mr. President, at the end of this month, Jack Van Hooser the Commissioner for Rehabilitation Services for the State of Tennessee is retiring after thirty-five years of dedicated service. Throughout his career, Jack has been a tireless servant of the State of Tennessee and has worked to empower individuals with disabilities to achieve independence and gain employment. Jack's record of achievement is impressive. In 1996, under his direction, the Tennessee Vocational Rehabilitation Program served 26,032 individuals with disabilities of which 81 percent were severely disabled. Of the individuals, served 5,820 were successfully employed with more than 90 percent of them working in the competitive labor market. The annualized income of these 5,820 individuals, once they entered the work force increased from $8.732 million to $64.233 million. I am proud of Jack's leadership and the achievement of his agency.

Jack began to develop the strong leadership skills that have transcended through his distinguished career while attending Columbia High School in Columbia, Tennessee. At Columbia High, Jack was elected President of the Student Body, and served as the captain of the football, baseball and basketball teams. In football, Jack was All-State for two years and made the All-Southern and All-American teams.

After High School, Jack attended Tennessee Tech where he met his wife of forty-three years, Wanda with whom he has two sons, Jay and Dave. He continued his sports career at Tennessee Tech where he played football and baseball. As Tennessee Tech's quarterback he made the All-Conference Team and the little All-American Football Team. Jack served in the United States Army for two years upon graduation.

Jack went back to school and earned a master's degree from the University of Tennessee after his military service and was a teacher and athletic coach in Lake City, Florida and Isaac Litton High School in Nashville. Even today, serving as a softball coach, his passion for sports and coaching is evident.

In 1960, Jack began his service to the citizens of Tennessee with the Tennessee Division of Rehabilitation Services. He started as a Disabilities Examiner, helping individuals with disabilities get their benefits. Jack, went on to supervise, train and develop the staff of the Division of Rehabilitation Services. As I review Jack's record of achievement, I notice that he has held several important positions that touched all aspects of the program until he ultimately headed the program in 1995. I am proud of his dedication to help Tennesseans with disabilities achieve employment, to help give them opportunity and independence. That caring and dedication should serve as an example to us all as we carry out the critical work of the United States Senate.

Friday, Jack Van Hooser will retire. He will spend more time with his wife and family. I have no doubt that he will also teach his four granddaughters, not only how to play softball, but teach them how to be leaders and serve their fellow citizens with the dignity and respect he has for so many years.●

ORDER OF BUSINESS

Mr. BURNS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

EXECUTIVE CALENDAR NO. 380 RETURNED TO COMMITTEE

Mr. BURNS. As in executive session, I ask unanimous consent that Executive Calendar No. 380 be returned to committee.

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

APPOINTMENT BY THE MAJORITY LEADER

The PRESIDING OFFICER. The Chair announces on behalf of the majority leader, pursuant to Public Law 105–134, his appointment of the following individuals to serve as members of the Amtrak Reform Council: Gilbert E. Carmichael, of Mississippi, Joseph Vranich, of Pennsylvania, and Paul M. Weyrich, of Virginia.

Mr. LOTT. Mr. President, I am pleased to announce the appointment of three individuals to the Amtrak Reform Council—the ARC: Mr. Gilbert E. ''Gil'' Carmichael of Mississippi, Mr. Joseph Vranich of Pennsylvania, and Mr. Paul M. Weyrich of Virginia. All three have years of rail transportation experience. All three understand and respect Amtrak's contributions to the American economy. All three are truly committed to genuine railroad reform. All three will serve for five years. All three will examine the fiscal performance of Amtrak.

Each of these appointees bring many years of experience to this challenging railroad issue. Each brings his own particular approach to this transportation job.

I've known Mr. Gil Carmichael for many years. He is a dedicated public servant who has already served our nation as Federal Railroad Administrator for President Bush and served four years on the Amtrak Board of Directors. He also has an impressive depth and breadth of knowledge on all facets of transportation—it was Gil who sponsored the first World Railways Congress. It brought together senior rail officials from around the world. so Gil knows the rail business from the bottom up, and he brings to the ARC that good old every-day, common sense approach that we Mississippians are so proud of.

Mr. Joseph Vranich helped create Amtrak while serving as the Executive Director of the National Association of Railroad Passengers. He is a specialist on high-speed train travel, and literally wrote the book on so-called ''Supertrains.'' Just late last year, he published the most important new book on railroads, ''Derailed: What Went Wrong and What to Do About America's Passenger Trains.'' Mr. Vranich brings to the ARC a broad vision of passenger rail service, what it was, what it was meant to be, what it can be.

And Mr. Paul Weyrich has over 30 years of experience with rail and mass transit issues. He also served on the Amtrak Board of Directors during the Bush administration, and has published numerous works on the subject. Mr. Weyrich brings the hard-boiled sensibilities of a newspaperman of the old school, a newspaperman good at digging for the facts. Just the facts for the ARC.

The selection of these three reflects my desire to bring managerial expertise to Amtrak's oversight. The ARC will ensure that Amtrak spends the taxpayers' money wisely. The ARC's first loyalty will be to the American taxpay—not to the nostalgic sound of passenger trains going down the tracks.

Gil, Joe and Paul are executives who will take a good, hard look at Amtrak, and I expect them to exercise courage and leadership. The ARC has the responsibility to offer sound judgment as they advise both the Administration and the Congress.

I have no doubt the ARC will have a key role in shaping Amtrak's future.

I'm pleased to announce that today the Speaker will also identify his three selections. These selections together will constitute the majority of the ARC.

Mr. President, I want to thank my colleagues who gave me such a rich list of candidates to select from. The choices were difficult.

The Amtrak Board of Directors, the other managerial oversight body for Amtrak is to be renominated this summer. I hope to see new faces, a fresh look and a fresh approach. This would help Amtrak successfully deal with the cultural shift required by the new reauthorization statute. The combined synergy of a new board and the ARC will make a profound difference to the way America's passenger rail service will enter the next millennium.

I look forward to seeing ARC getting started on its important task. America's passenger rail service will be well served by the ARC.

ORDERS FOR WEDNESDAY, FEBRUARY 25, 1998

Mr. BURNS. Mr. President, seeing no other Senators requesting time to speak, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 a.m. on Wednesday, February 25, and immediately following the prayer, the routine requests through the morning hour be granted and there then be a period of morning business until 11:30 a.m., with Senators permitted to speak for up to 5 minutes each, with the following exceptions: Senator HUTCHINSON, 20 minutes; Senator GORTON, 5 minutes; Senator BROWNBACK, 10 minutes; Senator BYRD, 20 minutes; Senator MIKULSKI, 15 minutes; Senator GRAMM of Texas, 10 minutes.

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

PROGRAM

Mr. BURNS. Mr. President, tomorrow morning, at 11:30, under a previous consent agreement, the Senate will debate the veto message to accompany H.R. 2631, the military construction appropriations bill. All Senators should be aware that although there is a 2-hour limitation on the veto message, that rollcall vote will occur later in the day in an effort to accommodate those Members attending the funeral of former Senator Ribicoff. All Senators will be notified when that vote is set.

Following the debate on the veto message, the Senate will resume debate on the pending legislation regarding campaign finance reform. Additional votes can be expected during Wednesday's session relating to campaign finance reform.

Finally, as a reminder, three cloture motions were filed during today's session to pending amendments and the underlying bill, S. 1663. These votes will occur on Thursday of this week.

Mr. President, I thank my colleagues.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. BURNS. Mr. President, if there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:28 p.m., adjourned until Wednesday, February 25, 1998, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate February 24, 1998:

DEPARTMENT OF STATE

GEORGE MCGOVERN, OF SOUTH DAKOTA, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS U.S. REPRESENTATIVE TO THE UNITED NATIONS AGENCIES FOR FOOD AND AGRICULTURE.

MARY BETH WEST, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, FOR THE RANK OF AMBASSADOR DURING HER TENURE OF SERVICE AS DEPUTY ASSISTANT SECRETARY OF STATE FOR OCEANS AND SPACE.

THE JUDICIARY

MELVIN R. WRIGHT, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE HENRY HAROLD KENNEDY, JR., ELEVATED.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. NANCY R. ADAMS, 4217.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. JOHN S. PARKER, 5626.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE NAVAL RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) ROBERT F. BIRTCIL, 3384.

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

RICHARD W. MEYERS, 7762
CHARLES M. SINES, 6087

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

RAYMOND ADAMIEC, 7916
BRUCE A. ALBRECHT, 8470
JOHN R. ALLEN, 5762
DAVID A. ANDERSON, 4080
MICHAEL F. APPLEGATE, 3761
RAY A. ARNOLD, 5069
DOUGLAS F. ASHTON, 9946
BRIAN J. BACH, 4781
DENNIS T. BARTELS, 5038
JOHN R. BATES, 1487
JEFFERY W. BEAROR, 0012
MICHAEL D. BECKER, 1197
BRUCE E. BISSETT, 0054
KENNETH D. BONNER, 4637
GREGORY K. BRICKHOUSE, 5352
BRUCE E. BRONARS, 3643
LARRY K. BROWN, JR., 0816
DAVID L. BULAND, 8989
JOSEPH F. BURANOSKY, 1085
JAMES P. CAROTHERS, 0768
ROXANNE W. CHENEY, 6615
PAUL C. CHRISTIAN, 0362
HENRY J. COBLE, 7804
JOHN C. COLEMAN, 5043
THOMAS L. CONANT, 7621
DONALD G. CROOM, 5105
RICHARD H. DUNNIVAN, 4022
RUSSELL A. EVE, 5252
PHILIP J. EXNER, 1736
EUGENE J. FRASER, 9062
LEE W. FREUND, 8972
ANDREW P. FRICK, 7905
MICHAEL J. GODFREY, 3501
JEFF D. GRELSON, 4970
TERRY W. GRIFFIN, 4579
MYRON L. HAMPTON, 5362
CHARLES T. HAYES, 7162
MICHAEL J. HEISINGER, 4434
CRAIG S. HUDDLESTON, 3918
PHILIP R. HUTCHERSON, 7524
MAURICE B. HUTCHINSON, 0960
ANTHONY L. JACKSON, 9180
KEVIN P. JANOWSKY, 8977
WESLEY A. JARMULOWICZ, 3574
WILLIAM F. JOHNSON, 8723
KEVIN B. JORDAN, 2195
CHRISTOPHER K. JOYCE, 9158
DENNIS JUDGE, 1191
BRENDAN P. KEARNEY, 1502
WILLIAM R. KELLNER, JR., 9209
JOHN F. KELLY, 7821
MICHAEL J. KELLY, 5845
LEELLEN KUBOW, 8672
ROBERT F. KUHLOW, 8528
RANDALL W. LARSEN, 3508
ROBERT R. LOGAN, 2532
JAMES M. LOWE, 2385
RICHARD W. LUEKING, 1641
MICHAEL A. MALACHOWSKY, 8095
DAVID W. MUALDIN, 5824
RICHARD P. MILLS, 1153
GARY E. MUELLER, 0705
WILLIAM J. MULLENS, JR., 3443
MICHAEL C. O'NEAL, 3542
RENE P. ORTIZ, 8934
RICHARD J. PACKARD, 3293
FRANK A. PANTER, JR., 2226
PHILIP S. PARKHURST, 3903
CHARLES S. PATTON, 9576
MARTIN D. PEATROSS, 6595
REYNOLDS B. PEELE, 4357
ROSS D. PENNINGTON, 7959
NICHOLAS C. PETRONZIO, 7801
MARTIN POST, 9807
JOHN C. RADER, 6300
STEVEN W. RAWSON, 4314
JOHN D. REARDON, 8726
ERVIN RIVERS, 4500
STEPHEN C. ROBB, 1587
MASTIN M. ROBESON, 1984
BONNIE J. ROBISON, 7416
PHILIP C. RUDDER, 1111
JONATHAN T. RYBERG, 5811
BENNETT W. SAYLOR, 1784
HOWARD P. SCHICK, 1389
ROBERT E. SCHMIDLE, JR., 7820
DANIEL C. SCHULTZ, 7539
JACK K. SPARKS, JR., 6344
STEPHEN P. TAYLOR, 6797
BRADLEY E. TURNER, 4319
THOMAS D. WALDHAUSER, 4358
JAMES C. WALKER, 5284
CLARENCE L. WALLACE, JR., 6783
ROBERT M. WEIDERT, 2075
RUSSELL C. WOODY, 3295
GERALD A. YINGLING, JR., 2569

To be major

ANTHONY P. ALFANO, 5879
CASSONDRA K. AYERS, 6535
LAWRENCE A. BAUER, 4810
BRAIN T. BECKWITH, 7840
DOUGLAS H. BIGGS, 4740
JOSEPH G. BOWE, 7603
HERBERT A. BOWLDS, JR., 6184
GERALD R. BROWN, 2925
JACQUELINE BRYTT, 9531
TERRANCE L. BURNS, 7182
JOHN M. CAPPS, 3987
CURT A. CAREY, 7726
MARK D. CICALI, 0549
BIAGIO COLANDREO, JR., 0500
ROBERT J. DARLING, 5976
DANIEL J. DAUGHERTY, 0097
TIMOTHY J. FLANAGAN, 7178
JOHN J. FOLEY, 2698
CHARLES C. FURTADO III, 9050
GLENN E. GERICHTEN, 4895
LAUREL D. GLENN, 1592
ROBERT C. GRAHAM, 5891
PATRICK A. GRAMUGLIA, 8929
PHILLIP D. HARWARD, 5010
FREDERICK J. HOPEWELL, 6809
KENNETH V. JANSEN, 5241
DENIS J. KIELY III, 4684
LARRY L. KNEPPER, 9910
GREGORY G. KOZIUK, 2408
JEFFREY D. LEE, 6775
BRIAN K. MCCRARY, 6859
JON E. MCELYEA, 9598
JAMES G. MCGARRAHAN, 3434
JACK P. MONROE IV, 4584
JAMES L. NORCROSS, 5674
JEFFREY J. NYHART, 3474
ROBERT R. PIATT, 4136
CHARLES B. RUMSEY, JR., 6762
JOHN B. STARNES, 5190
ALAN R. STOCKS, 7576
RICHARD A. STONES, 5951
SUSAN C. SWANSON, 5309
STEPHEN O. VIDAURRI, 5674
THOMAS M. VILAS, 4570
RICHARD E. WILLIAMS, 4736
JAMES G. WILSON, 1411
WINBON J. TWIFORD III, 1281

To be captain

TIMOTHY L. ADAMS, 6898
CURTIS M. ALLEN, 3786
DEBBIE J. ALLEN, 0145
ROBERT J. ALLEN, 5597
DAWN R. ALONSO, 7009
RONALD J. ALVARADO, 4138
ARNOLD L. AMPOSTA, 1499
RANDY L. ANDERSON, 8099
STEVEN M. ANDERSON, 1273
MARCUS B. ANNIBALE, 8702
TRAY J. ARDESE, 4567
ARTHUR K. ARMANI, 3528
RICHARD J. ASHBY, 8910
GAMAL F. AWAD, 0286
CHARLES R. BAGNATO, 1719
ANTHONY J. BANKS, 4461
CRAIG A. BARRETT, 1961
RANDELL D. BECK, 7024
STEWART G. BECKER, 9287
DOUGLAS C. BEHEL, 0073
THOMAS J. BEIKIRCH, 0231
BRUCE E. BELL, 0163
DANIEL L. BELL, 6689
AARON E. BENNETT, 2821
MARLIN C. BENTON, JR., 6629
ANDREW J. BERGEN, 4565
JOHN J. BERGERON, 6645
JESSICA M. BERGMANN, 0928
GREGORY D. BIGALK, 5282
JOHN R. BINDER III, 3817
FRED W. BISTA III, 9226
TIMOTHY H. BOETTCHER, 1848
DEMETRIUS J. BOLDUC, 8401
LLOYD E. BONZO II, 3855
DAVID C. BORKOWSKI, 6258
BRADLEY R. BORMAN, 1295
BRIAN J. BRACKEN, 0217
STEPHAN L. BRADICICH, 8456
RICHARD T. BRADY, 8504
CHARLES R. BRANDICH III, 9551
FREDERICK W. BREMER, 7562
BENJAMIN T. BREWER, 7032
BRUCE L. BRIDGEWATER, 5700
MARCELINO L. BRITO, 9509
SCOTT E. BROBERG, 6809
PHILLIP V. BROOKING, 6713
DAREN L. BROWN, 1306
GLENN F. BROWN, 1454
ROBERT J. BRUDER, 5292
TODD M. BURCH, 4192
HEATHER M. BURGESS, 5403
JOHN P. BURTON, 7872
PAUL A. BUTA, 1220
JEFFREY R. CALLAGHAN, 3074
EZRA CARBINS, JR., 9619
JUDE F. CAREY, JR., 1108
CURTIS W. CARLIN, 3928
MATTHEW J. CARROLL, 5770
RONNIE A. CARSON, JR., 9846
TODD M. CARUSO, 8958
BRIAN T. CASKEY, 3812
MICHAEL J. CASSIDY, 6636
MICHAEL V. CAVA, 0133
DONALD L. CERRI, 9774
MATTHEW G. CHALKLEY, 1094
NATHAN D. CHAMBERLAIN, 6888
ROBERT M. CLARK, 4809
STEVEN B. CLAYTON, 8586
SCOTT B. CLIFTON, 3947
THOMAS E. CLINTON, JR., 9395
ERIK E. COBHAM, 5930
JOSEPH R. COLOMBO, 5910
JEFFREY L. CONGLETON, 1695
GARLAND N. COPELAND, 3634
BRIAN G. COSGROVE, 6378
JAMES A. COSMETIS, 2387
LANCE C. COSTA, 5222
DANIEL P. CREIGHTON, 9137
RICHARD J. CREVIER, 8473
TIMOTHY S. CRONIN, 0097
VANCE L. CRYER 6094
SCOTT R. CUBBLER 8076
JEFFREY K. DANIELS 4202
BRENT R. DAVIS 6470
HAROLD P. DAVIS 9880
JOHN B. DAVIS 4775
THOMAS E. DAVIS 8976
YOLANDA DAVIS 9188
GARY E. DELGADO 0519
JAMES W. DEMOSS JR. 0224
TODD S. DENSON 9687
SCOTT T. DERKACH 2413
GERT J. DEWET 6036
ANDREW L. DIETZ 3645
JOHN T. DODD 5109
THOMAS J. DODDS 6823
EDWARD A. DONOVAN III 7246
BRIAN G. DOOLEY 5955
LANCE S. DORMAN 7118
MICHAEL J. DOUGHERTY 6566
CHRISTOPHE G. DOWNS 6467
KEVIN C. DUGAN 0786
SCOTT P. DUNCAN 6241
JAMES M. DUPONT 2366
JOHN J. EDMONDS 0282
JAMES P. EDMUNDS III 9509
RODNEY S. EDWARDS 1859
BRIAN D. EHRLICH 1349
KEITH L. FAUST 0140
WADE A. FELLER 1975
STEVEN L. FELTENBERGER 8502
JAMES A. FENNELL 6682
ROBERT S. FERGUSON 0909
TAD J. FINER 9115
MARTIN J. FORREST IV 1492
DAVID C. FORREST 7576
TIMOTHY J. FRANK 5704
ERIK G. FRECHETTE 7915
LLOYD D. FREEMAN 0937
STEPHEN P. FREEMAN 6212
THOMAS C. FRIES 7702
BRYON J. FUGATE 4634
TROY FULLER 0370
JOHN M. FULTON 8713
MATTHEW F. FUSSA 2875
PETER S. GADD 0915
GREGORY CALBATO 7796
JESUS M. GARCIA 5877
EDWARD A. GARLAND 0476
SCOTT R. GARTON 6297
WILLIAM W. GERST, JR., 5832
STEPHEN P. GHOLSON, 2524
ROBERT R. GICK, 3607
JOSEPH C. GIGLIOTTI, 5229
BRIAN S. GILDEN, 6561
MARK A. GIVENS, 9029
WILLIAM E. GLASER IV, 7260
SEAN M. GODLEY, 9145
JAMES M. GOETHE, 0343
ADRIAN S. GOGUE, 3262
JOHN C. GOLDEN IV, 9009
SCOTT A. GONDEK, 4526
FLAY R. GOODWIN, 3321
CARL W. GOUAUX, 6551
KENNETH G. GRAHAM, 8800
DAVID I. GRAVES, 9913
MICHAEL T. GRAVES, 2347
JERAMY GREEN, 6609
TRAVIS L. GREENE, 4017
WILLIAM B. GREER, 3366
DAVID E. GRIBBLE, 1422
DAVID M. GRIESMER, 4400
STEPHEN M. GRIFFITHS, 5844
JOSEPH S. GROSS, 0703
LOUIS S. GUNDLACH, 4010
RYAN R. GUTZWILLER, 7224
JOHN J. HADDER, 8892
MARK E. HAHN, 0737
THOMAS R. HALL, 1702
WILLIAM G. HALL, 7489
HUGH M. HALLAWELL, 9920
ROBERT J. HALLETT, 8033
HOLMES HARDEN, JR., 6977
THOMAS J. HARMON, 7106
HARRY A. HARNETT IV, 6347
TIMOTHY A. HARP, 1440
JOHN D. HARRILL III, 2549
CARROLL N. HARRIS III, 8789
JEFFREY A. HARRISON, 5816
PAUL W. HART II, 5861
SEAN D. HAYES, 5510
LEE G. HELTON, 2771
MARK J. HENDERSON, 5745
STANLEY D. HESTER, 1630
MARK B. HEVEL, 8706
WALTER R. HIBNER III, 5821
MARTIN J. HINCKLEY, 6680
RUSSELL J. HINES, 5438
EVERETT J. HOOD, 8746
WILLIAM W. HOOPER, 4255
THEODORE J. HORSE, 0706
WILLIAM S. HOWELL, 0770
MICHAEL D. HOYT, 2591
COLT J. HUBBELL, 0459
ROBERT O. HUBBELL, 2018

DANIEL P. HUDSON, 1787
CHRISTOPHE W. HUGHES, 9622
DAVID A. HUMPHREYS, 1068
LANDON R. HUTCHENS II, 2819
CLAUDE O. HUTTON, JR., 8651
THOMAS J. IMPELLITTERI, 0155
ALBERT B. INTILLI, 2824
BERNARDO IORGULESCU, 7340
WILLIAM J. JACOBS, 0516
DAVID K. JARVIS, 0707
MATTHEW J. JAVORSKY, 9909
BRADLEY S. JEWITT, 2242
SCOTT R. JOHNSON, 1389
TERRY M. JOHNSON, 3352
JASON A. JOHNSTON, 1816
MICHAEL T. KAMINSKI, 4563
WILLIAM F. KEEHN, 2828
GREGORY R. KELLY, 0656
LEONARD L. KERNEY, JR., 6540
PETERJOHN H. KERR, 8938
ROBERT L. KIMBRELL II, 2199
JAMES J. KIRK, 0319
BRENDAN M. KLAPAK, 8258
GLENN M. KLASSA, 4581
DAVID T. KLAVERKAMP, 5733
DOUGLAS W. KLEMZ, 0218
PAUL H. KLINK III, 1721
CHRISTOPHE A. KOLOMJEC, 3642
TODD A. LAGRECO, 8737
TROY D. LANDRY, 4928
DOUGLAS K. LANG, 4586
STUART C. LANKFORD, 2033
TERRENCE H. LATORRE, 5792
PETER N. LEE, 0423
JOSEPH P. LEVREAULT, 5900
REGINALD LEWIS, 6215
MARK A. LIVINGSTON, 2169
JOSEPH A. LORE, 2272
MELVIN L. LOVE, 6119
DAVID G. LOYACK, 2433
JOHN M. LOZANO, 0197
KENNETH E. LUCAS, 0995
BRIAN M. LUKACZ, 2045
CHARLES N. LYNK III, 0857
JOHN F. MACEIRA, 9477
GONZALO MADRID, JR., 9991
NATHAN MAKER, 3992
BRYAN T. MANGAN, 9953
MICHAEL J. MARTIN, 1149
DANIEL R. MARTINEAU, 7037
RUBEN A. MARTINEZ, 9059
JOHN D. MARTINKO, 4982
GEORGE A. MASSEY, 5911
JULIA S. MATHIS, 6713
NICOLE L. MAUERY, 8277
DAVID H. MAYHAN, 3688
TODD L. MCALLISTER, 9393
DAVID L. MCCAFFREE, JR., 5003
JOHN T. MCCLOSKEY, 1556
JOHN M. MCDERMOTT, 6856
JOHN A. MCDONALD, 0117
MATTHEW J. MCDONALD, 5023
CLEVE D. MCFARLANE, 5212
LESLIE A. MCGEEHAN, 3552
JAMES T. MCHUGH, JR., 2422
NEIL S. MCMAIN, 6985
SEAN D. MCNULTY, 7137
SEAN C. MCPHERSON, 2245
CHARLES D. MCVEY, 9322
ROGER C. MEADE, 4122
FRANCISCO J. MELERO, 9395
CHRISTOPHE E. MICKEY, 8713
DANIEL E. MILLER, 7881
WILLIAM C. MILLER, 9934
PATRICK S. MITCHELL, 3750
ROBERT P. MITCHELL, 0832
JAMES E. MITILIER, 7164
MICHEL W. MONBOUQUETTE, 8627
MICHAEL C. MONTI, 6773
JERRY R. MORGAN, 8795
JOSEPH W. MURPHY, 9105
JOSEPH C. MURRAY, 1362
CORNELL, MYATT, 4743
DAVID B. NICKLE, 4963
NEAL D. NOEM, 9995
KEVIN A. NOVAK, 3907
EDWARD L. O'CONNOR, 1550
CLAYTON G. OGDEN, 5529
PAUL D. OLDENBURG, 8779
KENNETH A. OLDHAM, 5093
VICTOR M. O'LEAR, 3968
ROGELIO OLIVAREZ, JR., 3885
JEFFREY P. OLSON, 7591
CHRISTOPHE H. O'NEILL, 9420
THOMAS E. OWEN, 6743
PRISCILLA A. PAEPCKE, 0009
PAUL T. PATRICK, 8970
SCOTT A. PAYNE, 9343
JOHN PERSANO III, 5519
ROBERT A. PETERSON, 7837
JOHN R. PETERWORTH, 7351
ANDREW J. PETRUCCI, 2876
MICHAEL D. PHILLIPS, 3342
BRIAN N. PINCKARD, 7351
STEVEN A. PLATO, 8295
CLARK A. POLLARD, 8396
CURTIS A. POOL, 1512
FORREST C. POOLE III, 8415
THOMAS P. PREIMESBERGER, 3126
THOMAS E. PRENTICE, 5542
ROMAN T. PRZEPIORKA, 7586
ERIC A. PUTMAN, 9254
JAMES E. QUINN, 2510
INN QUIROZ, 7881
JON D. RABINE, 1888
CHRISTOPHE T. RADFORD, 9383
MINTER B. RALSTON IV, 1849
WARREN L. RAPP, 8703
KYLE G. RASH, 0682
THOMAS R. RAYNOR, 7074
WILLIAM G. RICE IV, 3570
CARL A. RICHARDSON, 8669
COLLEEN B. RICHARDSON, 5418
DANIEL R. RICHARDSON, 3626
MICHAEL D. RIDDLE, 1631
RYAN S. RIDEOUT, 7895
LARRY A. RISK, 8529
DONALD A. ROACH, 8286
WHITNEY S. ROACH, 0142
LENNIS R. ROBBINS, 0438
JOHN W. ROBERTS, 0674
EDWARD J. RODGERS, 0581
TIMOTHY W. ROGERS, 0681
ERIC S. ROTH, JR., 2647
SCOTT R. ROYS, 0302
PETER S. RUBIN, 3462
JOAQUIN A. SALAS, 0985
JAMES L. SAMMON, 4851
BRIAN G. SANCHEZ, 6142
ELEAZAR O. SANCHEZ, 5109
FRANK SANDERS, 5149
BRIAN P. SANDYS, 5783
OWEN A. SANFORD, 9121
ROBERT E. SAWYER, 0192
PAUL D. SAX, 6589
RICHARD J. SCHMIDT, 0677
ROBERT E. SCHUBERT, JR., 8531
MICHAEL B. SCHWEIGHARDT, 4996
DOUGLAS J. SCOTT, 1106
KEVIN R. SCOTT, 6027
DAVID J. SEBUCK, 3022
ANTHONY T. SERMARINI, 8540
MILO L. SHANK, 2861
THOMAS T. SHAVER, 5148
HECTOR SHEPPARD, JR., 1744
DANIEL L. SHIPLEY, 3495
TIMOTHY A. SILKOWSKI, 5127
THOMAS K. SIMPERS, 2183
DUNCAN D. SMITH, JR., 2602
MARTY L. SMITH, 8056
SHEILA M. SMITH, 0701
MATTHEW D. SPICER, 6423
BRIAN K. SPIEGEL, 8559
THOMAS M. STACKPOLE, JR., 1991
JEFFREY P. STAMAN, 4542
BRIAN C. STAMPS, 3576
PAUL A. STEELE, 8693
PAUL L. STOKES, 5630
IAN L. STONE, 6975
VIRGIL G. STRONG, 5771
MATT D. STRUBBE, 6487
WILLIAM H. SWAN, 1187
JAMES B. SWIFT, JR., 2084
PATRICIO A. TAFOYA, 0579
GREGORY W. TAYLOR, 9214
DAVID A. TEIS, 6393
DONALD G. TEMPLE, 1635
ROBERT E. THIEN, 2844
JAMES W. THOMAS, JR., 8369
GEORGE A. THOMAS, 7635
BRIAN J. THOMPSON, 2365
TOMMY J. THOMPSON, 0194
DONALD J. TOMICH, 7316
JOHN C. TREPKA, 6478
PATRICK W. TRIMBLE, 6307
BRENT C. TROUSLOT, 8969
MICHAEL A. TUCKER, 8425
LARRY E. TURNER, JR., 0529
CARLOS O. URBINA, 2593
ANDREW M. VADYAK, 9563
CESAR A. VALDESUSO, 2139
GABRIEL L. VALDEZ III, 0876
MICHAEL C. VARICAK, 9840
SALVATORE VISCUSO III, 5474
GORDON R. VOGEL, 7714
ROBERT M. VOITH, 8673
PETER C. WAGNER, 5093
WILLIAM WAINWRIGHT, 7889
RICHARD E. WALKER III, 8015
JAMES K. WALKER, 6830
TYRONE WALLS, 2871
BENNETT W. WALSH, 9058
DAVID C. WALSH, 9180
NEIL E. WALSH, 7891
ROBERT T. ARSHEL, 5556
MICHAEL R. WATERMAN, 1505
JAMES W. WATERS, 8693
CLARK E. WATSON, 7694
HENRY D. WEEDE, 8966
GUY M. WEST, 5130
WILLIAM L. WHEELER JR., 2064
RAYMOND M. WHITE III, 0530
BROOKE A. WHITE, 8330
RYDER A. WHITE, 2504
TERENCE H. WHITE, 9330
TIMOTHY K. WHITE, 2210
ZACHARY M. WHITE, 2909
ARTHUR L. WIGGINS, JR., 1678
KYLE S. WILBUR, 6709
JOHN N. WILKIN, 2122
SEAN P. WILLMAN, 7247
JUSTIN W. WILSON, 7683
CARL D. WINGO, 4672
ROBERT A. WINSTON, 5169
THOMAS A. WOLLARD, 6649
CRAIG R. WONSON, 6172
BENJAMIN Z. WOODWORTH, 1448
KIMBERLY A. WYLIE, 5458
ROBERT W. ZACHRICH II, 9560
PAUL F. ZADROZNY, JR., 5303
STACEY S. ZDANAVAGE, 7215

To be first lieutenant

CLINTON E. AMBROSE, 1855
MATTHEW H. ANDERSON, 8191
MARY N. ANICH, 8710
COURTNEY ARRINGTON, 0964
ANDREW A. AUSTIN, 3141
PATRICIA S. BACON, 0911
LARRY A. BAILEY, JR., 8489
AISHA M. BAKKARPOE, 4288
CARNEL BARNES, 5441
DANIEL L. BATES, 7552
WILLIAM T. BELL, III 4309
ROMAN V. BENITEZ 3669
DANIEL G. BENZ, 1900
ELLERY L. BLAKES, 7123
CAVAN N. BRAY, 8244
ALVIN BRYANT, JR., 8676
DUNCAN J. BUCHANAN, 5308
KEITH E. BURKEPILE, 7037
CHRISTOPHE M. BURT, 2103
CHRISTOPHE W. BUSHEK, 6848
BRINSON L. BYRDSONG, 3364
MICHAEL J. BYRNE, 8309
CHRISTOPHE T. CANNAVARO, 3102
KEVIN T. CARLISLE, 6990
PATRICK L. CARTER, JR., 9006
ROBERT R. CHESHIRE, 9843
JAMES CHUNG, 5502
CLAUDE E. CLARK, JR., 2241
DANIEL C. CLARK, 0826
RICHARD A. CLEMENS, JR., 3098
BRIAN K. COCKRIEL 2860
JENNIFER E. COE, 5458
JEFFREY R. COLEY, 2592
NORBERTO COLON, 6663
JOHN G. CORBETT, 9657
HUGH C. CURTRIGHT, IV, 5597
CHRISTOPHE H. DALTON, 2783
RICHARD M. DAVIS, JR., 2547
BRANDON A. DAVIS, 8515
SHAWN B. DAVIS, 1418
JOHNNY L. DAY, 6633
DANIEL S. DEWITT, 3895
CHRISTOPHE B. DOODY, 0210
TIMOTHY T. DOUGLAS, 9897
JASON C. DRAKE, 4862
GORDON R. DYKES, 2842
EDWARD J. EIBERT, JR., 0614
ROBERT G. ENSLEY, 3122
MATTHEW W. ERICKSON, 4317
NATHANIEL G. FAHY, 5015
DAVID M. FALLON, 1690
RAUL J. FELICIANO, 4631
LINDA N. FERRELL, 8122
JOHN L. FINCH, 4801
GREGORY P. FLAHERTY, 6592
SETH W. FOLSOM, 3361
KEVIN J. FOSKEY 8244
MARC D. FREESE, 1533
BRIAN T. FULKS, 7776
DENISE M. GARCIA, 3474
LUIS GARZA III, 2350
JEFFREY W. GARZA, 6279
PATRICK A. GAUGHAN, 2579
MICHAEL T. GIBBS, 2290
BRIAN L. GILMAN, 6947
DENNY W. GINGERICH, 6596
PAUL M. GOMEZ, 8012
RUFINO H. GOMEZ, 7742
JONATHAN W. GOOD, 0528
WENDY T. GORDON, 8594
RUSSELL R. GRAHAM, 4469
JOSHUA K. GREENE, 2734
BRENT A. GREGOIRE, 1745
KRISTINA K. GRIFFIN, 4235
GREGORY L. GRUNWALD, 0837
PAUL GULBRANDSEN, 6497
MICHAEL P. HADLEY, 7764
HOWARD F. HALL, 1139
TREVOR HALL, 1642
ANDREW D. HAMILTON, 6716
JOHN W. HARMAN, 8195
JAMES A. HARRIS IV, 6227
DENNIS J. HART, 1185
EMILY H. HAYDON, 7857
GINA D. HEALD, 4652
HERRINGTON, 0965
CHARLES R. HINTON, JR., 8715
RANDALL S. HOFFMAN, 6658
DANNY L. HOWARD, JR., 3043
SAMUEL K. HOWARD, 9671
EMILY S. HOWELL, 1072
MATTHEW F. HOWES, 3364
CHRISTOPHE D. HRUDKA, 9174
NICOLE K. HUDSPETH, 8591
PATRICK M. HUGHES, 6556
LANCE A. JACKOLA, 7892
WILLIAM J. JAEGER, 3118
LARRY M. JENKINS, JR., 4403
JOSEPH W. JONES, 0847
ROBERT C. KAMEI, 2292
STEPHEN F. KEANE, 1925
WILLIAM J. KEHOE, 1050
JOSHUA A. KEISLER, 9839
PATRICK M. KELLY, 4003
STEPHEN J. KHOOBYARIAN, 8367
SEAN C. KILLEEN, 4413
CATHERINE A. KING, 0121
SHARON E. KING, 0068
THOMAS T. KING, 3585
ERICK V. KISH, 1547
JAMES V. KNAPP II, 4869
KARL K. KNAPP, 9597
KEITH F. KOPETS, 4614
JOHN A. KRALIK, 9140
THOMAS G. LACROIX, 4205
MICHAEL L. LANDREE, 0383
STEPHEN J. LAVELLE, 8517
JAMES R. LEACH, 1279

FRANCIS X. LILLY, JR., 5780
BART W. LOGUE, 6831
MARK C. LOMBARD, 7553
CHARLES M. LONG, JR., 4657
NICHOLAS J. LOURIAN, 8045
BENJAMIN J. LUCIANO, 7192
JEFFREY AL T. MAC FARLANE, 4532
JAMES D. MAHONEY, 8298
ROBERT K. MALDONADO, 0058
NICO MARCOLONGO, 9959
GRANT D. MARK, 9573
GEORGE W. MARKERT, 3447
BRIAN P. MATEJA, 2145
THOMAS F. MAZZELLA, 3349
COREY E. MC CLAIN, 1629
DAVID J. MC CLOY, 8648
TRACY L. MC GARVIE, 1223
MAURA A. MC GEE, 5719
CATHLEEN M. MC KINNEY, 4894
JAMES A. MC LAUGHLIN, 5685
STEPHEN J. MC NAMARA, 1212
TIMOTHY E. MC WILLIAMS, JR., 3363
PAUL M. MELCHIOR, 8197
JESSE E. MENDEZ, 8385
BRIAN L. MILAN, 9798
SCOTT H. MILLER, 6388
JOSEPH F. MOFFATT III, 0714
IVAN I. MONCLOVA, 9795
BILLY R. MOORE, JR., 7730
SAMUEL K. MOORE, 2857
MATTHEW T. MORRISSEY, 3587
KIRK D. MULLINS, 3241
KAIZAD J. MUNSHI, 6273
FERNANDO T. NATER, 1164
LEONARD E. NEAL, 8538
DAVID R. NETTLES, 7519
JENIFER NOTHELFER, 7468
JAMES J. OLSON, 0160
JOSEPH R. ONIZUK, 8636
MARK A. OSWELL, 9900
PAUL R. OUELLETTE, 9446
SEAN W. PASCOLI, 2148
RYAN W. PATERSON, 2033
MARK P. PATTERSON, 9603
JOHN G. PAYNE, JR., 1040
ADIN M. PFEUFFER, 2786
ROBERT C. PIDDOCK, 3458
JASON T. POWELL, 4734
STEPHEN M. POWELL, 3379
SAMUEL A. PRICE, 8844
ERIC R. QUEHL, 5281
AMY L. RAINES, 8497
JAMES R. READY, 4928
GARY R. REIDENBACH, 6364
MICHAEL D. REILLY, 1768
JUSTIN R. REIMAN, 7149
MICHAEL R. RENZ, 9371
EDWIN R. RICH II, 2510
CHARLES R. RIVENBARK, JR., 2855
GARY T. ROESTI, 3079
JAMES M. ROSE, 6699
KEVIN C. ROSEN, 0486
WILLIAM E. RUDD, 5544
EDWIN O. RUEDA, 5065
BRIAN K. RUPP, 9368
JEFFREY K. SAMMONS, 2430
FRANKLIN V. SANNICOLAS, 8252
JASON A. SANTAMARIA, 7787
SCOTT N. SCHMIDT, 3993
DANIEL A. SCHMITT, 7835
WILLIAM J. SCHOUVILLER, 6757
JOEL V. SEWELL, 6510
PATRICK S. SEYBOLD, 3118
BILLY J. SHORT JR., 4325
PATRICK E. SIMON, 6841
MATTHEW M. SKIRMONT, 0840
GERASIMOS J. SKORDOULIS, 2103
CHARLES E. SMITH, 0971
DOUGLAS W. SMITH, 5644
MICHELLE R. SMITH, 1376
WILLIAM R. SPEIGLE II, 8775
RYAN W. SPRINGER, 8310
ANTHONY R. STARNER JR., 9263
TIMOTHY STEFANICK, 5046
DEAN M. STEFFEN, 7204
MARCUS L. STEWART, 3194
ROBERT E. STPETER, 5884
ANDREW J. STRALEY, 6822
ADAM T. STRICKLAND, 5266
MARK A. SULLO, 4772
SHAWN M. SWANSON, 0951
DANIEL R. TAYLOR, 6751
TERRANCE L. THOMAS, 7972
JAMES R. THOMPSON, 0857
TRUETT A. TOOKE, 1915
KEVIN C. TRIMBLE, 2808
PATRICK M. TUCKER, 7738
CLIFTON L. TURNER, 6403
JOON H. UM, 7650
DAVID T. VANBENNEKUM, 1872
JEFFREY A. VANDAVEER, 1548
MICHAEL C. VANHORN, JR., 3360
JOHN T. VAUGHAN, 7628
TIMOTHY B. VENABLE, 4437
BRIAN J. VENTURA, 7566
KEVIN S. WADA, 9243
ROBERT R. WAFFLE, 8981
ERIC D. WARBASSE, 9707
DEREK J. WASTILA, 4171
PATRICK D. WAUGH, 5298
STEPHAN F. WHITEHEAD, 9833
JAMES B. WHITLOCK, JR., 3262
CRAIG W. WIGGERS, 4810
VERNON J. WILLIAMS, 5519
SAMUEL G. WILLIAMSON, 7725
ANDREW R. WINTHROP, 3809
JAY V. WIRTS, 9321
BRETT C. WITTMAYER, 6129
DONALD R. WRIGHT, 4232
GREGORY A. WYCHE, 1922
GREGORY A. WYNN, 9731
KEVIN E. YEO, 6245
ERIC K. YINGST, JR., 2229
PATRICK J. ZIMMERMAN, 4310

To be second lieutenant

DANN V. ANGELOFF, JR., 4549
DEREK M. BRANNON, 8317
PAUL R. BULLARD, 7503
ROBERT S. BURRELL, 2921
DAVID E. COOPER, 6164
MARK A. CUNNINGHAM, 0760
CHRISTOPHE E. DEANTONI, 3661
NEAL W. DUCKWORTH, 6400
JOHN F. GRIFFIN, 8938
MARK E. HALVERSON, 6970
ROBERT M. HANCOCK, 0612
WILLIAM C. HENDRICKS, IV, 1559
GORDON L. HILBUN, 0326
MICHAEL P. HOWARD, 2708
ROB L. JAMES, 3376
DOUGLAS K. KELLER, 7471
JAMES H. KELLER, 2544
KEVIN R. KORPINEN, 1915
KEVIN J. LEGGE, 2764
JOSEPH F. MAHONEY, III, 8102
SCOTT D. MANNING, 1461
DONALD G. MARASKA, 9764
JACOB M. MATT, 4865
DARREN W. MILTON, 2802
DAVID B. MOORE, 1972
BRIAN W. MULLERY, 4905
DANIEL M. O'CONNOR, 0856
SEAN T. QUINLAN, 4405
SEAN P. RILEY, 6811
CLAIBORNE H. ROGERS, 3981
KELLY D. ROYER, 0230
DENNIS A. SANCHEZ, 4147
JOSEPH G. SCHMITT, 6239
SCOTT D. SEEDER, 3050
KRAIG D. SMITH, 9167
WILLIAM A. THOMAS, II, 7293
ERIC N. THOMPSON, 7696
BRADFORD W. TIPPETT, 6307
DAVID J. VANLANEN, 8505
FRANCIS M. WALD, 8969
JAMES R. WENZEL, 0346

EXTENSIONS OF REMARKS

FAIRNESS FOR SMALL BUSINESS AND EMPLOYEES ACT OF 1998

HON. WILLIAM F. GOODLING
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. GOODLING. Mr. Speaker, I rise today to introduce a bill which will help small businesses, small labor organizations, and employees, in their dealings with the large, aggressive, and burdensome bureaucracy known as the National Labor Relations Board.

The Fairness for Small Business and Employees Act of 1998 (FSBEA), is a bill with four titles—each title a bill previously introduced last session—which will level the playing field for small entities and greatly assist employees waiting for justice from the Board. The Act will assist small businesses and labor organizations in defending themselves against government bureaucracy; ensure that employees entitled to reinstatement get their jobs back quickly; protect the right of employers to have a hearing to present their case in certain representation cases; and, prevent the use of the National Labor Relations Act for the purpose of disrupting or inflicting economic harm on employers.

Let me say how appreciative I am of my friend, Rep. HARRIS FAWELL, of Illinois, chairman of the Subcommittee on Employer-Employee Relations. Rep. FAWELL is the author and sponsor of three of the bills incorporated into this legislation. He has for years done the heavy lifting on labor bills, and brings an unmatched expertise and enthusiasm to these issues. Today I introduce the Fairness for Small Business and Employees Act of 1998 with great gratitude to Rep. FAWELL, and anticipation that he will bring his wisdom to bear as this bill moves through committee and to the floor of the House.

Title I of the FSBEA addresses the problems employers face when victimized by ''salting'' activity—which includes disruption to the workplace, a decline in productivity and quality, and economic hardship on the company and employees who are legitimately working for the good of the company.

''Salting'' involves sending paid or unpaid professional union agents and union members into non-union workplaces under the guise of seeking employment. These agents often state openly that their purpose is to advance union objectives by organizing the employer's workforce. If an employer refuses to hire the union agents or members, the union files unfair labor practice charges.

Alternatively, if the ''salts'' are hired by the employer, they often attempt to persuade bona fide employees of the company to sign cards supporting the union—indeed, that is their sole purpose in accepting employment. The union agents also often look for other reasons to file unfair labor practice charges, solely for purposes of imposing undue legal costs on the employer they are seeking to organize.

Thus, under current law an employer must choose between two unpleasant options; either hire a union ''salt'' who is there to disrupt the workplace and file frivolous charges resulting in costly litigation, or deny the ''salt'' employment and risk being sued for discrimination under the NLRA.

The committee has held numerous hearings on the most abusive aspects of union ''salting.'' Rep. FAWELL introduced H.R. 758, the Truth in Employment Act, on February 13, 1997. He has refined that Act's language, and it is now Title I of the FSBEA.

Title I would amend Section 8(a) of the NLRA to make clear than an employer is not required to hire any person who is not a ''bona fide'' employee applicant, in that ''such person seeks or has sought employment with the employer with the primary purpose of furthering another employment or agency status.'' It is common sense that an employer should not have to hire someone whose true intention is not to work for the employer. Title I sets up a test that would require a determination of the applicant's ''primary purpose.'' If the applicant's motivation is at least 50 percent to work for the employer, they are a ''bona fide'' applicant under Title I and enjoy full rights and protections of the NLRA. This legislation will help restore the balance of rights that ''salting'' upsets, and that is fundamental to our system of labor-management relations.

Title II of the FSBEA is formerly H.R. 1595, the Fair Hearing Act, introduced by Rep. Fawell on May 14, 1997. Title II would require the NLRB to conduct hearings to determine when it is appropriate to certify a single location bargaining unit in cases where a labor organization attempts to organize employees at one or more facilities of a multi-facility employer.

This title is a response to the NLRB's attempt to impose a ''one-size-fits-all'' rule for determining the appropriateness of single location bargaining units. The Board's proposed rule ignores many factors relevant to a bargaining unit's appropriateness, and is a rigid test that ignores realities of the workplace, and undermines the ability of employers to develop flexible solutions to the needs and demands of their workforces. Congress has attached riders to appropriations bills the past two years to prevent the Board from spending any money to impose such a rule, but Title II is necessary to ensure that a specific analysis is conducted of whether or not a single location unit is appropriate, given the facts and circumstances of a particular case. The NLRB wisely decided last week to withdraw its proposed rule, but Title II will permanently protect the employer's right to a fair hearing, and give employers assurance that the Board will not resurrect its proposed rule.

A hearing process—as the Board has conducted for decades—will allow a more complete examination of the comprehensive approach to human resource policies and procedures pursued by many employers today that may influence the bargaining unit determination.

Title III of the FSBEA is formerly H.R. 1598, the Justice on Time Act, which I introduced on May 14, 1997. Title III ensures that the NLRB resolves in a timely manner all unfair labor practice complaints alleging that an employee has been unlawfully discharged to encourage or discourage membership in a labor organization. The legislation amends Section 10(m) of the NLRA to make clear that the Board must dispose of the case not later than 365 days after the filing of the unfair labor practice charge. The legislation provides an exception for cases involving ''extreme complexity.''

Title III recognizes that the lives of employees and their families, wondering whether and when they will get their jobs back, are hanging in the balance during the long delays associated with the NLRB's processing of unfair labor practice charges. It also recognizes that the discharge of an employee who engages in union activity has a particularly chilling effect on the willingness of fellow employees to support a labor organization or to participate in the types of concerted activity protected by the NLRA.

The median time for the NLRB to issue a decision on all unfair labor practice cases in fiscal year 1996 was 591 days and has generally been well more than 500 days since 1982. This length of time is a disservice to the hard-working men and women who seek relief from the Board, and Title III sends a strong message that the NLRA can provide effective and swift justice.

Title IV is formerly H.R. 2449, the Fair Access to Indemnity and Reimbursement (FAIR) Act, which Rep. FAWELL introduced on September 10, 1997. Title IV amends the NLRA to provide that a small employer which prevails in an action against the NLRB will automatically be allowed to recoup the attorney's fees and expenses it spent defending against the unworthy action.

Title IV would apply to an employer (including a labor organization) which has not more than 100 employees and a net worth of not more than $1.4 million. These limits represent a mere 20 percent of the current 500 employee/$7 million net worth eligibility limits for employers under the Equal Access to Justice Act (EAJA), a bill passed with strong bipartisan support in 1980 to provide small businesses with an effective means to fight against abusive and unwarranted intrusions by federal agencies. The EAJA—the vehicle by which employers prevailing against the Board must currently try to recover attorney's fees and costs—has proven ineffective and is not often utilized against the NLRB.

A government agency the size of the NLRB—well-staffed, with numerous lawyers—should more carefully evaluate the merits of a case before bringing a complaint against a small business, which is ill-equipped to defend itself against an opponent with such superior expertise and resources. Furthermore, small employers have been victimized by relatively frivolous lawsuits by the Board, but have been unable to fight the case to its conclusion based on the merits due to lack of resources, and have had to settle the case. Title IV would at least provide some protection for a small

employer or union which feels strongly that its case merits full consideration. If the Board brings a losing case against a ''little guy,'' it should pay the attorney's fees and expenses the company or labor organization had to spend to defend itself.

As a package, these four titles will greatly level the playing field for small companies and unions as they deal with the NLRB; will make sure that employees can depend on the Board for quick justice; will protect a multi-location employers' current ability to have a hearing to look at all relevant factors in determining the appropriateness of a single location bargaining unit; and will help prevent the NLRA from being used to inflict economic damage on employers.

TRIBUTE TO MICHAEL MCDONALD, GENERAL MANAGER OF THE NORTHERN CALIFORNIA POWER AGENCY

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. FAZIO of California. Mr. Speaker, I rise today to pay tribute to Michael McDonald, General Manager of the Northern California Power Agency, who has served the citizens of California since 1985. Mr. McDonald, at the helm of NCPA, has provided public power customers with some of the highest quality electrical service in the nation. I wish him luck in his new career.

Mr. McDonald has served many cities in California. He was City Manager for the City of Healdsburg for eight years. He also spent over a decade at NCPA, a full service Joint Powers Agency comprised of 19 public entities, including the cities of Alameda, Santa Clara, Lodi, Palo Alto, among others. Mr. McDonald has also worked tirelessly as the Chairman of the Transmission Agency of Northern California, a Joint Powers Agency which owns and operates high voltage transmission between California and Oregon; a member of the Western Systems Coordinating Council Board of Trustees; and a member of the California Municipal Utilities Association Board of Governors.

I would like today to honor Mr. McDonald and his contribution to the citizens of California and wish him the best in his future.

1998 CONGRESSIONAL OBSERVANCE OF BLACK HISTORY MONTH

SPEECH OF

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 1998

Mr. CLAY. Mr. Speaker, as we meet today in commemoration of Black History month, I would like to comment on the historic battle for educational opportunity that continues to this day in the state of Missouri. The State of Missouri is proposing to end the 17-year-old school desegregation program that is finally, after more than a century of struggle, beginning to offer equal educational opportunity to black children in the city of St. Louis.

It is almost impossible to comprehend the current controversy surrounding efforts to end St. Louis' successful voluntary school desegregation program without understanding the sad, sordid history of state imposed segregation in Missouri's public schools. In 1847 the Missouri Legislature outlawed teaching reading and writing to colored children. In fact, for the next 18 years it was a state felony for any person to teach blacks to read or write. The crime was considered so heinous that those who committed it were subject to six months in jail and a fine of $500. Fortunately, there were people of courage who stood up to this preposterous law.

Catholics, Quakers and Unitarians, the First Baptist Church, St. Paul A.M.E. and Central Baptist and other colored churches conducted clandestine schools in underground locations. Catholic nuns at the Old Cathedral openly defied the law and taught Negro children. Six Sisters of Mercy defied the state government and opened a school for blacks in 1856.

John Berry Meachum, a former slave, purchased his freedom and then saved enough money to buy a cooperage and boat supply company. He used his earnings to buy the freedom of many slaves and let them work for him until he was repaid. Meachum also became pastor of the First African Baptist Church. During the time that it was illegal to teach blacks to read and write, he operated covert classrooms on boats moored to a sandbar on the Mississippi River. When Meachum's boat schools were discovered, he built a steamboat, equipped with a library, and transported black children and illiterate adults to the middle of the Mississippi River where federal law prevailed. There blacks were taught to read, write and add numbers. His floating school continued until his death.

Despite, the heroic and valiant efforts of a few, the state government was determined to keep the black citizens of Missouri illiterate and uneducated. In 1865 the Missouri Constitution stated: ''Separate schools may be established for children of African descent. All funds provided for the support of public schools shall be appropriated in proportion to the number of children without regard to color.'' The following year the City of St. Louis opened its first school for blacks. This was 28 years after the City had opened its first school for whites. In that era more than 120,000 blacks lived in Missouri and according to the 1865 report of Superintendent Ira Divoli, colored property owners paid taxes on between two and three million pieces of property.

In 1889, the Missouri Legislature enacted a law mandating separate schools ''for the children of African descent.'' A year later, the Missouri Supreme Court upheld the statute and in its unanimous decision declared that ''colored carries with it natural race peculiarities'' justifying the separation of blacks and whites. Six years later, the U.S. Supreme Court in Plessy V. Ferguson declared segregated education the law of the land and ruled that ''separate but equal facilities were legal.'' As ''separate'' became the edict, ''unequal'' became the standard for black tax-supported education throughout the nation and the state of Missouri.

For nearly 80 years after the historic Plessy V. Ferguson decision, the public schools in Missouri were legally segregated institutions of opportunity for white students and ill-equipped, underfunded dungeons of disgrace for black children who were provided an absolutely inferior education. In 1972, a class action suit was filed alleging segregation in the City's public school system. But, in 1979, the federal district court ruled that the St. Louis Board of Education had not violated the Constitution's ''equal protection'' provisions.

Finally, in 1980, the 8th U.S. Circuit Court of Appeals recognized the plight of black children and overruled the 1979 decision. The lower federal court then issued an order allowing busing of children for the purpose of desegregating St. Louis' public schools.

Since 1980, more than $100 million has been expended to improve the all-black schools in St. Louis and to assist the St. Louis County suburban schools which serve inner city children. Those who now condemn seventeen years as too long and assert that the expenditure of public funds has been too extravagant, need to familiarize themselves with the long and costly history of mis-education of blacks and the role played by the State of Missouri in this long, sad story.

I suggest that critics of the St. Louis school desegregation program compare what the State of Missouri spent in dollars and cents to deny black children an equal education with the amount that is now being expended to equalize educational opportunity. It is hardly the time to decry the cost of school desegregation as excessive and wasteful.

Under the court-approved plan each year, 13,000 black children from St. Louis attend public schools in the suburban districts of St. Louis County in the largest voluntary metropolitan desegregation program in the nation. White children from the County attend magnet schools in St. Louis and substantial funds are devoted to early grade reading programs and other educational improvement efforts in St. Louis. These thirteen thousand black students voluntarily board buses in the inner-city each school day and go to the suburban school districts where they learn in an integrated atmosphere alongside middle class white students. These poor black children fit into the latest national study showing that poor children attending predominantly middle class schools do much better than their counterparts who go to school with mostly poor children. And, the record reveals that the 13,000 inner-city students attending integrated and magnet schools in middle class neighborhoods are graduating from high school at twice the rate of students attending all black schools in the inner city.

These 13,000 St. Louis school children may be, at long last, ending one of the ugliest chapters in the history of the State of Missouri. Yet, unbelievably, some state leaders are rushing to dismantle their classrooms.

Mr. Speaker, Black History Month was established to inspire all people to learn a little more about the history of Black Americans. It is a history that Blacks were once denied the opportunity to learn by the power of the state. Those who do not comprehend this are conspiring to gamble away our future.

DANCE MARATHON MAKES SPECIAL CHILDREN'S WISHES COME TRUE

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Ms. SLAUGHTER. Mr. Speaker, I rise today to recognize the students of St. Fisher College

in Rochester, New York, who are holding their annual Dance for Love on February 27 and 28.

This is no ordinary college dance but a 24-hour dance marathon to benefit special children. Over the past fifteen years, the Dance for Love has raised hundreds of thousands of dollars to benefit the Teddi Project at Camp Good Days and Special Times. These generous, caring students give of their time and energy each year to make dreams come true for children.

Established by local leader Gary Mervis in 1980, Camp Good Days and Special Times provides a special haven for children who are coping with cancer, HIV, physical challenges, or violence in their lives. Too many of these children spend most of their time in hospitals and doctor's offices, or battling their way through the challenges of everyday activities. Camp Good Days is a loving environment where they can learn that they are not alone and enjoy activities like boating, seaplane rides, horseback riding, canoeing, fishing, and much, much more. Camp Good Days and Special Times gives hope and laughter to children who have been robbed of much of their childhood.

The Teddi Project is one of a number of programs operated by Camp Good Days. Named for Gary Mervis's daughter, Teddi, who suffered from a brain tumor and inspired her father to start the camp, the Teddi Project makes wishes come true for children with life-threatening illnesses. Wishes range from a new bicycle or party dress to a trip to Disney World or meeting a celebrity. The Teddi Project gives sick children and their parents an opportunity to bring the family together and remember good times. Since 1982, over 1000 children and families have benefited from the Teddi Project.

The Teddi Project could not happen without the loving support of people like the St. John Fisher students dancing this weekend. Though they will finish the weekend weary, they can be proud knowing the dance will have raised thousands of dollars for the Teddi Project. These students are truly an inspiration to our entire community about our power to make miracles happen.

SECRETARY OF STATE ALBRIGHT PRESENTS A CONVINCING CASE FOR NATO EXPANSION

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. LANTOS. Mr. Speaker, during the district work period that is just ending, the Foreign MInisters of Poland, Hungary, and the Czech Republic were here in Washington to present jointly the case for the accession of these three countries to the North Altantic Treaty—Boleslaw Geremek of Poland, Laszlo Kovacs of Hungary, and Jaroslaw Sedivy of the Czech Republic. While the chief diplomats of these three countries were here in Washington, they met with our colleagues in the Senate and with some of our colleagues here in the House. Also during the past week, the President formally submitted to the Senate for ratification the documents for the admission of these three countries to NATO.

I welcome, Mr. Speaker, the President's decision which was affirmed by the heads of government of the other fifteen NATO member countries at Madrid in July of last year to invite the Czech Republic, Hungary, and Poland to become full members of NATO. The admission of these three Central European states to NATO is the next critical step in healing the division of Europe that came about at the end of World War II. As we face the uncertainties of the post-Cold War world, it is critical that the new democratic states of Central and Eastern Europe have the opportunity to join the North Atlantic community of nations—action which will give them the sense of security that will permit them to consolidate the gains of democracy and economic market reform.

Mr. Speaker, two weeks ago, Secretary of State Madeleine K. Albright spoke at a conference of the New Atlantic Initiative here in Washington, and joining her on this occasion were the three visiting foreign ministers from Poland, Hungary, and the Czech Republic. In that address, Secretary Albright made the case for the expansion of NATO clearly and convincingly. I ask that excerpts of her outstanding remarks be placed in the RECORD, and I urge my colleagues to give and give thoughtful consideration to her comments.

REMARKS OF SECRETARY OF STATE MADELEINE K. ALBRIGHT BEFORE THE NEW ATLANTIC INITIATIVE CONFERENCE IN WASHINGTON, D.C., FEBRUARY 9, 1998

Thank you very much. * * * Let me welcome my colleague Foreign Ministers Geremek, Kovacs, Mikhailova and Sedivy to Washington. And let me thank John O'Sullivan, Jeffrey Gedmin and everyone at the New Atlantic Initiative for all you have done to strengthen America's partnership with its friends and allies in Europe, old new new. * * *

These old and new organizations in Europe are part of a truly hopeful global trend that our country has done more than any other to shape. In every part of the world, we have encouraged the growth of institutions that bring nations closer together around basic principles of democracy, free markets, respect for the law and a commitment to peace.

America's place and I believe, correctly—is at the center of this emerging international system. And our challenge is to see that the connections around the center, between regions and among the most prominent nations, are strong and dynamic, resilient and sure. But it is equally our goal to ensure that the community we are building is open to all those nations, large and small, distant and near, that are willing to play by its rules.

There was a time not long ago when we did not see this as clearly as we do today. Until World War II, we didn't really think that most of the world was truly part of our world. This attitude even applied to the half of Europe that lay east of Germany and Austria. Central Europe and Eastern Europe was once a quaint, exotic mystery to most Americans. We wondered at King Zog of Albania; we puzzled about Admiral Horthy, ruler of landlocked Hungary; we laughed with the Marx Brothers as they sang ''Hail, Hail Fredonia.''

Jan Masaryk, the son of Czechoslovakia's first president, used to tell a story about a U.S. Senator who asked him, ''How's your father; does he still play the violin?'' To which Jan replied, ''Sir, I fear you are making a small mistake. You are perhaps thinking of Paderewski and not Masaryk. Paderewski plays piano, not the violin, and was president not of Czechoslovakia, but of Poland. Of our presidents, Benes was the only one who played. But he played neither the violin nor the piano, but football. In all other respects, your information is correct.''

It took the horror of World War II and the Holocaust to get across the message that this region mattered; that it was the battleground and burial ground for Europe's big powers; that the people of Paris and London could neither be safe nor free as long as the people of Warsaw and Riga and Sofia were robbed of their independence, sent away in box cars, and gunned down in forests.

President Bush certainly understood this when, after the fall of the Berlin Wall, he inspired us to seek a Europe whole and free. And President Clinton understood it when, in 1993, he set in motion a process that would bring that ideal to life.

Part of our challenge was to adapt NATO to master the demands of the world not as it has been, but as it is and will be. This meant adopting a new strategic concept, streamlining NATO's commands, accepting new missions and asking our European allies to accept new responsibilities. It also meant welcoming Europe's new democracies as partners, and some eventually as members, in a way that preserves NATO's integrity and strength. For NATO, like any organization, is defined not just by its mission, but by its makeup. The preeminent security institution in an undivided Europe cannot maintain the Iron Curtain as its permanent eastern frontier.

And so last July, after three years of careful study, President Clinton and his fellow NATO leaders invited three new democracies—Poland, Hungary and the Czech Republic—to join our alliance, while holding the door open to others. This month, Canada and Denmark became the first NATO members to ratify the admission of our future central European allies. On Wednesday, President Clinton will send the instruments of ratification to the United States Senate.

The strategic rationale for this policy is straightforward. First, a larger NATO will make us safer by expanding the area of Europe where wars do not happen. By making it clear that we will fight, if necessary, to defend our new allies, we make it less likely that we will ever be called upon to do so. It is true that no part of Europe faces an immediate threat of armed attack. But this does not mean we face no dangers in Europe. There is the obvious risk of ethnic conflict. There is the growing threat posed by rogue states with dangerous weapons. There are still questions about the future of Russia.

And while we cannot know what other dangers might arise in ten or 20 or 50 years from now, we know enough from history and human experience to believe that a grave threat, if allowed to arise, would arise. Whatever the future may hold, it will not be in our interest to have a group of vulnerable, excluded nations sitting in the heart of Europe. It will be in our interest to have a vigorous and larger alliance with those European democracies that share our values and our determination to defend them.

A second reason why enlargement passes the test of national interest is that it will make NATO stronger and more cohesive. Our Central European friends are passionately committed to NATO. Experience has taught them to believe in a strong American role in Europe. They will add strategic depth to NATO, not to mention 200,000 troops. Their forces have risked their lives alongside ours from the Gulf War to Bosnia. Without the bases Hungary has already provided to NATO, our troops could not have deployed to Bosnia as safely as they did. Here are three qualified European democracies that want us to let them be good allies. We can and should say yes.

A third reason to support a larger NATO is that the very promise of it has given the nations of Central and Eastern Europe an incentive to solve their own problems. Aspiring allies have strengthened democratic institutions; made sure soldiers serve civilians, not the other way around; and resolved virtually every old ethnic and border dispute in the region.

I have been a student of Central European history, and I have lived some of it myself. When I see Romanians and Hungarians building a real friendship after centuries of enmity; when I see Poles, Ukrainians and Lithuanians forming joint military units after years of suspicion; when I see Czechs and Germans overcoming decades of mistrust; when I see Central Europeans confident enough to improve their political and economic ties with Russia, I know something amazing is happening. NATO is doing for Europe's east precisely what it did for Europe's west after World War II.

I know that there are serious critics who have had legitimate concerns about our policy. We have grappled with many of the same concerns. Some revolve around the cost of a larger NATO, which will be real. But NATO has now approved estimates which make clear that the costs will be manageable, that they will be met, and that they will be shared fairly.

I certainly understand the concern some have expressed about Russian opposition to a larger NATO. But as Secretary of State, I can tell you that Russia's disagreement on this issue has not in any way hurt our ability to work together on other issues. On the contrary; we have made progress on arms control; Russia now has a permanent relationship with NATO; it has improved its ties with the Baltic states, even as those nations have made clear their desire to join NATO. Russia has a better relationship with Central Europe now than at any time in history; and the differences we still have with Russia would certainly not disappear if we suddenly changed our minds about enlargement.

We need to keep Russia's objections in perspective. They are the product of old misperceptions about NATO and old ways of thinking about its former satellites. Instead of changing our policies to accommodate Russia's outdated fears, we need to concentrate on encouraging Russia's more modern aspirations.

Others have argued that we should let the European Union do the job of reuniting Europe, or at least tell Central European countries that they cannot join NATO until they join the EU. I want the EU to expand as rapidly as possible. But the EU is not in the business of providing security; NATO is. And we saw in Bosnia what a difference that makes.

As for tying membership in one institution to membership in another, it is not in America's interest to subordinate critical security decisions of NATO to another institution. We are a leader in NATO; we're not even members of the EU. The qualifications for joining the EU are vastly different from the qualifications for becoming a member of NATO. Forcing the two processes to move in lockstep makes no sense, neither for the EU nor for NATO.

Others ask why we need to enlarge NATO when we already have NATO's Partnership for Peace. When the Partnership for Peace was established in 1994, I went to Central Europe with General Shalikashvili and with my good friend, Charles Gati, who is with us here today, to explain its purpose. I can tell you the Partnership was never intended to be an alternative to a larger NATO. On the contrary, it has always provided both the opportunity to cooperate with NATO, and a program for preparing to join. That is why so many nations have participated in it so enthusiastically, whether they aspire to membership or not. If we want the Partnership to thrive, the last thing we should do is to tell some of its members that they can never be allies, no matter how much progress they make.

NATO is a military alliance, not a social club; but neither is it an in-bred aristocracy. That is one reason why today every NATO ally agrees that NATO doors must remain open after the first three new allies join. Let us be clear—we have made no decisions about who the next members of NATO should be or when they might join. But let us also have some humility before the future.

How many people—even in this room of experts—predicted in 1949 that Germany would so soon be a member of the Alliance? Who could have known in 1988 that in just ten years, members of the old Warsaw Pact would be in a position to join NATO? Who can tell today what Europe will look like in even a few years? We should not erect artificial roadblocks today that will prevent qualified nations from contributing to NATO tomorrow.

This Administration opposes any effort in the Senate to mandate a pause in the process of NATO enlargement. This would be totally unnecessary, since the Senate would, in any case, need to give its advice and consent to any new round of enlargement. It would also harm American interests by surrendering our leverage and flexibility, fracturing the consensus NATO has reached on its open door, and diminishing the incentive Central European countries now have to cooperate with the Alliance.

Some critics have said NATO enlargement would draw a destabilizing dividing line in Europe. A larger NATO with an open door will not. One round of enlargement with a mandated pause would. President Clinton and I will keep on addressing these concerns, and others, in the days ahead. The debate has been joined, and it will continue.

But already an extraordinary coalition has come together to say NATO enlargement is right and smart for America. It includes American veterans, who do not want their country to have to fight another war in Europe; American business, which understands the link between security and prosperity; American labor, which aided freedom's victory in Europe and wants it to endure. It includes every living former Secretary of State, a half a dozen former National Security Advisors and five Chairmen of the Joint Chiefs.

The debate about a larger NATO might easily have provided an opportunity for skeptics to praise isolationism. Instead, it has given the American people and the Congress an opportunity to bury it. And I have confidence that is what will happen.

If the Senate says yes to a larger NATO—and I believe it will—that will be a vote for continued American engagement in Europe. It will be a signal that America will defend its values, protect its interests, stand by its allies and keep its word.

We'll need that same spirit to prevail when the Congress faces its other foreign policy tests this year. For example, the President and I are asking the Congress to pay what our country owes to the International Monetary Fund and to the United Nations. At issue is a very simple question. Will we stand alone in the face of crises from Gulf to Rwanda to Indonesia, asking American soldiers to take all the risks and American taxpayers to pay all the bills? Or will we support organizations that allow us to share the burdens of leadership with others? This is not least an issue in our relationship with Europe. When we challenge our allies to meet their responsibilities to us, it hurts our case when we are seen as not meeting ours. . . .

It is my great hope that Poland, Hungary and the Czech Republic will be part of a transatlantic partnership that is not only broader, but deeper as well; a partnership that is a force for peace from the Middle East to Central Africa; a partnership that has overcome barriers to trade across the Atlantic; a partnership strong enough to protect the environment and defeat international crime; a partnership that is united in its effort to stop the spread of weapons of mass destruction, the overriding security interest of our time.

However old or new the challenges we face, there is still one relationship that more than any other will determine whether we meet them successfully, and that is our relationship with Europe. The transatlantic partnership is our strategic base—the drivewheel of progress on every world-scale issue when we agree, and the brake when we do not.

In cultivating that partnership and extending it to those free nations that were too long denied its benefits, I pledge my continued best efforts, and respectfully solicit all of yours.

CONGRATULATIONS TO ROOSEVELT HIGH SCHOOL

HON. GEORGE P. RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. RADANOVICH. Mr. Speaker, I rise today to congratulate Fresno Unified School District's Roosevelt High School for winning the California School Board Foundation's Golden Bell Award. Fresno Unified's Roosevelt High School was recognized for this prestigious award for its Family and Community Program. Additionally, Roosevelt High has been successful in creating other programs and activities to draw parents and community members into the school.

The Golden Bell Awards program promotes excellence in education by recognizing outstanding programs in school districts and county offices of education throughout California. The Golden Bell Awards reflect the importance of the education necessary to address the changing needs of students. This awards program contributes to the development and evaluation of curriculum, instruction and support services. It seeks out and recognizes innovative or exemplary programs which have been developed and successfully implemented by California teachers and administrators. The program also focuses on recognizing and supporting educators who invest extra energy and time to make a demonstrated difference for students.

Roosevelt High, built in 1928 for a student body of 1,700, now houses 3,669 young people of diverse backgrounds. Approximately 60% of the student body is Hispanic, 20% Asian, 10% African American, and 10% are white. The remainder of the students are Native American and come from other countries including India. In 1983, Roosevelt School of the Arts was created for the purpose of desegregation. Roosevelt School of the Arts provides quality visual and performing arts opportunities for nearly six hundred students from all over Fresno. The faculty and administrative staff consist of educators who are also talented artists.

The faculty, staff, students, and parents of Roosevelt High School have received many awards and grants. Roosevelt was awarded the California High Schools Network grant in 1993 and the SB1510 Technology grant in 1994. The School was presented with the National Science Teacher of the Year Award in 1996, the California School Boards Association Golden Bell Awards for parent and community involvement in 1995 and 1997, and the State Board of Education Distinguished Schools Award in 1996. Two student volunteers and one adult volunteer for the school have received Fresno County Volunteer Bureau Volunteer of the Year awards for 1995, 1996, and 1997.

Mr. Speaker, it is with great honor that I congratulate Fresno Unified School District's Roosevelt High School for winning the California School Board Foundation's Golden Bell Award. The students and faculty of this school exemplify a care for the community and a dedication to hard work. I ask my colleagues to join me in wishing Roosevelt High School many more years of success.

FIGHTING HUNGER 365 DAYS A YEAR

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. SHERMAN. Mr. Speaker, I wish to share with our colleagues remarks made by Wayne S. Bell, who serves as Trustee and Secretary of the Ralphs/Food 4 Less Foundation. Around the holidays, individuals are much more likely to donate food to the needy, but then contributions typically decrease over the remaining months. This organization works to call attention to the problem of hunger that exists throughout the year. They recently awarded $100,000 in grants to thirteen recipient organizations that are leading the fight against hunger in Los Angeles. Wayne's remarks reflect the seriousness of this cause and the need for all communities to join together to do more in addressing the issue of hunger.

Wayne's remarks follow:

Thank you Joe [Haggerty],[1] and good morning everyone.

The Ralphs/Food 4 Less Foundation is proud to join with United Way of Greater Los Angeles in the fight against hunger. Tragically, as the statistics show, over 1 million people are affected by hunger in Los Angeles County on a daily basis. Our partnership with United Way in this effort came about as a result of our independent commitments to address the problem of hunger.

United Way has long been a leader in assessing need and delivering funding to programs that positively and favorably impact the lives of people throughout the Los Angeles community. Joe has told you about United Way's Impact Goals, which are in essence a blueprint to tackling some of the more serious concerns of those who live in poverty.

The Ralphs/Food 4 Less Foundation established its Foundation Hunger Program with a modest goal of allocating nearly $300,000 per year to help organizations that serve the needs of those faced with hunger due to poverty, homelessness, emergency circumstances, and/or illness. In the course of examining the persistent problem of hunger, which, as we all know too well, sadly perpetuates the cycle of poverty, we became familiar with United Way's commitment to institute measurable Impact Goals to increase awareness of the problem and to improve access to available food programs for those in need. It became clear that we could be much more effective in our independent efforts if we combined forces.

The joint program of The Ralphs/Food 4 Less Foundation and United Way of Greater Los Angeles is aptly called ''Fighting Hunger 365 Days A Year'' to bring attention to the constant, year round problem of hunger and the additional burden on service providers when donations drop-off after the December holidays. While giving is good at any time, too often it falls off dramatically or ceases altogether following the holidays. We hope to set an example for other corporations, businesses, individuals and foundations, and invite them to join with us and United Way to assist organizations that are on the front lines in the fight against hunger.

Please join me in applauding the 13 grant recipients who are here today. They are truly making a difference by Fighting Hunger 365 Days A Year. Congratulations to all of the recipients.

Thank you.

[1] President, United Way of Greater Los Angeles

A TRIBUTE TO A.J. NASTASI: PENNSYLVANIA'S ALL-TIME HIGH SCHOOL BASKETBALL SCORING LEADER

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. SHUSTER. Mr. Speaker, I rise today to pay tribute to a young man who has made an athletic accomplishment that many people thought would probably not be broken. A.J. Nastasi, a student at Northern Bedford High School located in Loysburg, Pennsylvania, broke the Pennsylvania Boys High School Basketball Scoring record on Saturday, February 7, 1998, with 3,627 points. I was fortunate enough to be in attendance for this historic game, watching A.J. and his teammates take on my hometown's team from Everett, Pennsylvania. A.J. has demonstrated great poise and maturity throughout this exciting basketball season, a trait no doubt attributed to his family. It should be noted that the previous record holder is a former colleague of mine here in the House of Representatives, former Representative Tom McMillen of Maryland. Tom set the state record in 1970 at Mansfield High School, scoring 3,608 points, and went on to a successful college and professional basketball career before coming to Congress. It was a privilege to be invited to honor A.J. and celebrate this momentous occasion with the many fans, friends and family members in attendance. Next Fall, A.J. will be attending West Virginia University as a scholar-athlete. A.J. has become part of an esteemed group of athletes through his accomplishment. I wish A.J. the best in his future endeavors, and hope that he continues his success on and off the court.

TRIBUTE TO PATSY WATKINS

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. BOEHNER. Mr. Speaker, I want to recognize Mrs. Patsy Watkins, who is retiring as Director of the Shelby County Board of Elections.

Patsy Watkins has served the citizens of Shelby County on the Board of Elections for the past 17 years. In addition to her duties at the Board of Elections, Patsy has served on Congressman Mike Oxley's service academy review board and as chairperson of the Shelby County Republican Central Committee. On top of all this, she finds the time to be a loving, devoted wife, mother and friend.

Patsy is a quiet leader and confidante to many. While representing Shelby County, I have appreciated her words of wisdom and her friendship. She has never been shy about telling it like it is.

Abraham Lincoln said, ''A good leader avoids issuing orders, preferring to request, imply or make suggestions.'' Like Abe Lincoln, Patsy Watkins attained success, admiration and a positive image by practicing these principles. Patsy proved to be an effective leader; choosing a subtle, softer path rather than a heavy-handed approach. For this reason, among others, Patsy has become the backbone of the Republican Party in Shelby County.

It is no coincidence Shelby County voters are energized. Through Patsy's leadership and hard work, Shelby County has enjoyed Republican success in recent years. She has worked to promote conservative values and elect those who share her vision for better government. Congressman Mike Oxley, who represented the citizens of Shelby County prior to 1992 said, ''Patsy epitomizes the Republican Party in Shelby County.''

Mr. Speaker, it is with great pride and admiration that I rise to recognize Patsy Watkins for her service to the citizens of Shelby County. For those of us who know her for service to her community, we are grateful. For those of us who are fortunate to call Patsy friend, may God bless her with a long and fruitful retirement.

CONGRESSIONAL RECORD STATEMENT UPON THE RETIREMENT OF JOHN DAPONTE

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. CRANE. Mr. Speaker, on December 31, John DaPonte retired from U.S. Government service and returned to his home state of Rhode Island after having served at the FTZ Board since 1968. The retirement of a federal official happens most every day. However, I believe it is important that John DaPonte's career in government be remembered because of the impact that he and the Foreign-Trade Zones Board have made on U.S. trade policy, U.S. companies in the global marketplace, and the economic development of a wide range of communities in the United States. There are

few federal government officials who have made such a direct positive impact on the subject they manage.

The agency for which he worked, the Foreign-Trade Zones Board, is one of the smallest federal agencies in Washington, DC with only nine employees. It is so small that it does not have a line item in the federal budget. In 1968, zone projects existed in only 6 states and Puerto Rico and were very modest in size; today, Foreign-Trade Zones Board activity is in all 50 states and Puerto Rico. During his tenure at the Board, the Agency's zone projects increased from 9 in 1968 to 586 in 1997, a yearly growth rate of 221%; domestic merchandise receipts grew from $18 million in 1968 to $125.6 billion in 1996, an average yearly rate of 24,933%; and employment increased from 1,200 jobs in 1968 to 370,000 jobs in 1996, an average yearly rate of 1138%. There are few, if any, federal agencies with this growth record. John DaPonte deserves a thank you for managing an important U.S. trade program that grew rapidly over the last 30 years with very modest resources.

The Foreign-Trade Zone program is an economic development tool for communities providing financial assistance to many troubled U.S. industries, as well as to foreign-based firms interested in establishing U.S. production operations, by helping them be competitive in the global marketplace. Foreign-trade zones place U.S. production facilities on an equal footing with foreign operations. This benefit requires investment and jobs in the U.S. as opposed to another country. Industry groups become involved in the Foreign-Trade Zone Program in order to solve trade problems. Major industries involved In the program include shipbuilding, motor vehicles, oil refining, pharmaceuticals, information technology, etc.

The growth of the Foreign-Trade Zone Program required a very significant amount of effort by the staff of the Foreign-Trade Zones Board. The Foreign-Trade Zones Act or laws pertaining thereto were amended in the 1968 to 1997 period on thirteen (13) occasions. Mr. DaPonte implemented many new procedures at the Foreign-Trade Zones Board including Minor Boundary Modifications and Grant Restrictions to assist in managing the very rapid growth of the program in a balanced manner and without major funding or personnel. In 1968, 2 Applications for new projects were filed; in 1997, 85 Applications were filed. Board Orders approving new zone projects grew during the period from 3 Board Orders issued in 1968 to 78 Board Orders issued in 1997.

In order to effectively manage the developing program, a wide range of Customs management changes were necessary. The Board supported these changes when it issued Board Order 103 on November 27, 1974, encouraging Customs to manage zone projects in a new and innovative manner. In 1981, the U.S. Customs Service published its first Foreign-Trade Zone Manual, which has been subsequently updated. In 1986, the U.S. Customs Service Regulations were totally rewritten to reflect the many necessary changes to the zone program. Special new procedures introduced to expedite activity included valuation of manufactured products, recognition of industry inventory methods, Customs audit management, direct delivery, daily CF 214s, and weekly entries.

In order to undertake its activities, the Foreign-Trade Zones Board actively interfaces with a wide range of U.S. government agencies. Most importantly, was the Board's continuing involvement with state and local governmental organizations that carried out most zone activity. At a time when Washington is trying hard to empower states and localities, it would do well to look at the positive program developed under John DaPonte's leadership. The Foreign-Trade Zone Program, from the beginning, has been one that actively engaged states, counties, cities, and port authorities on a wide range of bases to encourage local economic development activities. Literally hundreds and thousands of meetings and reports and articles were written over the period that Mr. DaPonte was at the Foreign-Trade Zones Board on all of these issues.

It is clear that during John DaPonte's tenture at the Foreign-Trade Zones Board, the program experienced extraordinary growth. He managed this high level of growth effectively with extremely modest personnel and budget resources. No other Federal agency has created such a positive impact on our nation's balance of trade with such limited resources. John DaPonte's involvement in the Federal Government is a classic example of the federal government at its best. Today, we remember the positive contributions of John DaPonte in Washington, DC to U.S. trade. This Congress thanks him for his efforts and wishes him well in his future endeavors.

TRIBUTE TO GARY SUDDUTH

HON. MARTIN OLAV SABO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. SABO. Mr. Speaker, I rise before you today to acknowledge a great man from Minneapolis who was an outstanding leader in Minnesota's African American community. In honor of Black History Month, I would like to take this opportunity to once again pay tribute to Gary Sudduth, who died suddenly on July 28, 1997, at the young age of 44.

As we celebrate the final week of Black History Month, I thought it appropriate to resubmit my commemoration of the life of Gary Sudduth, who made a profound impact on the African American community as well as everyone who knew him. He is sadly missed. The following is my July, 1997 tribute to Gary.

Minnesota lost a passionate voice for social and economic justice when Gary Sudduth, the Minneapolis Urban League President, died suddenly on July 28, 1997, at age 44. His untimely death strikes a blow to the community and efforts to make our cities better places to live, work and learn.

For years, Gary's reputation as an effective force for social change was well-known, not only in Minnesota, but across the nation. In the process, he touched and improved the lives of millions.

Gary was born and raised on the North side of Minneapolis with his eight brothers and sisters. He continued to live there until his death. In 1977, he joined the Minneapolis Urban League, and I first knew him as the young, active director of its juvenile advocate program. Later, he became director of the Street Academy and then vice president of community outreach and advocacy programs. In 1992, Gary was named president and chief executive officer.

Throughout his tenure, Gary united people from all walks of life to focus on a common goal—improving the social and economic conditions for people in urban areas. He knew how to negotiate with his adversaries and to prod his friends—all in the name of implementing policies that would revitalize cities and benefit their inhabitants. At the same time, he sought long-lasting solutions for problems, not quick fixes. Above all, he listened and he led, sustained by the belief that every problem had a solution.

Gary demanded fairness, excellence and accountability from the government, from our schools and from the legal system. He challenged the establishment and the status quo to accomplish the changes he saw necessary—all the while speaking out for minorities, the poor and for children. His moderating style and negotiating skills often brought calm, compromise and peace to Minneapolis at times when crisis and unrest threatened to destabilize it.

It will be difficult for the community to replace the talents and drive of Gary Sudduth, who made the work of the Urban League his mission. The way he lived his life was an example for us all—in fact it was his greatest asset. The city of Minneapolis, the state of Minnesota, and indeed the nation are better off for his commitment and his contributions. That is his enduring legacy. I hope his example has inspired a new generation of leaders and urban advocates who will try to emulate his life's work.

THE SKILLED WORKFORCE ENHANCEMENT ACT

HON. JAMES M. TALENT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. TALENT. Mr. Speaker, I rise today to make the point that as this Nation prepares for the 21st century, we are facing a severe shortage of skilled workers in the metalworking industry. For years we have relied on inefficient, big-government programs to train our workforce. This approach has obviously failed and the time has come to change.

The metalworking industry covers precision machinists, die makers, mold makers, as well as tool and die designers. These workers can make just about anything. They produce the parts that are shipped off to larger companies, such as Ford Motor Co. or Boeing, just to name a couple of examples. If you ask a person in the industry ''What do you make?'', he'll respond, ''What do you want?'' and proceed to produce your tailor-made products. These companies are the backbone of manufacturing in America. Without them, mass production of manufactured goods would not be possible. That is why it is imperative we act to help this industry recruit and train new skilled workers. Something must be done.

In my district in St. Louis, we have a large number of small precision machining plants. These plants have good jobs available at good pay but cannot find trained employees. The tax burdens placed on these small firms makes it nearly impossible for most of them to even consider taking on the high costs of training new workers themselves.

The Department of Labor estimates that the need for skilled labor in these trades is 2 percent annually of the current workforce. But with little new blood entering the industry, that percentage climbs to 5 percent when you take into account the aging factor. Indeed, the majority of workers in the industry are fast approaching retirement age.

If we fail to alleviate this shortage of skilled workers, we will soon see the Ford Motor Cos. and Boeings take their business overseas to foreign competitors who have sufficient labor, while American businesses just disappear.

On January 27, I introduced H.R. 3110, the Skilled Workforce Enhancement Act, to return power and resources back to these small business owners so that they can address their need for new skilled workers. My bill would allow these small shop entrepreneurs to train people in their own plants. Currently, such training is cost-prohibitive to most small businesses. H.R. 3110 would allow the employer to train an individual through an 8,000 hour, 4-year apprenticeship program and, after completion, the trainee would be hired on for at least 1 year. In exchange, the employer will receive a tax credit of up to 80 percent of the wages paid to the apprentice, starting after the 5th year, in 20 percent increments for 5 years. The newly trained employee will have already been paying taxes for 5 years before the employer begins to receive the credit.

We need to pass this bill because it will: I. Provide a needed incentive to have the people who know the industry train the next generation of skilled workers in the metalworking trades; II. shift the responsibility of training from the bureaucracy to the private sector; III. encourage us to keep jobs in this country rather than recruiting from overseas; and IV. give small business some much-needed tax relief.

I would like to thank my constituent, Mr. Bill Bachman, Sr. of Bachman Machine Co., Inc. of St. Louis, MO, for his research, hard work, and most of all, his persistence in getting this legislation introduced. It is a workable solution that he and Mike Mittler of Mittler Bros. Machine & Tool proposed to help solve a real, and increasingly urgent problem in their industry. I would also like to thank John Cox and Becky Anderson of the National Tooling and Machining Association for their assistance on this issue. And I thank my colleagues, Representatives RON PAUL (R-TX) and STEVEN LATOURETTE (R-OH) for being original cosponsors of this bill.

Mr. Speaker, we have people who need good jobs and good jobs waiting for the right people. Let's match them up. I urge all my colleagues on both sides of the aisle to become a cosponsor of the Skilled Workforce Enhancement Act.

A TRIBUTE TO SANDY HUME

HON. TOM DeLAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. DeLAY. Mr. Speaker, I rise today to pay tribute to an energetic, intelligent and gifted young man who tragically died over the weekend.

Sandy Hume was a rising star in the media world. An aggressive reporter, Sandy broke the biggest congressional story of the year in 1997, regarding the frictions in the House Republican leadership. I didn't always agree with Sandy's conclusions, but his reporting was first class.

I'll always remember Sandy, roaming the halls of the Congress, hanging out in the Speaker's lobby, getting insights from so many members of Congress. He had a gift for understanding the news business, and he had a knack for getting the story first.

Sandy Hume represented the best of the younger generation. He worked hard, but he didn't let hard work upset his perspective. He had an innate sense of right and wrong, an abounding sense of fairness and a healthy skepticism of the political class that served him well as a reporter.

Sandy's death is tragic. Our souls survive death, the Roman poet said, and we know that Sandy's soul lives on. But all of us who knew him will miss Sandy's spirit, his sense of humor, and his sense of mission.

I want to extend my deepest condolences to his family, including Sandy's father Brit and his wife Kim, Sandy's mother Clare, and Sandy's sister, Virginia.

TRIBUTE TO JUDGE JUELANN K. CATHEY

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. SHERMAN. Mr. Speaker, I rise today to pay tribute to Judge Juelann K. Cathey, who will be honored by the San Fernando Valley Bar Association for her many accomplishments throughout her career.

For over two decades, Juelann has dedicated her time and energy to our community through her work in the legal system. After graduating from the University of San Fernando Valley College of Law with honors, Juelann began her career as public defender in Colusa County. She was quickly promoted to Assistant District Attorney. Recognized for her hard work ethic and dedication, Juelann has continued to advance within the system. She now serves as the Los Angeles Municipal Court Commissioner.

Perhaps one attribute that colleagues find most refreshing is Juelann's ability to handle a stressful situation with humor. Though everyone is well aware of the seriousness of the issues she deals with on a daily basis, her grace under pressure puts everyone in the courtroom at ease. In addition, Juelann's ability to mediate situations successfully and her willingness to incorporate the ideas of others make her well respected among lawyers and her court staff.

These achievements are a testament not only to Juelann's dedication to her career, they also illustrate her strength of character and perseverance. Though Juelann is widely respected throughout our community for her demeanor in the courtroom, perhaps it is her personal strength and will to succeed which is so amazing. Widowed at the age of 28, Juelann was left to raise six young children on her own. Realizing that she needed to financially support her family, she decided to attend law school. Balancing school work and family was not easy, but Juelann excelled at both.

Booker T. Washington once said that, ''Success is to be measured not so much by the position that one has reached in life as by the obstacles which one has overcome while trying to succeed.'' Faced with a devastating personal tragedy, Juelann chose to move forward, making a life for her children and working to improve the social conditions within our community.

Mr. Speaker, distinguished colleagues, please join me in paying tribute to Judge Juelann Cathey. She is truly a role model to those with whom she interacts, not only in the courtroom, but in the community as well.

CONGRESSMAN BENJAMIN A. GILMAN AWARDED COMMANDERS CROSS OF THE ORDER OF SERVICE OF THE POLISH REPUBLIC

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. LANTOS. Mr. Speaker, I rise today to call to the attention of my colleagues in this House the very high honor recently bestowed upon our colleague from New York, Congressman BENJAMIN A. GILMAN, the Chairman of the International Relations Committee. During a visit to Poland last month as head of a congressional delegation, Congressman GILMAN was presented with the Commanders Cross of the Order of Service of the Republic of Poland by the Minister of Foreign Affairs, Boleslaw Geremek. The award was made at the direction of the President of the Republic of Poland, Aleksander Kwasniewski.

The Order of Service is given to foreigners and to Polish citizens permanently resident abroad for distinguished service in support of cooperation between nations. The Commanders Cross is awarded to distinguished political leaders and leaders in the fields of culture, art, and science. The order was created by the Sejm (the Polish Parliament) in 1992. Previous recipients of this honor include Dr. Henry Kissinger, our former Secretary of State.

The decision to decorate Congressman GILMAN with the Commanders Cross of the Order of Service is a most appropriate recognition of his activities in support of cooperation between the United States and Poland, as well as cooperation with Poland and other countries of Central and Eastern Europe in their desire to be admitted to NATO. As the Chairman of the Committee on International Relations in the 104th and 105th Congress (since 1995) and as the Ranking Member of the Committee on Foreign Affairs during the 103rd Congress (1993–1994), Congressman GILMAN was one of the leaders in the Congress in encouraging the expansion of NATO to encompass the newly democratic countries of Central and Eastern Europe, including Poland. Legislation that he introduced has provided important authorities to the Administration permitting the provision of assistance to these countries which have been proposed for membership in NATO, and the strong support in Congress for Congressman GILMAN's legislation has been an important indicator of Congressional support for NATO expansion.

Mr. Speaker, I invite my colleagues in the Congress to join me in extending congratulations and best wishes to BEN GILMAN for his receiving this most appropriate recognition of his outstanding contribution to the excellent relations between the United States and Poland.

SALUTE TO THE HONOREES OF THE INTEGRITY MASONIC TEMPLE'S PAST MASTERS' BANQUET

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention the Past Masters' Banquet of the Integrity Masonic Temple of Paterson, New Jersey. Honored at the banquet will be Bob Bolling, Leroy Walker, Willie Harris, Levi Price, and Harrison Adams.

Bob Bolling, was born to the late Sidney and Olivia Bolling on May 25, 1940 in Baltimore, Maryland. Bob lived in Buffalo, New York from which he enlisted in the U.S. Army on April 22, 1958, and served a total 10½ years on active duty.

Upon completion of basic and advance training, Bob served two tours of duty in West Germany from 1958 to 1960 and 1961 to 1965. After completion of heavy helicopter maintenance supervisor training, he was assigned to duty in South Vietnam from 1966 to 1967. Returning stateside, Bob was assigned to duty at Fort Sill, Oklahoma until October 30, 1968 whereupon he was discharged from the Army. Joining the Army Reserve program in 1974 as a Staff Sergeant, he served in the 2nd brigade, 76th and 78th divisions. On January 18, 1997, Bob was promoted to Chief Warrant Officer 4 and is presently serving with the 800th Military Police Brigade in Long Island.

Bob, a resident of the City of Paterson, worked at a variety of jobs, including the state Department of Corrections (1973–1975). In early 1975, Bob joined the Passaic County Sheriff's Department and was given many assignments at the County Jail including Floor Control Officer, Day Shift Supervisor of the Jail's Satellite Housing Unit at Preakness Hospital, and Supervisor of the Ombudsman's Office, from which he retired in April 1994 with the rank of Lieutenant.

Bob received an Associate's Degree in Police Science from Bergen Community College 1978, and a Bachelor's Degree in Criminal Justice from William Paterson College in 1980. He enjoys membership in numerous organizations including the Reserve Officer Association, the Reserve Warrant Officer Association, the American Legion, Disabled American Veterans, the Passaic County Mental Health Association, the William Paterson College Alumni Association, and the Paterson NAACP.

Bob is married to the former Ester Palmer and together, are the proud parents of Damia Ann, a graduate of Clark University, and Ajamu Sekou, a student at Passaic County Technical Institute.

Leroy Walker was born on January 23, 1949 to Janie May Walker and the late Roy Walker, and is married to Minnie Walker. He attended Paterson Public School #12 and graduated from Eastside High School in 1966 whereupon he enlisted in the United States Marine Corps. Leroy served tours of duty in the United States, Vietnam, and Japan and was honorably discharged as a Sergeant. Upon returning to Paterson, he worked at a variety of jobs including Broadway Bank and the *Bergen Record*.

In 1972, Leroy joined the Paterson Police Department where he served for the past 25 years and has received several awards for valor as well as community service. He is also a Certified Police Instructor for the State of New Jersey and is a member of PBA Local #1. In 1995, Leroy was promoted to the rank of Sergeant and is now presently serving as Detective Sergeant with the Paterson Juvenile Division. While working for the Paterson Police Department, Mr. Walker attended William Paterson College and graduated with a Bachelor's Degree in Public Safety Administration.

Willie Harris was born in Camden, South Carolina to Logie and Bertha Harris. He graduated from the Mather Academy in Camden upon which he worked at Brown's Funeral Home as a licensed funeral director. Willie joined the Air Force in 1956 and served four years on active duty. He came to Paterson in 1960 and joined the Air National Guard Reserve and was honorably discharged in 1962.

Willie and his wife, Joyce Wilson, are the proud parents of two children, Tona Peel, and Tyson, and the proud grandparents of four grandchildren, Marquis, Ashley, Naja, and Tiana.

Levi Price was born in Lexington Park, Maryland, the son of Robert and Maggie Price. He graduated from G.R. Whitfield High School in Grimesland, North Carolina. After graduating from high school, Levi worked in a variety of jobs, and presently works for the Marangi Sanitation Company of Paterson. Levi is married to Mattie Price, and together are the proud parents of three children, Tony, Angelie, and Janita, and proud grandparents of seven grandchildren.

Harrison Adams was born in Ridgewood, New Jersey and attended school in Paterson. He is a graduate of Passaic County Technical and Vocational High School in Wayne and the Barnet Temple Culinary Institute. Harrison has worked for Marcus Jeweler for 9½ years, and the Meadowlands Sport Facility for six years.

Mr. Speaker, I ask that you join me, our colleagues, the family and friends of Bob, Leroy, Willie, Levi, and Harrison, and the City of Paterson in recognizing the many outstanding and invaluable contributions to our society of Bob Bolling, Leroy Walker, Willie Harris, Levi Price, and Harrison Adams.

TRIBUTE TO NEW YORK STATE MILITARY FORCES AND THE 10TH MOUNTAIN DIVISION (LIGHT INFANTRY)

HON. JOHN M. McHUGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. MCHUGH. Mr. Speaker, I want to take this opportunity to pay tribute to the New York State Division of Military and Naval Affairs and the Army's 10th Mountain Division (Light Infantry) at Fort Drum, New York for their extraordinary efforts on behalf of the people of Northern New York during one of the worst ice storms to ever hit the region. Their efforts represent the finest tradition of joint training and missions.

In January, a devastating storm swept through the northeast, paralyzing most of Northern New York. The ice storm toppled trees, grounded power wires, created flooding and left more than 100,000 homes, businesses, schools and other public and community facilities without power and communications in the bitter cold. The devastation was so severe that six counties were declared a Federal disaster area.

The New York State Division of Military and Naval Affairs' immediate National Guard response and continuous coordination with the Army's active 10th Mountain Division (Light Infantry) provided full coverage of the disaster area throughout the crisis. Thousands of men and women from the New York Army National Guard, Air National Guard, New York Guard and Naval Militia, and 10th Mountain Division (Light Infantry) were committed to the emergency.

The 10th Mountain Division (Light Infantry) and New York State military forces worked tirelessly to bring needed help to North Country residents. Most people were without heat, water and other basic necessities, some for days, others for weeks. Military personnel delivered generators to homes, shelters and businesses crucial to Northern New York and went door-to-door checking on the well-being and health of residents and bringing food and water. For many, their round-the-clock efforts, in conjunction with that of thousands of local volunteers and county emergency management personnel, and the Fort Drum civilian workforce, meant the difference between life and death.

I am proud and honored to have as neighbors such fine men and women serving New York State and our Nation. Throughout the crisis, the North Country witnessed first-hand the high caliber and professionalism of our military personnel. We owe them a debt of gratitude for all that they do and all that they have done. I am pleased to have this opportunity to extend my most sincere thanks to them for making a difference under dire circumstances.

Mr. Speaker, I would also like to share with you the following letters from two of my constituents, Sanford Jones of Black River and Martha Hartle of Potsdam, addressed to Major General Lawson Magruder, Commander of the 10th Mountain Division (Light Infantry) and Fort Drum. These two letters are illustrative of scores of tributes which have been sent to him, the New York National Guard, local newspapers and my office.

Potsdam, NY, January 19, 1997.

Maj. Gen. LAWSON W. MAGRUDER, III
Secretary of General Staff, Fort Drum, NY.

DEAR SIR: As coordinator of disaster medical services at the Maxcy Hall Shelter in Potsdam during Ice Storm '98, I am writing to thank you and your Fort Drum troops who came to help us out at the shelter. The first few days of the storm offered several challenges that were frightening, to say the least. And then, in came the Fort Drum people. My sense of relief and that of my fellow volunteers can not be overstated when we realized that help had arrived in the guise of military uniforms.

I want to specifically commend the actions of Sergeant John Ott, Lieutenant Cathleen Shultz and Chaplain Swain who continually offered administrative support and skilled medical assistance to me and the volunteers, as well as emotional and personal care support to our elderly. Without them, I am certain that the services we offered at the shelter would have been substantially diminished.

Sergeant Ott served as my administrative support and never wavered in his duty. He was always respectful and quick to offer knowledgeable and helpful advice. He taught me a lot about delegating and yet never

flinched at any duty I asked him to address. When the troops arrived, John offered to set up a duty schedule for me and he did a fantastic job. We were all tired, and his schedule provided each of us some much needed rest. He is a soldier of whom you can be proud. I will never forget his friendly smile and warm good humor during such a difficult time.

Lieutenant Shultz was my right-hand medical person. She dealt with several medical situations that would normally be less challenging, and she responded well. She always kept her sense of humor and helped to keep our perspective. She dealt well with the young, the old, and the medically compromised. Her calm and efficient care provided our folks the sense of security was needed during this tremendously difficult time.

Chaplain Swain was also the perfect person for our shelter. I had made it clear that we must do everything we could for our seniors who were distressed by leaving their home. Chaplain Swain fell right into that role and spent countless hours listening, talking, hugging, and praying with our ''guests.'' When a recently recovering alcoholic requested a bible, knew just the person for the job—Chaplain Swain. His kind, calm demeanor was heart warming to me when I had an extra minute to observe his interactions with our people. The Chaplain also spent time lifting patients, personal assistance with bathroom and other personal details, and helped feed those needing assistance.

Sir, this ice storm has provided the perfect opportunity for North County people to experience first hand the remarkable assets provided by our military and enjoyed by our Country. Ott, and Swain are three names that stand out in my mind, but be assured that every soldier who arrived at the Maxcy Hall Shelter in Potsdam spent days demonstrating to us that they are caring, loyal, and unselfish people.

Sincerely,

MARTHA E. HARTLE.

BLACK RIVER UNITED
METHODIST CHURCH,
Black River, NY, January 20, 1998.

Maj. Gen LAWSON W. MAGRUDER III
Commanding General, Fort Drum, NY.

DEAR GENERAL MAGRUDER: I have always had a lot of respect and admiration for the United States Army and what it has done to establish and preserve our democracy and our American way of life. These feelings were reinforced by what has happened in the past two weeks in the little village of Black River and other communities in the North Country where Fort Drum is our neighbor.

The ''1998 ICE STORM'' struck this area January 7th, causing widespread and terrible damage and devastation, knocking out electrical power, telephones and communications, as well as very serious flooding along the Black River. After the initial shock and disbelief, almost every element of government, private industry, homeowners, apartment dwellers—even our children and grandchildren—our schools, law enforcement agencies, farmers and officials—our schools, law enforcement agencies, farmers and officials—set about to do whatever was necessary to recover from this evidence of Mother Nature's fury. Telephone and utility crews rushed to our aid from all over New York State and from other states as well—Pennsylvania, Ohio, Massachusetts, Virginia,—even Hawaii!! State Police arrived from such places as her Herkimer, Syracuse and points beyond.

Shelters were set up in schools, fire halls, churches and other locations, both public and private—so cold and hungry families and individuals could come for a hot meal and a warm bed. Representatives came from FEMA, HUD, The Red Cross, the Salvation Army, and every other agency or private group that might to able to render help in the face of the disaster.

The first shelter set up in the Village of Black River was up to Leray Street at the St. Paul's Catholic Church. That site was soon filled to capacity, and we were asked to provide a 2nd shelter at the Black River United Methodist Church on S. Main Street. Blankets and cots arrived, but we became mostly responsible for providing hot meals for families and storm recovery teams. Kerosene and food was being distributed to those in need at the Black River Elementary School on a daily basis, and your soldiers were very much in evidence helping out with those services. Hundreds of area residents came to avail themselves of this assistance.

The Army brought in and hooked up a trailer-mounted generator so we could have heat and lights in the church. Volunteers came to help prepare the food, and these volunteers included Jefferson County Court Judge Lee Clary and his wife, Shirley, members of our church, Joyce Birchenough from the Catholic Church, Beth Stiefel, a former resident and member of St. John's Episcopal Church, and two soldiers from DivArty, Christopher O'Brien and Jennifer Haeffner.

On different days, we provided meat loaf and turkey dinners, chili, hot soups, sloppy joes, marcaroni and cheese, canned fruit and cookies, donuts and oceans of not coffee. We served anywhere from 25 lunches to over 100 lunches each day for eight days. The power company crews came. Also deputy sheriffs, State Troopers, and other men and women struggling to return our village to a semblance of normalcy.

I was never more proud of the U.S. Army than I was the day Capt. Michael Gabel brought large numbers of BDU-clad soldiers with green fluorescent sashes into town to help clear the tree branches and storm debris from our streets. I also got to meet two other officers working with him, Capt. Ronald Leggett and 2nd Lt. Michael Brown. Anyway, it was like a well-planned attack during wartime, groups were assigned to certain streets and, as one street was cleared, they moved on to another one. Their deportment was admirable and their mood was one of the good cheer and helpfulness. When they came to the church for lunch each day, they were all courteous and well-behaved, and seemed glad to be doing something very worthwhile for their citizens.

They came to our shelter to warm themselves, rest a bit, sit down and enjoy a hot cup of coffee, soup and a well-deserved meal. Their morale was as high as I've seen amongst soldiers anywhere.

Their efforts continued for several days. Today is Tuesday, January 20th, and we expect at least 50 soldiers for lunch today. They're still here, and giving their best effort. When they're done, we'll miss them. They lightened our load considerably, and we are grateful for their kindness, their concern, and their cheerful and willing attitude—and for all the work they're done!

I believe these men were all from Division Artillery units, and we are somewhat familiar with Col. Robert Reese and some of his men, who have supported us in the past on patriotic holidays, such as Flag Day and Veterans Day.

Your Public Affairs Officer, B.D. Murphy, dropped by to visit, and the 10th Mountain Band came in to play for us one noon hour. And Chaplain Scottie Lloyd and his assistant dropped in on several occasions to offer their support and assistance.

God Bless You, General, for making all this possible, and please convey our sincere gratitude to Capts. Gabel and Leggett, Lt. Brown, the NCO's and enlisted men who all understood our critical situation and came to help us find our way back out of it.

Sincerely and With Gratitude,

SANFORD L. JONES,
The B.R.U.M.C. Shelter.

REPORT FROM INDIANA—ON SERGEANT BRAD BROWN

HON. DAVID M. McINTOSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. McINTOSH. Mr. Speaker, I would like to share a heroic story with my colleagues and the American people which took place in New Castle, Indiana. Sergeant Brad Brown, going beyond the call of duty, risked his life to save an eighty-three year old woman from a burning building in Henry County. The fact that the woman he saved was incapacitated at the time gives added weight to the heroism of Sergeant Brown. The dedication and bravery of Sergeant Brown is an example of the character which is needed to make a difference in our local communities. Individuals like Sergeant Brown make towns like New Castle safer places to live. I commend Sergeant Brad Brown for his actions and his service. Thank you for the role you have played in making our community a better place.

RECOGNIZING THE 200TH ANNIVERSARY OF LEBANON TOWNSHIP

HON. MICHAEL PAPPAS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. PAPPAS. Mr. Speaker, it is my privilege to send congratulations and best wishes to the citizens of Lebanon Township as they commemorate the 200th anniversary of the incorporation of their community. Our nation and this community have come a long way in the past 200 years and it is appropriate that we pause and recognize this milestone.

This is a day of celebration and remembrance—a time to celebrate the growth and achievements of Lebanon Township while remembering the efforts and sacrifices of the good men and women, past and present, who helped to make Lebanon what it is today.

In its origins as a small rural village community, Lebanon has kept with its traditions over the course of time. Remaining a relatively small town for most of its history, the people of Lebanon and the rest of New Jersey have enjoyed its quiet, peaceful atmosphere and its natural beauty. Now in more recent times, Lebanon has exhibited growth and prosperity in its business and population. However, it still maintains its rural roots and natural splendor that have always made it a valuable asset to the community and the state.

Now, 200 years later, the Township will celebrate its anniversary with rich new traditions while honoring its past. These festivities include a time capsule burial at the Woodglen School with artifacts and mementos of Lebanon, music and dance events, an arts festival; all to be led off by a February 21st Proclamation Day celebrating the historic bicentennial.

In the years to come, I sincerely hope that Lebanon Township will continue to build on the foundations of the past to ensure a happy and prosperous future for all its residents.

I offer my congratulations and best wishes to Mayor Art Gerlich and the Township Committee. It is my honor to have this municipality with the boundaries of my district. And it is my good fortune to be able to participate in its very special anniversary.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. BECERRA. Mr. Speaker, due to a medical emergency, I missed 11 votes which occurred between January 27, 1998 and February 5, 1998. Had I been present, I would have voted as follows:

Roll call Vote number 1—Present, 2—No, 3—No, 4—Yes, 5—Yes, 6—No, 7—No, 8—No, 9—No, 10—Yes, 11—Present.

A TRIBUTE TO EMPRESS CASINO JOLIET

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. WELLER. Mr. Speaker, I rise today to recognize the Empress Casino Joliet, a tremendous corporate citizen in Joliet, Illinois as it has been named the 1998 Salute to Industry Award recipient by the Joliet Region Chamber of Commerce and Industry.

From its opening day in June of 1992, the Empress Casino has made a dramatic impact on the economic landscapes of Joliet, Will County and the State of Illinois. In a region where many hard working people have struggled to find consistent and reliable employment, the Empress Casino has risen to become Will County's sixth largest employer, keeping 1600 local employees on its $45 million annual payroll. During its first 14 days of operation, the Empress Casino welcomed over 50,000 people and has currently hosted over 21 million guests, an incredible achievement for less than six years of operations.

Understanding how local support is a major factor to the Empress Casino's success, the owners have made a substantial commitment to support the community through charitable contributions. In just one year, the Empress Casino has donated nearly $300,000 to organizations able to assist people in need. Further emphasizing its commitment to boosting the local economy, the Empress reinvests well over $9 million each year purchasing supplies, products, and services from local businesses. The City of Joliet and the State of Illinois have received substantial benefits from the Empress Casino's success, including $77 million and $191 million of tax revenue, respectively.

Mr. Speaker, I am happy to join the Joliet Region Chamber of Commerce as we recognize the Empress Casino Joliet as an outstanding corporate citizen in Joliet and Will County, Illinois. I applaud the owners and employees of the Empress Casino for their dedication made to our community and wish them the best in the future.

TRIBUTE TO LOUIS WALSH, ''IRISHMAN OF THE YEAR''

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. LANTOS. Mr. Speaker, I rise today to pay tribute to Mr. Louis Walsh, who was honored on Friday, February 20, as ''Irishman of the Year'' by the Denver Chapter of the Ancient Order of Hibernians. I invite my colleagues to join me in extending congratulations to Mr. Walsh on his receiving this outstanding and appropriate honor.

Mr. Speaker, there are many characteristics which we associate with the Irish—loyalty, perseverance, humor, trustworthiness, generosity, hospitality. These are especially true of Louis Walsh. He has also been blessed with an unmistakable Irish wit. For all intents and purposes, his home is your home. But Lou can also be very demanding—he expects the best from all of his friends and colleagues, and in doing so he has contributed markedly to improving the quality of their lives.

Lou appreciates the best of everything, whether it be music, drink, entertainment or, most important of all, friendship and loyalty. He appreciates the good life all the more for having starting out in humble circumstances. Lou was born on March 5, 1928, in Curry, County Sligo, Ireland, one of ten children. Life was simple and full of hard work, but that did not stop Lou from riding ten miles on his bike to get to a dance, arriving home in time to sleep for but an hour before morning chores. But he had much longer journeys in his future.

Lou attended St. Nathy's College before traveling to England to teach school at Rodbourne College. Soon afterwards, with the assistance of his brother Matt, he made the decision to cross the Atlantic and emigrate to America. Lou initially settled in Chicago and continued his education, attending Peter Shannon's School of Accounting. Mr. Shannon, astutely noting his numerous abilities, employed Lou after his completion of the course. Lou has been everlastingly grateful to Mr. Shannon for believing in him from the start and for assisting him in every possible way. Lou has tried to be similarly inspiring and helpful to others throughout the course of his life.

After five years of work for Mr. Shannon and an additional two years of service as an Army medic during the Korean War, Lou's appreciation of nature and love of beauty prompted him to move to Colorado in 1961. He worked as an auditor for the State of Colorado for a dozen years, during which time he was involved in the creation of the Colorado lottery. Lou also started a real estate business, which proved both demanding and successful. Lou's philosophic foundation appeared on every one of his real estate signs: ''Let Right Be Done.'' This outlook has reflected his approach towards his customers, his neighborhood and his family.

Lou's legacy is to be found in a myriad of activities, organizations and good deeds, most notably those within the Irish community. He was one of the founders of several significant Irish organizations, including The Emerald Athletic Club in Chicago, The Irish Fellowship Club of Colorado and The St. Patrick's Day Parade Committee, which has given rise to one of the most prominent St. Patrick's Day parades in the country. Louis love of Irish culture applies to Irish books (of which he has many), Irish newspapers and magazines (to which he still subscribes), Irish wolfhounds (of which he once had four), Morgan horses (of which he has two), and Irish Whiskey. He appetite for Irish music and entertainment has promoted him to develop and foster Irish concerts and special events, and he has long dreamed of the establishment of an Irish cultural center in Denver. His concern for young people inspired him to organize a summer program in Colorado for Irish students. Finally, Lou's strong and unabated commitment to his church and homeland once gave him the opportunity to host the highest cleric in Ireland, Cardinal O'Fiaich.

While Lou's devotion to the Irish community is legendary, his greatest passion is for his family: Ann, his extraordinary wife and partner in work as well as in life, son Louis, Jr., who has followed his proud father in his interest in real estate, and innumerable other relatives by blood or friendship whose lives have been touched by his compassion and enthusiasm.

Mr. Speaker, it is time, to paraphrase Lou, to see to it that Right Be Done. I ask my colleagues to join me in expressing appreciation for a fine man and a true Irishman, Mr. Louis Walsh.

TRIBUTE TO THE ST. LOUIS SMALL BUSINESS MONTHLY

HON. JAMES M. TALENT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. TALENT. Mr. Speaker, I rise today to pay tribute to the St. Louis Small Business Monthly. this month, the St. Louis Small Business Monthly celebrates its tenth anniversary.

Mr. Speaker, the St. Louis Small Business Monthly is more than just a newspaper. It is a valuable networking tool, resource center, and clearinghouse for all things small business. It's a resource by and for the small business owner; it is invaluable to this important community.

Small businesses are not just the engine of our economy, they are the backbones of our communities. The St. Louis Small Business Monthly was founded to support the spirit of entrepreneur and recognizes the vitality and importance of the growth and success of this community. It fills a need in the community and fills it well.

Mr. Speaker, I'd like you to join me in congratulating editor Judy Meador, co-founders Katie Muchnick and Bill Schneider, and the rest of the staff at the St. Louis Small Business Monthly for a terrific first ten years and to its long and prosperous future.

THE MINNESOTA NATIONAL GUARD—NORWEGIAN HOME GUARD TROOP RECIPROCAL EXCHANGE PROGRAM

HON. MARTIN OLAV SABO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. SABO. Mr. Speaker, this year marks the 25th Anniversary of the Minnesota National Guard—Norwegian Home Guard Troop Reciprocal Exchange Program. The program is the longest running military exchange between two nations, and it has strengthened the ties between our countries while enriching the lives of the young men and women who have participated in it.

Each February, over 200 soldiers from the Minnesota National Guard and Norwegian Home Guard leave their homes and join the guards of each other's nation. They spend two to three weeks in the other country, training with the host military, visiting cultural sites, and getting to know their new peers. The exchange guards even spend a weekend with a host family, to enrich their experience in the host nation.

The Minnesota National Guard—Norwegian Home Guard Troop Reciprocal Exchange Program is of great value to both our peacekeeping and cultural goals. By training in Norway, members of the Minnesota National Guard gain experience operating in a foreign environment. At the same time, participants from both countries have an opportunity to explore a new culture and to travel at a young age. The Norwegian-Americans of the Minnesota National Guard also have a chance to explore their family roots in Norway. Finally, the coordination between our nations' militaries reinforces our mutual dedication to working for world peace.

I am pleased to recognize the Minnesota National Guard—Norwegian Home Guard Troop Reciprocal Exchange Program for its 25 years of accomplishments, and I wish the program its continued success in the future.

WILMA DEAN OF BARTHOLOMEW COUNTY, IN

HON. DAVID M. McINTOSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. MCINTOSH. Mr. Speaker, I would like to share an inspiring story with my colleagues and the American people about a woman whose whole life has been full of kindness, compassion and hard work. Wilma Dean of Bartholomew County, Indiana has worked for over twenty-five years at the Ramada Inn in Columbus, Indiana as a Senior Gust Representative. Throughout her years of service, she has strived to make people feel good about themselves. And on so many occasions Wilma has performed her duties above and beyond her job requirements. When asked, her co-workers will describe her as a wonderful lady who often stays late to help others. She even performs task outside of those assigned to her. Her co-workers remembered one memorable occasion when she assisted an elderly couple to their room because they were barely able to walk.

In her twenty-five years of service as a Ramada Inn employee, Wilma created a warm atmosphere for the guest that is similar to a home. She would do this through her courtesy and her ability to be a team-player.

Recently, Wilma was rewarded for her exceptional job performance. She was one of five hospitality employees to receive Ramada's nation-wide award: Hospitality Employee of the Year. Wilma's efforts were noticed from Ramada's sixty-thousand employees nationwide.

Wilma Dean's hard work, dedication and kindness is an important example for others to follow. Work hard. Be kind to others. And help your neighbor if you can.

Mr. Speaker, that is my Report from Indiana.

HONORING THE 1997 MASSACHUSETTS DIVISION II GIRLS SOCCER STATE CHAMPIONS, SHEPHERD HILL REGIONAL HIGH SCHOOL

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. NEAL of Massachusetts. Mr. Speaker, it is with great pleasure that I take this opportunity to honor the team members, coaches, and manager of the Shepherd Hill Regional High School 1997 Girls Soccer team. Hailing from Charlton, Massachusetts, this Shepherd Hill team captured the Division II State Title on November 22, 1997, defeating Marblehead High School in a 3–1 victory.

Before capturing the statewide Division II crown, this team achieved many accomplishments. While accumulating an impressive 18–5–1 record, their hard work both on and off the field secured for these fine players, coaches, and manager the Southern Worcester County League West Conference Championship, the District E Division II Championship, and the Massachusetts Interscholastic Athletic Association Academic Excellence Gold Award for having a team Grade Point Average of 3.35.

In gaining these accolades, this Shepherd Hill team demonstrated that athletic and academic excellence can be achieved in tandem. For this reason in particular the 1997 Shepherd Hill Regional High School Girls Soccer Team is a model for athletic teams around both the nation and globe as they have shown that the qualities of determination, commitment, and effort are as important in the classroom as they are on the playing field.

I would finally like to congratulate each and every person associated with the 1997 Shepherd Hill Regional High School Girls Soccer Team. Please let me submit the names of those dedicated individuals who helped bring the Massachusetts Division II Girls Soccer State Championship Title to Shepherd Hill Regional High School. They are Team Co-Captains Katie Brothers, Trisha Cushing, Jen Langlois; Players, Katie Bembenek, Julia Faia, Jessica Frink, Gina Gregoire, Colleen Hackenson, Danielle Houle, Samantha Kane, Melissa Kasheta, Emily Koslowski, Tracy Koslowski, Elizabeth Laplante, Kerry Malone, Kristen Malone, Angela Minardi, Amanda Muise, Jenna Murphy, Moiria Murphy, Wendy Paquin, Kelly Walsh, Megan Welch, Katelyn Weymouth; Head Coach Harry Logan; Assistant Coaches Karen Jensen and Jody McManus; and Manager Jim Rawson. From this great victory may come many more. Congratulations to you all!

VOTER ELIGIBILITY CONFIRMATION SYSTEM IS A THREAT

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Ms. BROWN of Florida. Mr. Speaker, I rise today with grave concern regarding legislative initiatives to restrict voter registration and turnout. The so-called ''Voter Eligibility Confirmation System'' in effect threatens voting rights of the American constituency.

As introduced, this legislation would establish a federal program for state and local elected officials to ''confirm'' the citizenship of registered voters and voter registration applicants. The proposal would allow elected officials to submit the names of voter registration applicants and registered voters to the Immigration and Naturalization Service and the Social Security Administration for citizenship confirmation through a computerized system.

With all due respect to my colleague, this is bad policy! The data on which this system is based is inaccurate. The fact is that an American citizen can have a social security number and stand the possibility of not being confirmed as a citizen by the Social Security Administration. Thousands of U.S. citizens were naturalized before the agency began keeping computer records at all. As a result, our fellow Americans will be targeted to have their voting rights undermined by the use of such a system.

Women and minorities in our Nation have historically been singled out and questioned based on their surnames or appearance. Although this American struggle has made many progressions, this act of discrimination should not and must not be tolerated by our distinguished House.

Under current federal and state laws, both voter registration fraud and voter fraud are crimes. The notion that massive citizenship verification procedures are needed does not align with the facts. The data received from the House Oversight Committee hearing in 1995 revealed that the real problem of voter fraud had to do with the abuses of State absentee ballot laws, not by Latinos or Asian Americans.

Let's get real. This bill attempts to set measures that not only overturns the Privacy Act projections, but recreates a system that affects the minorities in our America.

As the Honorable Jimmy Carter so eloquently stated in his 1981 farewell address, ''America did not invent human rights. In a very real sense . . . human rights invented America.''

As we move into the new millennium, let us continue to build bridges in our Nation. We need to address the facts of this proposed legislation and not be distracted by the rhetoric.

All Americans should have the inalienable right to vote and that right must not be determined based on whether an elected official decides that one of our fellow Americans is ''ethnic-looking'' versus ''American-looking.''

In closing, I will leave with the powerful statement of the Reverend Dr. Martin Luther King, Jr., ''Injustice anywhere is a threat to justice everywhere.''

IN HONOR OF JIM CALHOUN

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. GEJDENSON. Mr. Speaker, I rise today to pay tribute to a constituent of mine, Jim Calhoun of Mansfield. Mr. Calhoun is the Coach of the University of Connecticut Men's Basketball Team. On December 30th of 1997, Jim recorded his 500th victory as a college coach and more significantly, he is the first coach to win 250 games at two different Division I schools: the University of Connecticut, which is my *alma mater* and Northwestern University.

Mr. Calhoun is the first New England coach to reach the 500 victory mark and he now has more victories than any Division I coach in that six-state region. It is all part of a composite that has earned him a standing as one of Connecticut's most popular personalities.

In the 500 victory category, Calhoun joined such giants of the sport as Dean Smith, John Wooden, Phog Allen, Adolph Rupp and John Thompson. Thompson, the Georgetown mentor, made a significant observation when he was quoted as saying ''Jim doesn't get the credit he probably deserves nationally, but he's one of the best coaches in the country.''

Calhoun was the 46th coach in Division I history to reach the 500 win milestone, but he is number one among UConn fans for the contributions he has made to the State University since he took over its basketball program in 1986. His first coaching assignment after college was at Old Lyme High School, one of the excellent schools in the Second District that I proudly represent.

Since his time at Old Lyme, as one newspaper headlined, he has been a ''consistent winner.'' That is the most accurate assessment of this legendary coach in the fullest measure of the term.

My congratulations to Jim, Pat, his wife of 31 years, and his children.

Calhoun and UConn, a wonderful and productive partnership for his students, players, University, and for our entire community.

IN RECOGNITION OF NATIONAL ENGINEERS WEEK

HON. JOHN F. TIERNEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. TIERNEY. Mr. Speaker, I rise today to commemorate National Engineers Week which is being celebrated on February 22–28, 1998.

I am so proud of the engineers in the Sixth District of Massachusetts. Engineers are a vital component of the work force, and these individuals make significant contributions not only to technology, but to society as a whole. I am particularly proud of the more than 500 engineers working for our national defense at Hanscom Air Force Base, home of the Air Force Electronic Systems Center. These men and women have developed and fielded countless new capabilities for our armed forces, systems that help protect our military members in wartime and deter potential aggressors during peacetime. These systems serve as the eyes and ears of our military commanders, using the latest technologies to cut through the fog of war and see where no one else can see. The engineers at Hanscom Air Force Base have a long and proud legacy of developing electronic systems—from the DEW Line to AWACS to Joint STARS—and they are working today on the new capabilities that will maintain America's technological superiority. They are true pioneers of possibilities, working with the belief that excellence is the basis for success and tomorrow will be better than today.

On February 19, General Electric Aircraft Engines in Lynn, Massachusetts, celebrated Engineering Recognition Day. The day highlighted past achievements of GE personnel in the areas of engineering, technology, and customer service, recognizing those individuals and teams who made truly notable contributions during the course of the year. This year's theme, ''Product Preeminence Through Six Sigma Quality,'' captured the importance that business places on the Six Sigma initiative and its potential for GE Aircraft Engines. The 550 engineers and the additional 500 technical and support staff at GE in Lynn work in harmony to comprise the aerospace industry's top engineering functions—designing, manufacturing and supporting the best jet engines in the world.

Mr. Speaker, I am proud of the accomplishments of the engineers all over America, and in particular the engineers of the Sixth District of Massachusetts. I hope my colleagues will join with me in recognizing National Engineers Week and the engineering profession for their tireless work to advance American society.

TRIBUTE TO GREG GUINAN

HON. DAN SCHAEFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I rise to pay tribute to my friend, a native Coloradan Greg Guinan who is retiring after a stellar career of nearly forty years with the Tribune Company and for the past 29 years with its Denver station, KWGN the very first television station in Colorado.

Under his guidance, Denver's channel 2 has gone to extraordinary lengths to report on, inform and uplift our community. For the past 27 years, Greg has produced and appeared on ''Your Right to Say It,'' featuring leaders from Colorado and the nation. Greg has been the catalyst for environmental initiatives ''Clean It Up Colorado.'' He has overseen the telecast of various activities from Denver's St. Patrick's Day Parade to our Easter Seal's Telethon, to a moving 50th anniversary documentary of World War II. In 1996, he spearheaded a remarkable ''Yes to Youth'' fund which raised $2.2 million for Colorado non-profit organizations.

Let me note in closing that my good friend Greg is also a former Marine. To best describe this wonderful person and the fashion in which he conducted himself throughout his remarkable career, I think the Marine Corps motto fits best—Semper Fidelis, always faithful.

INTRODUCTION OF H.R. 3205

HON. MERRILL COOK

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. COOK. Mr. Speaker, I am pleased to join my colleague from Massachusetts, Congressman MCGOVERN as an original cosponsor of H.R. 3205, legislation that will address some serious problems caused by certain provisions included in the Balanced Budget Act.

There were several provisions included in the Balanced Budget Act intended to target Medicare waste and fraud occurring in the home care industry. However, some of these provisions missed the target, and one, the so-called ''Interim Payment System''—or IPS—is causing a great deal of hardship and heartbreak for seniors in Utah and across the nation.

The IPS was intended to transition the home care industry from a retrospective, cost-based reimbursement system to a prospective payment system. The IPS will impose tight spending limits on home care providers. A prospective payment system is currently used by Medicare to calculate reimbursement to hospitals and other providers. Moving home care to a prospective payment system is a sensible reform which I support. However, we also need a sensible transition to a prospective payment system. The IPS as it has been implemented by the Health Care Financing Administration, is not providing a sensible transition. Instead, the IPS is creating chaos and financial distress for home care providers and beneficiaries. Why is it doing that?

First, the IPS has put the cart before the horse. It was put in place beginning in October of last year. However, HCFA will not be able to tell home care agencies what their new IPS spending limits are until April of this year—at the earliest. Home care providers have to guess how much they need to cut back care. If they do not cut enough, they will be penalized. If they cut too much, it will obviously hurt beneficiaries. As one of my constituents who runs a home care agency wrote: ''we are operating completely in the dark.'' Common sense argues for announcing regulations first, then requiring compliance.

Second, the IPS has created a Rube Goldbert system where home care providers are rewarded or punished depending on what kind of fiscal year they use. Let me try to explain this. Under the IPS, reimbursement rates are projected from a base year which is defined as ''fiscal year 1994.'' Because different agencies use different fiscal years, this provision will impact the agencies differently. This grossly distorts payments to home health care providers and the entire market for home care. Agencies who have a ''favorable'' fiscal year will have a competitive advantage over agencies with an ''unfavorable'' fiscal year. For example, an agency with a fiscal year that begins on October 1, will have its reimbursement rate based partially on what it was spending in 1993. Other agencies base years will be in calendar year 1994, when their spending may

have been higher than a fiscal year that straddles 1993 and 1994.

The legislation that Congressman MCGOVERN and I have introduced will address these problems and provide a sensible transition to a prospective payment system. First, it will extend HCFA's deadline for developing the Interim Payment System to August, 1998, and delay implementation of the caps under the IPS until October 1, 1998. That way the regulations will be announced before the home care providers have to comply. It will let the providers know what kind of cost limits they need to meet and more importantly, it will give them more time to meet those limits.

H.R. 3205 will also change the base year used to calculate the agency's cap. Instead of ''federal fiscal year 1994,'' the home health care providers would be permitted to use a cost reporting period ending either during fiscal year 1995, or calendar 1995. This will soften the severity of the cuts by moving the base year forward to 1995 and eliminate the distortions created by agencies' use of different fiscal years.

While this bill applies directly to home care providers, it is obviously critically needed for the senior citizens who are the recipients of home care. Often home care makes all the difference between our senior citizens remaining independent and moving into institutional care. Many of the letters and phone calls that I am receiving from my elderly constituents emphasize the crucial difference that home care makes. More individuals receiving institutional care means more state and federal Medicaid spending. These provisions in the Balanced Budget Act could ultimately cost money as spending moves from the Medicare/home care side of the ledger to the Medicaid/nursing home side.

Prior to the Balanced Budget Act, Medicare was in desperate need of reform. Most of the reforms included in the Balanced Budget Act are sensible and will help this vital program survive into the 21st Century. I want to commend Congressman MCGOVERN for developing a sensible, measured bill that will address these serious problems. I look forward to working with him to see this legislation through to passage.

GUAM AND HUMAN RIGHTS DAY

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. UNDERWOOD. Mr. Speaker, the Bill of Rights contained in the Constitution of the United States outlines the fundamental freedoms granted to all American citizens. There have been many interpretations and challenges to these amendments, yet it is evident that the Bill of Rights are timeless principles which guarantee protection and accord opportunities for all Americans.

Many of us have taken our fundamental rights for granted. Although we are constantly reminded by current events that the citizens of other nations are not afforded these essential liberties, it is easy to forget that the rights we enjoy are not shared by a majority of the world's population.

On December 10, 1948, the General Assembly of the United Nations overwhelmingly adopted the Universal Declaration of Human Rights, a document based on the United States Bill of Rights. This document explicitly sets forth a list of fundamental rights from the right to life to the right to participation in the cultural life of a community.

I cosponsored a resolution last year, H.Con.Res. 185, which calls on the United States to reaffirm its dedication to the Universal Declaration of Human Rights' tenets.

The celebration of Human Rights Day on December 10 is in direct correlation to the approval of the U.N. Universal Declaration of Human Rights. Not only does this remind us of the continuing global fight for basic human rights, it also serves as a forum to honor those committed to this fight. I commend the following individuals from Guam for their initiatives in the fight for human rights: Senot Carlos P. Taitano, Senot Antonio M. Palomo, Senot Eddie D. Reyes, Senot Ted S. Nelson, Senot Ben G. Blaz, Governor Carl T.C. Gutierrez, Senot Joseph F. Ada, Senot Paul M. Calvo, Judge Benjamin J.F. Cruz, Attorney Michael F. Phillips, Senator Angel L.H. Santos, Senator Mark C. Charfauros, Senora Hope A. Cristobal, Senora Marilyn D.A. Manibusan, Dr. Katherine B. Aguon, Senot Henry M. Eclavea, Senot Vicente U. Garrido, Senot Manuel L. Tenorio, Senot Ivan Blas DeSoto, Senot Antonio A. Sablan, Senot Juan M. Flores, Senot Ed Benavente, Senot Ron Rivera, Senot Ron Teehan, Senot Chris Perez-Howard, Senot William Hernandez, and Senot Norbert P. Perez.

On December 10, 1997, the Ancestral Landowners' Coalition (ALC) invited me and several other community leaders to their forum on human rights. I applaud the ALC's efforts for supporting the people of Guam's struggle to fight for our civil rights, for although Guam is under the American flag, there are still issues, such as our petition for commonwealth status, with which the people of Guam feel the federal government has not addressed sufficiently.

Remembering Human Rights Day on December 10 will renew our dedication to supporting universal civil rights. I encourage the people of the United States to set the example for the rest of the world: continue supporting Human Rights Day and bring attention to the plight of those punished for exercising their right to simply live as a human being.

THE 50TH ANNIVERSARY OF THE INCORPORATION OF THE CITY OF MILLBRAE, CALIFORNIA

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. LANTOS. Mr. Speaker, it is a great pleasure for me to congratulate the beautiful City of Millbrae, California, on the 50th anniversary of its incorporation. Located just 16 miles south of San Francisco on magnificent sloping land between San Francisco Bay and the Pacific Ocean, Millbrae has evolved through the years from rural farmland to a sleepy town to a bustling suburban community. Despite all these changes, Millbrae has remained an outstanding home to its 21,000 citizens, a nourishing environment for parents to raise children and for citizens to become involved in their schools and their neighborhoods.

Millbrae's history begins long before the presentation of its City Charter on January 14, 1948. It can be traced back to the years prior to the birth of our country. The first documented residents were the Costanoan Indians, who were joined during the 18th century by Spanish explorers traveling north from Mexico. The first sighting of San Francisco Bay by the European newcomers took place near Millbrae's present border, on Sweeney Ridge in 1769.

Growth was quite limited during the next century, Mr. Speaker. In the 1860s, financier and philanthropist Darius Ogden Mills purchased a large tract of land in what is now Millbrae. He encouraged the development of his property, which he named Millbrae, combining his last name with the Scottish word brae, which means ''rolling hills.'' While the area encompassed by the estate remained largely rural, dairy, a train depot, and several other buildings eventually joined Mills' impressive mansion.

As San Francisco matured into a leading American city, Millbrae and other surrounding communities steadily grew and began to thrive. Around 1919, the West Coast Porcelain Works Factory opened in Millbrae, creating enough jobs to boost the area population to over 300 people. Eight years later, on May 7, 1927, Mayor James Rolph, Jr., of San Francisco dedicated the Mills Field Municipal Airport just east of Millbrae. By the end of 1928, 22,352 flights carrying 38,302 passengers had used the new airport. Today—seventy years later—the facility, now called San Francisco International Airport, handles over 35 million passengers annually, is one of the major airports in the United States, and remains a major boon to Millbrae's economy. The City currently claims over five hundred flourishing business, including six major hotels, and branch offices of leading financial institutions.

Millbrae organized a volunteer fire department in 1931, a signal of the progress and rapid growth that continued unabated during the Great Depression and post-World War II years. This progress culminated in the incorporation of the City of Millbrae less than three years after V–J Day.

The half-century since its incorporation, Mr. Speaker, has witnessed the continuing growth and invigoration of Millbrae's economic and social life. As the able and devoted city mayor, Mark Church, explained:

> Despite tremendous growth and change in and around the City, Millbrae still remarkably maintains its unique charm. Millbrae is strengthened by its citizenry who give selflessly for the betterment of the community. An economically viable, balanced community, where residents enjoy a high quality of life is the result.

Mr. Speaker, the outstanding quality of life that the citizens of Millbrae enjoy is the result to a long line of dedicated city officials and city workers, including Mayor Church, the current Millbrae City Council, the City Administrator and the 136 full-time employees. They serve as a hallmark of the City's long tradition of public service and devotion to community.

I would like to encourage all of my colleagues to visit this splendid city. Millbrae is the host of a number of wonderful events throughout the year. One of the premier activities is the annual Millbrae Art & Wine Festival, one of Northern California's premier events with over 250 craftspeople and 20 international food vendors. The City also boasts a

year-round Farmers Market, which attracts an average of 2,000 patrons every Saturday.

But as wonderful as it is to visit Millbrae, Mr. Speaker, it is an even greater delight to live there. I can personally attest to this, as I lived in the City for ten years and served as a member of the Millbrae School Board for eight years. Millbrae's spirit and energy represents the best our nation has to offer, and I am honored to invite my colleagues in this House to join me in congratulating Millbrae on the 50th anniversary of its incorporation.

TRIBUTE TO MARIO LOMBARDO AND STEVEN NICHOLAS

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention Mario Lombardo and Steven Nicholas, both of Haledon, New Jersey. Mario and Steve are being sworn-in as members of the Haledon Borough Council on Saturday, January 3, 1998.

Mario Lombardo has been a resident of the Borough of Haledon for 18 years. His family emigrated from Italy to the United States when he was nine years old. A graduate of Passaic Valley Regional High School, Mario has been a member of the Manchester Regional Board of Education for seven years, and has served as vice-president. He is a member and past president of the San Andrea Social Club; a member of the Passaic County Republican League; vice-president of the Haledon Independent Republican Organization; and, a member of the Board of Adjustment for the Borough of Haledon.

Mario has been a hair stylist since 1960 and is fluent in three languages. He is the proud father of three sons, Donald and twins, Mark and David.

Steven Nicholas has been a Haledon resident for 19 years. A graduate of the New Jersey Institute of Technology (NJIT), Steve is employed by Erasteel, Inc. where he is operations manager. He has been a member of the Haledon Board of Education for nine years and has served as president for four years and vice-president for two years. Additionally, Steve has served the P.A.L. (Police Athletic League) for six years.

Steve has also served on the Key Communications Committee of Manchester Regional High School, and was a committee member for the high school's Project Graduation.

Steve is married to the former Ida Fattorusso and is the proud father of Lisa, of William Paterson University, and Steven, of Manchester Regional High School.

Mr. Speaker, I ask that you join me, our colleagues, Mario and Steve's family and friends, and the Borough of Haledon in recognizing the many outstanding and invaluable contributions Mario Lombardo and Steven Nicholas have made to the community as they take office as Councilmen of the Haledon Borough Council.

IN MEMORY OF KERNAA D. MCFARLIN

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Ms. BROWN of Florida. Mr. Speaker, I rise today to recognize the contributions of a ''most outstanding musician'', Kernaa D. McFarlin.

At age eleven, Kernaa D. McFarlin began his career in Tampa, Florida under the tutelage of Captain Carey W. Thomas, retired director of bands at Florida A & M University. Later, he played in the Middleton High School Band and received a scholarship to Florida A & M upon graduation.

During his college years, he was the woodwind section leader in the band and orchestra. Kernaa credits Leander Kirksey with outstanding woodwind instruction. In 1943, Mr. McFarlin was inducted into the U.S. Army and soon became a member of the famous 92nd Infantry Division Band. During his military career, he attained the rank of Sergeant.

After leaving the army, Kernaa returned to Florida A & M where he participated in the college bands under the direction of William P. Foster. Because of Mr. McFarlin's experience and training, he was able to provide valuable assistance and leadership in the development of the newly re-activated college band program.

Upon graduation, Kernaa McFarlin was appointed to be the first official band director at Stanton Senior High in Jacksonville, Florida. During his tenure as the band director, he earned a Master's Degree from the New York University. McFarlin's bands amassed a total of nineteen consecutive years of superior ratings in the Florida Association of Band Directors and the Florida Bandmasters Association contests.

Other highlights of the achievements of this band include: being selected as Florida's representative at the 1964 New York World's Fair, participating in three Florida Governor Inaugural parades, and being selected by the Florida Department of Education in 1966 Midwest National Conference of Colleges and University Education's ''Education is for All'' convention. In 1966, Mr. McFarlin's Stanton High School band was recognized by the ''Instrumentalist'' magazine as one of the ''highly regarded bands in the Southeast.''

For the past twenty-seven years, Mr. McFarlin served as an honorary member and adjudicator of the Florida Bands Association. He received over fifty awards for musical excellence and community service.

Mr. McFarlin's achievements can best be described by his students who all echoed that ''Mr. Mac'' as they lovingly referred to him, not only taught them music, but character and Christian values necessary for successful living.

An award, ''Most Outstanding Musician'' was named in McFarlin's honor has been established at the Stanton Preparatory College Band and is given annually to the most deserving student.

The State of Florida has been fortunate to have shared the talents of Kernaa D. McFarlin.

Mr. McFarlin passed on December 21, 1997.

SALUTE TO OUR WINTER OLYMPIANS

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. KIND. Mr. Speaker, the Olympics have a history of promoting national pride and memorable moments. Regardless of the sport or background, the Olympics bring out the best in athletes and brings our world together. A number of people from western Wisconsin made their mark in Nagano, each in their own unique way that epitomizes the nature of the games.

Mike Martino from La Crosse, WI received a bronze medal for ice sculpting at the Olympic Festival of the Arts in the Olympic Village. His sculpture, ''Nature's Way,'' depicted a winter landscape of wind shaping the snow.

Curling had been an Olympic demonstration sport numerous times before, but this was the first time it was included as a medal sport. Although the team came one spot short of a bronze medal, Mike Peplinski from Eau Claire, WI was able to compete even though he has a rare kidney disease and is scheduled to receive a transplant.

By far the most memorable image of these past Olympics was when the women's hockey team won the first gold medal awarded for women's hockey. Karyn Bye, from River Falls, WI led the team in scoring through the games and was third overall in scoring out of all the teams participating. To see Karyn carry the flag after the gold medal victory inspired feelings of pride and captivation.

On behalf of the people of western Wisconsin, I would like to salute our Winter Olympians, Mike, Mike and Karyn. Their hard work, dedication, and love of country is an inspiration to everyone. These Wisconsin natives embody the true Olympic spirit, which makes them all winners.

IN HONOR OF THE FOUNDING OF THE LEAGUE OF UNITED LATIN AMERICAN CITIZENS (LULAC)

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Ms. SANCHEZ. Mr. Speaker, today I rise to honor the League of United Latin American Citizens on this their sixty-ninth birthday.

LULAC was founded in Corpus Christi, Texas in 1929 and is the oldest and largest Hispanic civil rights organization in the country. Since its beginning, LULAC has promoted the cause of Hispanic Americans in education, employment, economic development and civil rights. LULAC has established nationwide programs for educational attainment, job training, housing, scholarships, citizenship, and voter registration.

LULAC has adopted a legislative platform that promotes humanitarian relief for immigrants, increased educational opportunities for our youth, and equal treatment for all Hispanics in the United States and its territories, including the Commonwealth of Puerto Rico.

In every endeavor, LULAC has stood for the rights of individuals. Through community outreach, LULAC has touched the lives of thousands of Hispanic members of society.

My congratulations to the founders and members of LULAC and my best wishes to the continued success of this venerable organization on its sixty-ninth birthday.

IN MEMORY OF JOHN J. BROSKI

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. KUCINICH. Mr. Speaker, I rise to honor the memory of John J. Broski for his years of service to Cleveland-area athletics and education. Mr. Broski was a dedicated educator and mentor to students of all ages.

Mr. Broski was destined for greatness from the beginning of his high-school career. As a student at South High School, Mr. Broski earned six varsity letters and excelled in sports, specifically baseball and basketball. After playing freshman baseball at Western Michigan University, Mr. Broski Played minor-league baseball with the Cleveland Indians, igniting his interest in Cleveland sports. Mr. Broski obtained a master's degree from Western Michigan in 1955 and earned guidance counselor certification from Kent State University in 1968.

Mr. Broski was named head coach at East Technical High School in 1954. During his tenure as coach, Mr. Broski won two state championships in class AA and was named Ohio Coach of the Year in 1959. Mr. Broski continued coaching at several area high schools and became a guidance counselor in 1968. With his retirement from Parma High School as guidance counselor in 1985, Mr. Broski became a registrar with Dyke College, now known as David N. Myers College, where he had coached basketball in the late 1970s.

Mr. Broski was the lone Cleveland Cavaliers basketball scorer from 1970 until his death in 1996. His devotion to the Cavaliers and the new professional women's team, the Cleveland Rockers, highlight his tremendous life. Mr. Broski leaves behind his wife of 22 years, Paula; two daughters, two grandchildren, and a brother.

My fellow colleagues, join me in saluting the life of a truly dedicated educator and sportsman, Mr. John J. Broski.

CONGRATULATIONS TO GUAM BUSINESS MAGAZINE ON THEIR 15TH ANNIVERSARY

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. UNDERWOOD. Mr. Speaker, I would like to take this opportunity to recognize Guam Business Magazine as it celebrates its 15th anniversary on March 1, 1998. This monthly magazine has consistently provided Marianas and Micronesian readers with lengthy analysis, exciting, well written articles and in-depth coverage of business trends and developments in Guam, the Northern Marianas and the rest of Micronesia. For a decade and a half, Guam Business Magazine has set journalistic standards in the region through consistent quality production, proving wrong those who thought a small community like Guam could not support such a sophisticated business journal.

A logistical achievement in and of itself, Guam Business Magazine has never missed the publication or distribution of an issue, despite occasional typhoons, airline disruptions and distant printing schedules. Entering its 16th year of publication, Guam Business is the oldest monthly magazine in the western Pacific. It has established itself as the publication of record for a variety of business statistics, including new business licenses, bankruptcies, new vehicle and home sales, and mortgage updates; thus serving as a useful tool for tracking economic climates in Guam and the Northern Marianas.

Guam Business Magazine was the brainchild of Joe T. Couch, president of Glimpses of Guam, Inc., and Laling Cruz-Couch, executive vice president, who saw the need to rate the pulse of Guam's vibrant and growing business community and to provide that information in a well-written, well-designed monthly magazine. Despite the difficulties inherent in publishing a magazine in a small island community, Joe and Laling remained committed to this risky business venture, established on March 1, 1983, and built it into the success it is today. Through the efforts of its founders and dedicated publisher, Stephen V. Nygard, Guam Business Magazine is recognized as the authority on business in Micronesia and enjoys a reputation for accuracy and fairness.

Over the past 15 years, Guam Business Magazine, its staff, and many of its contributing writers have been recognized with numerous awards from the Guam Press Club, the Marianas Chapter of the Society of Professional Journalists, and Guam Media Awards. In return, Guam Business Magazine contributes to Guam's business community by annually naming an Executive of the Year. Chosen from nominees selected from Guam's own business community, the Executive of the Year announcement is a much-anticipated event. The award also is entering its 16th year.

With best wishes for continued success, I congratulate Joe, Laling and Steve, and Guam Business Magazine's dedicated staff, Editor Sondra White; reporters Sarah Cresap and Abigail M. Wade; Sales Director Vicki L. Anderson; Sales Representative Kimberlee B. Hollingsworth; Production Director Dorie Abdon; Art Director Masahide Muramatsu; and Design and Production Coordinator Allan R. Abad.

100TH ANNIVERSARY OF THE SAINT CIRO SOCIETY

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention the 100th Anniversary of the Saint Ciro Society. The Saint Ciro Society will be celebrating this memorable occasion on Saturday, January 31st.

The Saint Ciro Society was founded in 1898 by Italian immigrants, many of whom came from the small town of Marineo in the Province of Palermo. Saint Ciro is the patron saint of Marineo and it was only natural that these immigrants would dedicate their association to the Saint to whom they were so devoted. In time, the Saint Ciro Society became the place where these immigrants could go and not feel isolated by language barriers and discrimination. It was a touch of home in a far away place.

As time passed, enough money was raised to make it possible to buy a site where they could go and feel accepted and share their experiences of living in a foreign land with their fellow ''paisans.'' Eventually, a chapel was built where Saint Ciro could be venerated. Gathering at their site on Gaston Avenue in Garfield, New Jersey, members of the Saint Ciro Society pray in the chapel where masses are often celebrated by local priests in addition to priests visiting from other countries.

The Saint Ciro Society has a long history of association with Our Lady of Mount Virgin Church as well as aiding numerous charities. The society has donated close to $25,000 to help build a church in the Republic of Congo (formerly Zaire), where the Adorno fathers have a mission supported by the organization. The Saint Ciro Society also supports the Collegine Sisters in Tanzania and Father Salerno's mission in Peru. Additionally, the society has raised $15,000 to help acquire and send a much needed ambulance to the town of Marineo.

The charity of the Saint Ciro Society is not limited to just foreign countries. In 1996, $8,600 was donated to having a shrine installed in honor of Saint Ciro and in helping to defray the costs of renovating the organization's church. Always an integral part of the community, the society helps all those in need by helping to pay rent or medical bills and, every year at Christmas, the society collects food for the needy. Over the past two years, the collected food has been brought to the food pantry at Mount Virgin.

As a valued member of the community, the Saint Ciro Society provides yearly scholarships to worthy Italian-American students, one each from Garfield and Lodi High Schools. One year the society also provided a mobile mammography unit to help screen for breast cancer and stands ready to do it again.

Mr. Speaker, I ask that you join me, our colleagues, the members of the Saint Ciro Society, and the community of North Jersey, in recognizing the many outstanding and invaluable services provided by the Saint Ciro Society. It is only fitting that we honor the society on the occasion of the 100th Anniversary.

A SPECIAL TRIBUTE TO JUDGE JOHN A. HOWARD

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. STOKES. Mr. Speaker, I am proud to join with others in saluting an outstanding member of the nation's judicial system. In just a few days, on February 28, 1998, friends, family and colleagues will honor Judge John A. Howard. Judge Howard recently retired as Presiding Judge of the Elyria Municipal Court. At the Appreciation Banquet, he will be recognized for a career built upon leadership and commitment.

I take special pride in saluting Judge Howard. He is a good friend whom I admire and

respect. I want to share with my colleagues and others throughout the nation some information concerning this distinguished individual who is being honored.

Judge John A. Howard is a native of Elyria, Ohio, and graduated from Elyria High School. He attended Florida A&M University where he received Bachelor of Arts and Bachelor of Science Degrees. He went on to attend Ohio State University and Franklin University, receiving his law degree in 1949. He was admitted to the Ohio State Bar that same year.

Mr. Speaker, John Howard was appointed to the Elyria Mayor's Court in 1954. His career also included service as City Prosecutor and City Solicitor, and Chief Adult Probation Officer for Lorain County. In 1983, Judge Howard was appointed Interim Clerk of the Courts. His appointment in 1984 as Presiding Judge of the Elyria District Court represented the highlight of a notable legal career. Throughout his career, Judge Howard has demonstrated the highest level of integrity and devotion to duty. His efforts have won him respect and praise from his friends and colleagues.

Judge Howard has received numerous awards and honors from organizations throughout the State of Ohio. He received an award for Superior Judicial Service from the Supreme Court of Ohio, and an Honorary Doctor of Law Degree from Capital University. He has also been recognized by the National Conference of Black Lawyers, and he received the ''Man of the Year'' award on at least three occasions. He is also a member of the Florida A&M University Hall of Fame. Judge Howard's memberships include the American Bar Association; Ohio State Bar Association; and Lorain and Cuyahoga County Bar Associations. He is a member of the Lorain County Urban League; the Association of Municipal/County Judges; and the Ohio Judicial Foundation. Judge Howard is a former president of the Ohio State Bar Association.

Mr. Speaker, I am pleased to join in the Appreciation Banquet honoring Judge John Howard. He is more than deserving of this special tribute. I take this opportunity to extend my best wishes and applaud him for a job well done.

A POEM IN TRIBUTE TO PFC. FERREL F. McDONNELL, UNITED STATES ARMY, 66TH PANTHER DIVISION, COMPANY F, 262ND INFANTRY REGIMENT, COMPANY HEADQUARTERS

HON. JOHN F. TIERNEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. TIERNEY. Mr. Speaker, I rise to recite a Poem written by Tom Cordle that is a tribute to Pfc. Ferrel F. McDonnell and the soldiers of the 66th Panther Division who died during the sinking of the S.S. *Leopoldville* on December 24, 1944.

Hell is not the place you think
For I have seen its murky ink
Though there is fire down in that hole
It's cold and wet and chills the soul
December Channel, dark and cruel
Coffin on that mournful Yule
Fifty years have passed away
Fifty years like yesterday—
Christmas Eve of '44

The *Leopoldville* just off shore
Of Cherbourg and its dancing lights
The U-Boat had us in her sights
Torpedo caught us in the hold
The water rushed in—Oh, so cold!
Steel and wood and flesh all met
Oh, God! I wish I could forget!

But heroes rose up everywhere
Brave hearts fought their own despair
To comfort wounded, dying, weak
And tried to find the words to speak
They gave their all that some might live
Till they had nothing left to give
Then prayed to find the strength to stand
''God, Oh God, make me a man!''

The *Brilliant* came through churning seas
Answering our urgent pleas
She pulled along our starb'rd side
''Jump or die!,'' her crewmen cried
Men climbed up on the rolling rail
And prayed somehow they would not fail
To breach that twenty feet and odd—
And leaped into the arms of God

Some conquered space and borrowed time
And made the *Brilliant* or its lines
But others lost their deadly bet
And plunged into the dark, cold, wet
And swallowing sea and fought for breath
And knew the briny taste of death
Or fought the water's clawing pull
Till they were crushed between the hulls

Strong, young soldiers watching wept
For promises would not be kept
For children they had never seen
For all the dying of their dreams
Some were but boys, some not quite men
But they would not be boys again
For only men survived such sights
And all grew old in that one night

Cherbourg glittered on the shore
Laughing at our dreams of war
To die and never fire a shot
To die and never know for what
No glory, only senseless waste
With salty, oily aftertaste
No glory, only drowning dance—
Death by simple, crazy chance

But death is not the end of things
For those who've felt its searing sting
For hearts that will forever feel
For wounds that never really heal
We pay with photos, black and white
We pay with voices in the night
We ask the endless haunting why?
A son or husband had to die

What matters why the soldier falls?
What matters but the answered call?
Who measures sacrifices made?
Who dares deny the price was paid?
And there are channels yet to cross
And wars to fight that can't be lost
And men will die and do their part
Till freedom rings in every heart

So let there be no bitter tears
Let us remember better years
And those whose blood has bought and paid
That we might live lives unafraid
And let us honor valiant men
For here tonight, we say again
There is but one thing worth the price
Of such unselfish sacrifice
''Freedom!'' ''Freedom!'' ''Freedom!''

IN HONOR OF LINDSAY LEACH, BRONZE CONGRESSIONAL AWARD WINNER

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. DOYLE. Mr. Speaker, I rise today in praise of an outstanding young adult from the 18th Congressional District of Pennsylvania, Ms. Lindsay Leach, a Congressional Award medal recipient. Lindsay's commitment to self-development and community involvement serves as an inspiration to people of all ages, and illustrates the accomplishments that come with hard work and determination.

Without motivation, however, hard work and determination are destined to remain unfulfilled ideals. Lindsay's motivation breathed life into numerable commendable acts. Not only did Lindsay involve herself in volunteer work, but invested time in broadening her physical and artistic skills. While much of what is directed towards young people is prescriptive in nature, it is important to note that these acts were of Lindsay's own design and were completed with her own resolve.

Upon review of Lindsay's achievements, one is particularly struck by the considerable amount of time that was devoted to obtaining this award. Hundreds of hours over the course of months were invested. Clearly, Lindsay recognizes the immense value of giving one's time to others. It is my hope that your actions foreshadow a life distinguished by the pursuit of new challenges.

Congratulations Lindsay! Best wishes to you for continued success.

1998 CONGRESSIONAL OBSERVANCE OF BLACK HISTORY MONTH

SPEECH OF

HON. ALLEN BOYD

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 1998

Mr. BOYD. Mr. Speaker, since 1926, America has designated February as Black History Month, a time when we honor the achievements of African-American leaders and their contributions to our great nation. This month also provides us with an opportunity to reflect upon the progress that Americans have made as a nation in our struggle to promote the constitutional ideals of liberty, equality, and justice. In honor of Black History Month, I would like to take a moment to recognize Florida Agricultural and Mechanical University, a Historically Black College in my district that has been nationally recognized not only for the great African-American leaders that it has produced, but for also its success in fostering these sacred constitutional principles.

At a time when there is an urgent need for greater access for minorities to higher education, FAMU has risen to meet the challenge. The school opened its doors on October 3, 1887, when segregation was required by law, with 15 students and one professor, but today, student enrollment is over 10,000. Even more impressive is the caliber of students that FAMU draws to its campus each year: the school competes with Harvard annually for the highest number of National Achievement Scholars. Recognizing FAMU's high quality education program, last year Time magazine and Princeton Review named FAMU The College of the Year.

FAMU's recent successes can be attributed to its President, Dr. Frederick S. Humphries. Dr. Humphries has also received national recognition; last month, The Orlando Sentinel named him the Floridian of the Year, an award that the paper grants each year to a person

who has made the most outstanding contribution to Florida. Dr. Humphries has tirelessly committed his time and energy to promoting the interests of FAMU and making the school and its community what it is today.

Black History Month is a time to celebrate the achievements of African-Americans. Today, in honor of Black History Month, I hope that the citizens of North Florida will take a moment to recognize the work that FAMU and Dr. Humphries have done to make high-quality higher education available to the nation's African-American students.

In addition, I would like to encourage my constituents to take time to participate in Black History Month. Last month, in honor of Martin Luther King, Jr. Day, I took part in several programs throughout North Florida to commemorate the legacy of Dr. King. I found these events to be a wonderful way to learn more about the history of our nation's African-American leaders, and also an opportunity to come together with other community members to share in celebration. I greatly enjoyed attending both FAMU and Florida State University's events honoring Dr. King and participating in Jackson County's Day of Service, among other events. I hope that the people of North Florida will use Black History Month as a chance to learn more about the great role that African-Americans play in every facet of our human society; for when we recognize the contributions of each individual to the whole, we can unify to build a more perfect America.

THE BROOKLYN IRISH-AMERICAN PARADE

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. SCHUMER. Mr. Speaker, I submit the following: Whereas, The Brooklyn Irish American Parade Committee's organization and purpose is to honor the cultural, educational and historical contributions and accomplishments of the Irish to their community, borough, city, state and nation; and

Whereas, This parade encourages a knowledge and appreciation of an ancient Irish heritage; and

Whereas, This annual event is a celebration of Brooklyn's cultural diversity and richness; and

Whereas, This parade takes place in historic Park Slope on the hallowed ground of the Battle of Brooklyn and commemorates the Marylanders, Irish Freedom Fighters and Americans of other ethnic backgrounds who gave their lives to secure independence for our America; and

Whereas, The Spirit of '76 was, and still is, the ideal of the Brooklyn Irish American Parade; and

Whereas, This year's parade is dedicated to the memory of Patrick Heaney, Drum Major of the Clann Eireann Pipe Band of Brooklyn, for over forty years, and who was a loyal supporter of the Committee; and

Whereas, This year's Parade Theme is the bicentennial of the ''Rebellion of 1798'' when 100,000 Irish men, women and children, with inspiration from the American Revolution, rose up with bare hands and pitch forks to overthrow British occupation and oppression; and

Whereas, This year the Parade continues the memorialization of the Great Famine (1845–1850), when hunger and starvation devastated Ireland and its people with estimates of a million and a half who perished in Ireland, on coffin ships and in the fever sheds; and

Whereas, The memory of the victims and survivors of when Ireland starved is sacred and never to be forgotten; and

Whereas, ''The Great Famine'' brought one million of Erin's sons and daughters to the port of New York; and

Whereas, It is only fitting that this year's Grand Marshal is William W. Whelan, President of New York City Fire Department Emerald Society and Chairman of the Great Hunger Memorial to be erected at Battery Park, New York in memory of the victims and survivors of ''AN GORTA MOR'', now, therefore, be it

Resolved, That this Legislative Body pause in its deliberations to commend the Brooklyn Irish American Parade Committee on its twenty third Annual Parade to be held on Sunday March 15, 1998; its Grand Marshal, William W. Whelan, and his Aides, Sister Elizabeth Hill, President of St. Joseph's College and Educator; Richie O'Shea, Band Leader representing Irish Culture; James Buckley representing Irish Business, Buckleys of Flatbush and Kennedys of Breezy Point; Frank Carroll, President of the United Irish Counties of New York; Mildred Kane representing Kings County Ladies A.O.H.; Michael Fitzgerald, President of Brooklyn's Shamrocks Gaelic Sports Club; Alfred F. Donohue, Kings County A.O.H.; Special Parade Honoree: Heinz M. Popp, President of Bay Ridge Car World and 1998 Benefactor to the Irish Community of New York; Parade Chairperson, Kathleen McDonagh; Dance Chairperson, Mary McMullan; Journal Chairperson, James McDonagh; Raffle Chairperson, Helen O'Shea; Parade Officers, Members and all the citizens of Brooklyn, participating in this important and memorable event; and be it further

Resolved, That copies of this Resolution, suitably engrossed, be transmitted to William W. Whelan, his Aides and the Brooklyn Irish American Parade Committee in Brooklyn.

CONGRATULATIONS TO UNITED STATES WOMEN'S GOLD MEDAL HOCKEY TEAM

HON. BARBARA B. KENNELLY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mrs. KENNELLY of Connecticut. Mr. Speaker, I rise today to ask my colleagues to join with me in recognizing the incredible achievement of the United States Gold Medal Women's Hockey Team. I am particularly proud that Gretchen Ulion of Connecticut's First District played as a member of this team. Gretchen is an accomplished hockey player, having played on three United States Women's National Teams. Gretchen also left a legacy of records at Dartmouth College. She excelled while playing for the Big Green, setting 11 Dartmouth and 4 Ivy League records. She is also a hero off the ice. Prior to the Olympic games, Gretchen taught high school math and history at the Pingree school in Massachusetts. She plans to continue teaching in the future. Gretchen is joined on the team by two other members with Connecticut roots: Sue Merz from Greenwich and Angela Ruggiero who is presently attending Choate Rosemary Hall in Wallingford.

The Women's Gold Medal in hockey is a great step forward for women and marks their contribution to athletics. The women's team's brilliant play showed not only their talent but their love of the sport. The team showed that a desire to prove themselves and earn respect for their game could lead to success. Women athletes prevailed in the 1998 Winter Olympics, winning eight of the thirteen medals earned by the United States. As Cammi Granato (captain of the 1998 United States Women's Olympic Hockey Team) carried the flag in the closing ceremonies, she became a symbol of the ideals that we cherish so deeply for our youth: heart, dedication, and unity, the kind of ideals that we now find in women athletes like Connecticut's Gretchen Ulion.

This Gold Medal, earned by the United States in the first-ever full medal Women's Olympic Hockey competition is a sign of things to come. As Jack Edwards of ESPN Sports Zone remarked, ''They brought home the glittering gold. They'll have the rest of their lives to savor its aura.''

THE PASSING OF PATRICK J. CAMPBELL

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. GILMAN. Mr. Speaker, it is with deep regret that I inform our colleagues of the passing of one of the outstanding labor leaders in our nation, an individual whose footsteps will be difficult to fill.

Patrick J. Campbell is one of the few last members of a generation that truly knew the meaning of the word hardship. He is one of the last who learned at an early age that hard work is the path not just to success, but to survival.

Pat was born in New York City on July 22, 1918, and was orphaned six years later. This was an era when child welfare and social services were limited, so Pat went to work at a tender, young age. And work he did: shining shoes, hawking newspapers, and working in a candy-making factory.

At the age of 20, Pat moved to Rockland County, New York, in what is now my Congressional District. He became an employee at the Rockland State Hospital, but three years later his career was nipped in the bud with the dropping of enemy bombs on Pearl Harbor. Pat, at the age of 23, enlisted in the Army Air Force, and was one of the many of us who saw action in the South Pacific.

Soon after he returned to Rockland County, after a distinguished career of heroism in the service throughout World War Two, Pat signed up as an apprentice in Local Union #964, United Brotherhood of Carpenters and Joiners. Someone with Pat's talents, drive, and determination to work was not going to be kept down for long. He quickly moved up the ladder: to journeyman, to carpenter, foreman, general construction foreman, superintendent, and, finally, he was elected President of Local Union #964 in 1954.

Just a year later, his accomplishments as Local President were so impressive that he was appointed by U.S. General President M.A. Hutcheson to the International organizing staff. In this position, Pat met carpenters from throughout the free world and gained a greater insight into the problems facing the labor movement at the halfway mark of the 20th century.

In 1957, Pat was appointed a General Representative and assigned to the Niagara Power Project, one of the largest construction undertakings in U.S. history. Pat served as Chairman of the Labor-Management Committee of the entire operation.

Pat continued to advance through the ranks of the United Brotherhood of Carpenters and Joiners. In 1966, he was appointed Assistant to the General President; in 1969, he succeeded to the position of First District Board Member; and in 1974 he was promoted to the high office of Second General Vice President of the United Brotherhood of Carpenters and Joiners of America. He advanced to First General Vice President in 1980.

After 37 years of devotion to the well being of his fellow carpenters and to the labor movement, Patrick J. Campbell became General President of the United Brotherhood of Carpenters and Joiners of America when his predecessor retired, on November 1, 1982.

Mr. Speaker, I am pleased to report that Pat Campbell was just as willing and eager to help and advise after his rise to the National Presidency as he was prior to it. He never forgot his roots in Rockland County, and never hesitated to step forward any time he thought he could be of assistance to my efforts. I shall never forget the superb advice and assistance with which Pat was so generous. He was truly of great help to me in the burdens of public service.

Pat received many honors and awards throughout the years, and continued to serve as Vice President of the New York State AFL–CIO, as Director for the Board of the Urban Development Corporation for the State of New York as a Board Member of the Federal Committee on Apprenticeship, on the Executive Board of the maritime Trades Department, and in many other positions.

Mr. Speaker, I invite our colleagues to join in mourning the passing of a true gentleman who personified the best that the labor union movement has to offer, and to join me in expressing our condolences to his widow, Catherine Keane; his sons, Patrick and Kevin; his daughter, Cynthia; and his six grandchildren. Although no mere words spoken today can possible help ease their grief, they may take some comfort in knowing that many of us share their sense of loss on the passing of this remarkable, big-hearted gentleman, Patrick J. Campbell.

MR. TIM MOORE AND THE STUDENTS OF HERITAGE CHRISTIAN HIGH SCHOOL ARE 'WE THE PEOPLE' CHAMPIONS

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. KLECZKA. Mr. Speaker, I rise today to recognize truly outstanding students from West Allis, WI. Together with their teacher, Mr. Tim Moore, a group of students from Heritage Christian High School united hard work and dedication and have been judged this year's State of Wisconsin 'We the People' champions.

Heritage Christian High School students have consistently succeeded at the 'We the People' competitions, this year being the second time in recent years that a group has emerged victorious from the event. This consistency is no accident, and would not be possible without an impassioned interest by both Mr. Moore and his students in the Constitution of our nation.

The 'We the People' program, funded by the U.S. Department of Education by an act of Congress, compels students to critically examine our Nation's Constitution and provides an arena in which students can explore the intricacies of the document. With the help of a team of volunteers from outside the school, the students studied the history of the document and considered its present day applications.

I would like to again congratulate Mr. Moore and the students from Heritage Christian High School, and wish them continued success in this year's national competition in Washington, D.C.

ERIN WHITTEN—A GUSTY AND TALENTED ATHLETE

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. SOLOMON. Mr. Speaker, there's one face missing from that Wheaties box, and it's that of Erin Whitten of Glens Falls, New York.

Mr. Speaker, I was enormously proud of our triumphant women's hockey team and their success in Nagano, Japan. And I got a kick out of their securing that sure proof of success in American sports, a team photo gracing that ''breakfast of champions,'' Wheaties.

Who's Erin Whitten? Erin Whitten is the young lady who made it all possible. In 1993, Erin Whitten, then a goalie with the Toledo Storm, was the first women goalie to post a regular season in a professional hockey game. It wasn't the first ''first'' for Erin.

She raised some eyebrows when she was only seven years old in the Adirondack Youth Hockey Association. The Glens Falls High School Boy's Hockey Team posted a 21–9–2 record with Erin blocking 84.6 percent of the shots against her. She was the first female to play in the Division II high school state championships. And she was an all-conference honorable mention during the 1988–89 season.

At the University of New Hampshire Erin led the women's hockey team to a record of 54–14–4. She was a four-time ECAC goalie of the year, the University's 1992–93 Woman Athlete of the Year, twice ECAC player of the week, and a two-time Concordia University tournament player of the game. Her women's hockey record of 46 saves in one game still stands. Her collegiate save percentage was an impressive 91 percent.

After a career on minor league hockey teams, Erin began concentrating on the national team with the hope of making the trip to Nagano. Unfortunately, she was one of the last cuts.

But no doubt many of the stars on the women's hockey team, whose triumph ranks with that of the men's team in that glorious 1980 Winter Olympics in Lake Placid, now in our 22nd district, were first inspired by Erin Whitten.

It was she who proved that women, too, have the toughness it takes to play organized hockey, and that given a chance, a team of talented athletes like Erin Whitten play an exciting brand of hockey.

Erin is determined to stay in shape and make the team that represents us in the 2002 Winter Olympics in Salt Lake City. I, for one, would advise every one not to bet that she doesn't make the team. She has already proven herself, and any future history of U.S. women's hockey that's worth reading will devote a long chapter to this gutsy, talented athlete.

And so, Mr. Speaker, please join me in paying tribute to a remarkable young lady, Erin Whitten of Glens Falls.

INTRODUCTION OF THE MEDICARE UNIVERSAL PRODUCT NUMBER ACT

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Ms. SLAUGHTER. Mr. Speaker, I rise to announce that today I will introduce the Medicare Universal Product Number Act, an important bill to cut waste, fraud and abuse in the Medicare program.

In 1996, the federal government conducted the first-ever comprehensive audit of Medicare's books. This audit revealed that Medicare was losing more than $23 billion every year to waste, fraud, and abuse—almost 14 percent of the program's budget. This level of waste and fraud is simply unacceptable. Medicare must make better use of the hard-earned taxpayer dollars that fund this important program.

One of the most important ways Medicare can reduce waste, fraud and abuse is by reforming its durable medical equipment program. Durable medical equipment includes supplies like catheters, wheelchairs, walkers, and ostomy supplies needed by older patients. One of the greatest problems in the medical equipment program is that the current system does not tell Medicare exactly what items are being supplied and paid for.

The Medicare Universal Product Number Act will empower Medicare to know precisely what items are being supplied to older Americans and to tailor reimbursement levels appropriately. This bill requires all medical equipment paid for by Medicare to have a Universal Product Number—very similar to the bar codes on groceries. When suppliers submit claims for reimbursement, they will identify items by UPN. Medicare will know exactly what equipment has been provided and reimburse accordingly.

Most Americans probably believes Medicare already operates this way. Unfortunately, it does not. Medicare currently reimburses for medical equipment under broad categories known as billing codes. A single billing code

may cover hundreds of items across a wide price range. Within a billing code, Medicare pays an average cost based on a complicated formula. Billing codes can be confusing for equipment suppliers and are easily manipulated by unscrupulous suppliers.

UPNs will help revolutionize the way Medicare pays for medical equipment and accounts for the program's spending. The bill will improve Medicare in three important ways.

First, UPNs will help Medicare reduce fraud and abuse by identifying exactly what equipment is being supplied. Inspectors will be able to verify precisely what equipment was billed for and whether it was provided.

Second, UPNs will cut waste by allowing Medicare to pay an accurate price for individual items, instead of wasting money by paying a higher average price when less expensive items are supplied.

Third, UPNs will make the program simpler and fairer for suppliers. They will eliminate the confusing billing codes and ensure that suppliers receive a fair price for all products, instead of overpaying for some and underpaying for others.

I am proud to be introducing this bill with Rep. AMO HOUGHTON of Corning, an outstanding legislator known for his important contribution to health care issues. I would also like to note that this legislation has already been endorsed by Health Industry Distributors Association and the National Association for Medical Equipment Services.

The current system is wasteful and vulnerable to abuse. UPNs are a common-sense solution to make Medicare a wise health consumer on behalf of older Americans, taxpayers, and medical equipment suppliers alike.

NATIONAL SEA GRANT COLLEGE PROGRAM REAUTHORIZATION ACT OF 1998

SPEECH OF

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 1998

Mr. HOYER. Mr. Speaker, I rise today in support of S. 927, the National Sea Grant College Program Authorization. We have needed to re-authorize the Sea Grant Program since 1995 and I want to applaud Representatives SAXTON, YOUNG, ABERCROMBIE and FARR for their leadership on this increasingly important issue:

Mr. Speaker, the Sea Grant Program was established in 1966 to improve the conservation, management, and utilization of marine resources. Modeled after the highly successful Land Grant College Program, Sea Grant has become a National leader in conducting marine research. This research is conducted at 29 designated Sea Grant colleges but the program disseminates their findings to over 300 hundred colleges and universities across the country. One of these Sea Grant designees is the University of Maryland which is located in my District. Maryland is a leader in living marine and estuarine resources research and I can attest to quality of the research conducted through the program.

As a Member from a coastal district, I am acutely aware of the problems confronting our marine environment. This spring and summer we saw how critically important research is with the outbreak of Pfiesteria in the upper Chesapeake Bay. At the time of the outbreak, we were not certain about the most basic facts about the organism, exactly what conditions triggered it to become lethal, how it attacked fish, and the potential danger this organism posed to humans.

The Chesapeake Bay, Mr. Speaker, is not only a National ecological treasure but is one of the most abundant and productive places to conduct research. In addition to Pfiesteria, the Bay has seen the oyster population, which is so vital ecologically and economically, threatened by Dermo and MSX viruses. Sea Grant has been the leader in the Oyster Disease Research Program and fully six million dollars per year is specifically earmarked in the re-authorization for oyster and Pfiesteria study.

Mr. Speaker, I encourage all my colleagues to support this legislation to reauthorize this critically important environmental program.

CAMPAIGN FINANCE REFORM

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. KIND. Mr. Speaker, today and for the rest of this week, the U.S. Senate is considering bipartisan campaign finance reform legislation. This is an issue whose time is long overdue. I rise today to applaud the Senate leadership for their willingness to allow a vote to come to the floor of the Senate. This does not mean that passage of a reform bill is guaranteed. It is, however, a significant step forward.

Mr. Speaker I have documented over the past six months the need to schedule a vote on the floor of the House. I have spoken daily about the importance of this issue to the people of my district. There is little more I can say to convince you to move this issue forward and give Members of Congress an opportunity to make their position known to the public.

I simply ask that as we consider a light legislation schedule this week we find some time to bring to a vote a true bipartisan campaign finance reform bill. The Senate has demonstrated leadership on this issue, it is now our turn. The people of my district will not accept ''no'' for an answer.

HONORING JOHN B. PERERA

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. KUCINICH. Mr. Speaker, I rise to honor the memory of John B. Perera, for his dedication to worthy causes, his numerous years of service, and for his devotion to the continuance of humanity.

Born in New York City, Mr. Perera, because of his staunch Quaker faith, executed his military duties in the Korean War by doing social work in Mexico and El Salvador for the government. He studied at Ohio State University and held many jobs before finally arriving in Cleveland to work as a truck driver for a food cooperative. Unfortunately during his tenure as a truck driver, Mr. Perera acquired a respiratory illness that led to his retirement on disability.

Mr. Perera's retirement can be seen as a blessing though. Mr. Perera took advantage of his retirement to pursue causes relevant to the survival of the human race and the advancement of human rights. He served on numerous councils and committees, most notably the Sierra Club, Coalition for a Clean Environment, and the American Lung Association. Mr. Perera testified in front of state committees to stop the dumping of nuclear waste, championed the issues of improving low-income housing and women's rights, and demonstrated for causes he strongly believed in such as the environment and health care.

Mr. Perera's activism portrays him as a model American citizen. His peaceful demonstrations in support of his most cherished values and issues will never be forgotten. He leaves behind two sons, one daughter, his father, four grandchildren, a brother, three sisters, and a legacy of true patriotism.

My fellow colleagues, please join me in saluting the life of Mr. John B. Perera.

TRIBUTE TO JOSEPH F. DUFFY

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention Joseph F. Duffy of the Diocese of Paterson, New Jersey. Joe is being honored on Sunday, February 15, 1998 on the occasion of the 28th Annual Murray House Dinner Dance.

Joe is currently serving as Executive Director of Catholic Family & Community Services (CFCS). As Executive Director, he is responsible for the delivery of social services to clients in Morris, Passaic and Sussex Counties, and oversees a budget of $6.5 million. These services include assistance to emotionally troubled children and adults, persons with disabilities, individuals with AIDS, the elderly, homeless, jobless, refugees, immigrants, and persons seeking to adopt.

Additionally, Joe is also Executive Secretary for Social Ministries. In this capacity, Joe is responsible as CEO of CFCS and oversees the activities of four other Social Services Agencies and the Department of Parish Social Ministries. He directs Social Ministries with a budget of $25 million.

Joe's impressive resume does not stop here. Before joining CFCS in April of 1997, Joe served as Vice-President of Long-Term and Ambulatory Care Services, Assistant Vice-President of Long Term Care Services, and in many capacities with the Diocese of Paterson's Department of Persons with Disabilities. He also served as a Co-Director and House Parent at the Murray House from September of 1971 to June of 1976.

In addition to his administrative skills and experience, Joe has vast educational and teaching experience. He is currently service as Field Instructor at Rutgers University's Graduate School of Social Work, a position he has held before in the late 1970's and mid-1980's at Rutgers, Fordham University, Ramapo College, Fairleigh Dickinson University, and William Paterson College. Joe has also served as

an Adjunct Faculty member at St. Elizabeth's College, in the Department of Business Administration and Sociology.

An honors graduate, Joe has an M.P.A. degree in Health Care from Rutgers. He has two M.A. degrees in Rehabilitation Counseling from Seton Hall University, and in Special Education from William Paterson College. Joe also has a B.A. degree in Sociology from Seton Hall. He graduated from all of these schools with honors.

Joe is also involved with numerous professional and civic associations, and currently serves as President of CFCS, Straight & Narrow, the Father English Multi-Purpose Community Center. He is a member of the New Jersey Chapter of the American Red Cross, the Federal Emergency Management Agency (Passaic County), the Association for Special Children & Families, and the West Milford Board of Education.

Joe is married and is the father of three children.

Mr. Speaker, I ask that you join me, our colleagues, and Joe's family and friends, in recognition of Joseph F. Duffy's many outstanding and invaluable contributions to our society.

HONORING MRS. BETTY WILHELM FOR HER SERVICE TO THE COFFEE COUNTY DEMOCRATIC PARTY AND CONGRATULATING HER FOR BEING AWARDED THE TITLE OF ''MRS. DEMOCRAT''

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. CLEMENT. Mr. Speaker, I rise today to honor Mrs. Betty Wilhelm for her service to the Coffee County democratic party and congratulating her for being awarded the title of ''Mrs. Democrat.''

The honor of being chosen Mrs. Democrat stems from life-time support of the party, dedication to the democratic process and an unceasing energy for volunteerism.

Mrs. Democrat, Betty Wilhelm, is a native of Coffee County and a dedicated servant for the Democratic Party. Any time she is called, she is available to help, most of the time behind the scenes. She does not offer her assistance in order to get publicity; instead, Mrs. Wilhelm chooses to work quietly, but enthusiastically.

Mrs. Wilhelm has received a number of awards in her 26-year capacity as a teacher at Coffee County New Union School. In 1974, she was named ''Outstanding Young Educator'' by the Kiwanis Club, and in 1996, she was named Coffee County 4–H Teacher/leader. She is listed in ''Who's Who in America.''

Mrs. Wilhelm's honors don't always come in the form of awards. She is active in community volunteerism, in her church and serves on the board of directors of the Arrowheads to Aerospace Museum. She has been active in several Democratic campaigns, working to ensure that Democratic candidates are elected.

This committed citizen embodies the kind of energy, enthusiasm and dedication that we should all strive for. Mrs. Wilhelm is a grassroots campaigner who works to get voters out on election day. Because of her work, and the work of people like her, Coffee County has not gone Republican for many years.

I congratulate Betty Wilhelm on her lifetime achievement award and I commend her for her years of commitment.

CONGRATULATING THE GIRL SCOUTS OF APALACHEE BEND

HON. ALLEN BOYD

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. BOYD. Mr. Speaker, I am proud to congratulate twelve outstanding young women from the Girl Scout Council of the Apalachee Bend who were honored with the Girl Scouts of the United States of America Gold Award. Linda F. Brown, Cheryl Leigh Collins, Katie Copeland, Lucy Donnellan, Elizabeth Fraser, Amber Lanier, Ashley Luten, Antonia McDonald, Francesca Simmons, Jessica Stewart, Patricia Welch, and Jennifer E. Weldon have now become a part of the elite few who have earned the highest achievement award in Girl Scouts, the Gold Award.

This prestigious award symbolizes outstanding accomplishments in the areas of leadership, community service, career planning, and personal development. I hope that they each will share with their communities the knowledge and experience they gained throughout their years as Girl Scouts.

On behalf of the citizens of North Florida, I want to express my appreciation for the patriotism and dedication of these young women and confidence in their leadership and ability to guide our communities to a brighter tomorrow.

IN HONOR OF THE DETROIT SHOREWAY COMMUNITY DEVELOPMENT ORGANIZATION

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. KUCINICH. Mr. Speaker, I rise to honor the accomplishments of the Detroit Shoreway Community Development Organization on its 25th anniversary of service to the Cleveland community.

The Detroit Shoreway Community Development Organization prides itself on establishing close relations with members of the Cleveland community to promote neighborhood development. During the organization's tenure, numerous neighborhoods throughout Cleveland have seen the positive effects of Detroit Shoreway's work. By cooperating with community leaders, civic groups, and Cleveland citizens, the Detroit Shoreway Community Development Organization has accomplished its goal of developing successful neighborhood improvements in the Cleveland area.

My fellow colleagues, join me in saluting the Detroit Shoreway Community Development Organization on their 25th anniversary of promoting successful economic development for Cleveland neighborhoods.

CELEBRATING THE 100TH ANNIVERSARY OF THE INDEPENDENCE EXAMINER

HON. KAREN McCARTHY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Ms. McCARTHY of Missouri. Mr. Speaker, I am honored today to rise on behalf of former President Harry Truman's home town daily newspaper, ''The Examiner'' which is celebrating its 100th anniversary. ''The Examiner's'' reflective motto for the celebration ''proud past, exciting future'' is certainly appropriate. Having been founded on February 19, 1898 as ''The Jackson Examiner'' by Colonel William Southern, Jr., ''The Examiner'' serves eastern Jackson County, Missouri as a daily newspaper. With a rich heritage of journalism, the newspaper captures the essence of life in former President Harry Truman's home community.

''The Examiner'' maintains an operating philosophy which ''counts the day lost when you or your company has not done something to benefit the community it serves.'' The newspaper staff is committed to sound Midwestern principles and dedicated to serving its readers. ''The Examiner'' as we know it today has evolved into a pillar in the community during its century of service to Jackson County. Now celebrating its 100th year in business, ''The Examiner'' also celebrates its first year of being on-line with interactive journalism.

The publication has been led since 1986 by publisher Ben F. Weir, Jr. who through his leadership has continued to ensure that ''The Examiner'' remains on the cutting edge of journalism. Currently held by Morris Communications Corporation of Augusta, Georgia, ''The Examiner'' publishes daily news in the greater Independence and Blue Springs areas of Missouri. Mr. Speaker, our community is fortunate to have the commitment and leadership of the Weir family, as well as other dedicated publishers like Colonel Southern and former co-publisher Frank Rucker, who remain committed to communicating the news of the day and serving their community. It is with great pride that I salute ''The Examiner'' on 100 years of success. On Thursday, February 19, 1998 I have the distinct honor of joining ''The Examiner'' family in celebrating their 100th anniversary.

1998 CONGRESSIONAL OBSERVANCE OF BLACK HISTORY MONTH

SPEECH OF

HON. JOHN F. TIERNEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 11, 1998

Mr. TIERNEY. Mr. Speaker, while we celebrate the many accomplishments and contributions that African Americans have brought to our diverse country this month, I would like to bring to the attention of my colleagues an individual whose spiritual faith and dedication to inner-city children has been an inspiration to many.

Rev. Walter Murray graduated from Harvard School of Divinity in 1986 and for the past eight years, has been Pastor at Zion Baptist

Church in Lynn, Massachusetts. During his tenure at Zion Baptist he founded the ''Inroads New England'' program and provided transportation to inner-city children who otherwise would not be able to attend program events. Last fall, Rev. Murray was honored for his work with Inroads New England.

The co-founder of the Essex County Community Organization, Rev. Murray also helped create the Jump Start program in the basement of his church, which provided after-school activities for latchkey children. He is a member of the Swampscott, Massachusetts Rotary Club and has assisted in the development of youth leadership weekends. He has been honored with the Massachusetts Ecumenical Council of Churches award for Ecumenism, the First Decade Award from Harvard Alumni Association, and the Childrens Defense Fund National Achievement Award.

Frederick Douglass once said, ''I cannot allow myself to be insensitive to the wrongs and suffering of any part of the great family of man.'' Rev. Murray personifies the words of the great abolitionist and civil rights leader through his selfless dedication and spiritual devotion the children who are often neglected and forgotten. His work has touched the lives of hundreds of children and adults and he continues to influence more and more individuals every day. In our lifetime, we are fortunate to know at least one person with such philanthropic commitment, and as we commemorate Black History Month, I am honored to call Rev. Murray a constituent, a dear friend, and an individual who truly represents the achievements of African Americans to our society.

TWO MINNESOTANS ON THE U.S. WOMEN'S HOCKEY TEAM SHARE IN OLYMPIC VICTORY

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. VENTO. Mr. Speaker, I want to take this opportunity to bring the attention of my colleagues to the accomplishments of our U.S. Women's Hockey Team, who recently won the gold medal in the 1998 Winter Olympics in Nagano, Japan. I am particularly honored to mention two Minnesotans who shared in the February 16 victory over Canada, Alana Blahoski of St. Paul and Jenny Schmidgall of Edina.

Alana Blahoski, who is 23 years old, played on boy's teams at Johnson High School, traditionally one of the best Minnesota high school hockey teams. She later played on the men's hockey team at Providence College in Rhode Island. This has been her third year with Team USA. Jenny Schmidgall was in eighth grade when she started playing women's hockey at Edina High School. At 19 years old, she is the second youngest player on Team USA. She currently plays hockey for the outstanding University of Minnesota women's hockey team.

The victory of Team USA marks a watershed moment in the history of women's hockey and sports in the United States. Until as recently as five years ago, women's hockey as a sanctioned sport was practically nonexistent in the United States, though its popularity in Canada and countries in Europe was soaring. As early as the 1970s, women's hockey was an internationally competitive sport. The United States did not actually recognize women's hockey until 1994, when Minnesota became the first state to sanction high school ice hockey for girls. Now, thanks to the dedication, hard work and discipline of Alana Blahoski, Jenny Schmidgall and the rest of the Team USA, women's ice hockey in the United States is receiving the recognition it deserves. The future of women's ice hockey has been assured by this historic moment.

This achievement is a wonderful opportunity to pay tribute to two great Minnesotans, whose efforts last week made history for female hockey players all over the world and earned them the 1998 Olympic gold medal.

RECOGNIZING KERNAA D. MC FARLIN

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Ms. BROWN of Florida. Mr. Speaker, I rise today to recognize the contributions of a ''most outstanding musician'', Kernaa D. McFarlin.

At age eleven, Kernaa D. McFarlin began his career in Tampa, Florida under the tutelage of Captain Carey W. Thomas, retired director of bands at Florida A&M University. Later, he played in the Middleton High School Band and received a scholarship to Florida A&M upon graduation.

During his college years, he was the woodwind section leader in the band and orchestra. Kernaa credits Leander Kirksey with outstanding woodwind instruction. In 1943, Mr. McFarlin was inducted into the U.S. Army and soon became a member of the famous 92nd Infantry Division Band. During his military career, he attained the rank of Sergeant.

After leaving the army, Kernaa returned to Florida A&M where he participated in the college bands under the direction of William P. Foster. Because of Mr. McFarlin's experience and training, he was able to provide valuable assistance and leadership in the development of the newly re-activated college band program.

Upon graduation, Kernaa McFarlin was appointed to be the first official band director at Stanton Senior High in Jacksonville, Florida. During his tenure as the band director, he earned a Master's Degree from the New York University. McFarlin's bands amassed a total of nineteen consecutive years of superior ratings in the Florida Association of Band Directors and the Florida Bandmasters Association contests.

Other highlights of the achievements of this band include: Being selected as Florida's representative at the 1964 New York World's Fair, participating in three Florida Governor Inaugural parades, and being selected by the Florida Department of Education in 1966 Midwest National Conference of Colleges and University Education's ''Education Is For All'' convention. In 1966, Mr. McFarlin's Stanton High School band was recognized by the ''Instrumentalist'' magazine as one of the ''highly regarded bands in the Southeast.''

For the past twenty-seven years, Mr. McFarlin served as an honorary member and adjudicator of the Florida Bands Association. He received over fifty awards for musical excellence and community service.

Mr. McFarlin's achievements can best be described by his students who all echoed that ''Mr. Mac'' as they lovingly referred to him, not only taught them music, but character and Christian values necessary for successful living.

An award, ''Most Outstanding Musician'' was named in McFarlin's honor has been established at the Stanton Preparatory College Band and is given annually to the most deserving student.

As a former student of Mr. McFarlin, I am delighted to mention that the great State of Florida has been most fortunate to have shared the gifts and talents of Kernaa D. McFarlin.

Mr. McFarlin passed on December 21, 1997.

IN HONOR OF DAVE'S SUPERMARKETS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. KUCINICH. Mr. Speaker, I rise to honor the contribution of Dave's Supermarkets to the economic well-being and general welfare of the Ohio City neighborhood.

Dave's Supermarkets have exemplified the attitude of community improvement and well-being during its many years of operation. With the opening of the Ohio City store, 93 locals, most of whom were unemployed or in low-income jobs, now receive union wage paychecks and even health care benefits and pension plans. Dave's gave them the opportunity to reintegrate themselves into the workforce, thus improving their lifestyles and revitalizing the neighborhood. The attitude of Dave's Supermarkets and its owners, the Saltzman family, has clearly affected the life of the Ohio City community for the better.

Employees of the newly-constructed Dave's reflect the ethnic and cultural diversity of the neighborhood and are friendly, energetic, and optimistic. by mixing the local characteristics of the ''general store'' with the modern supermarket experience, Dave's provides a welcome community atmosphere. Truly, Dave's Supermarkets offer intrinsic American values that we all cherish: congeniality, supportive customer service, and a friendly atmosphere in which to shop.

My fellow colleagues, please join me in saluting Dave's Supermarkets and the employees of the Dave's Ohio City store.

HONORING MR. SAM MOORE FOR HIS SERVICE TO GOD AND FOR HIS COMMITMENT TO THOMAS NELSON PUBLISHERS

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. CLEMENT. Mr. Speaker, I rise today to honor Mr. Sam Moore, the head of Thomas Nelson Publishers, for his devoted service to God and for his dedication to the distribution of God's Word.

Mr. Moore was born in Beirut, Lebanon in 1930. When he immigrated to the United States in 1949, he came with $600, a will to succeed, a strong faith and a willingness to devote his life to God.

Upon his arrival, Mr. Moore began to live the ''American dream.'' by selling books and Bibles door to door, he earned enough money to pay tuition to Columbia Bible College in South Carolina. The oldest of six children, Mr. Moore knew the importance of sacrifice and he worked hard to put himself through school. In any situation, supporting oneself is difficult while pursuing an education. But for Mr. Moore, the task was more difficult because he was thousands of miles away from home and had only a limited grasp of the English language.

Still, he was determined to succeed, and he certainly did. He earned two master's degrees simultaneously from the University of South Carolina and from Columbia International University. Then he started his own Bible and book sales business, sticking to the trade that had allowed him to go to college. His dedication paid off. By 1962, Mr. Moore had formed his own Bible publishing firm, Royal Publishers.

In 1967, Mr. Moore was approached by the owner of Thomas Nelson Publishers, a publishing house with a history that dated back to 1798 in Scotland. Thomas Nelson Publishers had been the first to offer spiritual literature to everyone, not just the wealthy elite. The company had survived fires, World Wars and bombs. Now, the owner of the company was asking Mr. Moore to run the American operations.

Instead, Mr. Moore bought Thomas Nelson and merged it with Royal Publishers. By 1975, Thomas Nelson was the leading publisher of Bibles in the world, publishing Bibles with special features targeting individual needs. Today, Thomas Nelson books and Bibles continually top best-seller lists and are found in every country across the globe. In addition, Thomas Nelson is the largest publicly traded Christian communications company in the world. All this from $600, a determination to succeed, and an unfailing belief that God had a plan.

This year, Thomas Nelson celebrates its 200th anniversary. Examining the history of the publishing company, God clearly had a plan for Sam Moore. The company started In the heart of an 18-year-old Scottish man, flourished through political and social change, survived several devastating setbacks and emerged as a world leader in Christian publishing. God's plan was for Sam Moore and Thomas Nelson Publishers to join together with the goal of spreading God's Word to all people.

As we celebrate 200 years, let us reflect on the colorful, glorious history of Thomas Nelson Publishers and the promise of a bright future in Christian publishing. And, let us not forget the man we honor today, who lives his life to honor God.

Congratulations to Sam Moore on his extraordinary life and business career, and may God continue to bless him, his wife Peggy and his children, Samuel Joseph and Sandra Lee and Rachel Michelle.

THE 150TH ANNIVERSARY CELEBRATION OF WORCESTER—THE HEARTBEAT OF MASSACHUSETTS—1848–1998

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. McGOVERN. Mr. Speaker, on February 29, 1848, Governor George W. Briggs signed a charter, drafted by local citizens and authorized by the General Court, which transformed Worcester from a town to a city.

January 7, 1997 was the day that I took the oath of office and became a Member of the U.S. House of Representatives—representing the City of Worcester and thirty-three other towns and cities in Massachusetts. And in those initial moments as a Member of Congress, I began to dream. I thought of the magnificent objectives that could be achieved during the years to come if we were able to commit ourselves to a shared vision for this marvelous city. Without question, our ancestors had such dreams.

The first Mayor of Worcester, Levi Lincoln, made the following remarks upon leaving office in 1849. ''* * * And now, Gentlemen, in leaving these seats to our successors, we leave to them, also, the fruits of our labors and of our experience, whatever may be their value. We leave to them a new form of organized municipal Government, in all its departments in successful operation, with a system of rules and ordinances, unquestionably somewhat imperfect and requiring modification and amendment, yet the basis of all necessary legislation for the administration of the affairs of the City. We leave them our best hopes and our truest good wishes for the performance of their official duties with satisfaction to their own minds, and to the approval of their constituents, and the lasting benefit and prosperity of our beloved City. They assume high trusts, and heavy responsibilities. The peace and happiness of thousands of citizens, and the security and enjoyment of millions of property, will, in a greater or less degree, be affected by the manner in which these responsibilities shall be met, and these trusts discharged.''

On the occasion of Worcester's 50th anniversary, Frank Roe Batchelder wrote:

Five decades have her children kept
  Her civic honor free from stain,
While with the world she's laughed and wept
  And shared her country's loss and gain.

She toils and ventures, strives and builds,
  And seeks to sweeten life for all
The craftsmen of her thousand guilds
  Who answer to her every call.

Crowned by the smoke of many mills
  She welcomes workers to her gate;
And in her children's hearts instills
  Love for the toil that makes her great.

Patron of every useful thing,
  She sits at Learning's feet, nor finds
Her glory less that she should bring
  Her tribute to the might of minds.

Yet does she make, when all is said,
  No product more desired of men,
No brighter chaplet for her head,
  Than her grand type of citizen.

In war and peace, in school and shop,
  Beyond the knowledge of her name,
Rising insistent to the top,
  Those she has bred have brought her fame.

When her bright century is run,
  Be ours to have our children say
Their service is the better done
  For that we render her to-day.

The heart of Worcester beats the rhythm of progress as she boldly moves in to the 21st Century. This heartbeat is deeply rooted in a strong sense of pride in Worcester's past and reflects not only a deep appreciation for the cultural, religious and ethnic heritage of its people but a legacy of greatness as well.

I am proud to call Worcester my home.

RECOGNIZING LIEUTENANT GLEN S. LEVERETTE

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Ms. BROWN of Florida. Mr. Speaker, I rise today to recognize the distinguished Lieutenant Glen S. Leverette of the United States Navy.

On March 17, 1998, Lieutenant Leverette will be recognized by the Newport County Council, Navy League of the United States and the Rotary Club to receive the Military Service Member of the Year.

A native of Jacksonville, Florida, Lieutenant Leverette graduated from Fletcher Senior High School, Neptune Beach, Florida in 1986. He is a graduate of the U.S. Naval Academy, Gordon Conwell Theological Seminary, and Jacksonville University, where he received a Master of Arts in teaching. Commissioned in May 1990, Lieutenant Leverette has had a versatile career as a naval officer, from the Command Information Center and Assistant Operations Officer on the cruiser USS Leyte Gulf (CG-55), to his current assignment as the Propagation Detection/Command and Control Unit Lead Instructor at Surface Warfare Officers School Command (SWOSCOLCOM), Newport, RI.

Lieutenant Leverette was cited for his sustained superior performance during his tour with the SWOSCOLCOM. He has served with the utmost distinction as an instructor, student advisor, and ADP Officer at Division Officer Training Department. Lieutenant Leverette's professional knowledge, enthusiasm, and motivation has had a direct impact on thousands of officers. Due to his dedication of duty and sustained superior performance, Lieutenant Leverette was selected as the Instructor of the Year by his peers.

As a community leader, Lieutenant Leverette provides counseling, spiritual, and pastoral support for more than 150 members in the Providence, Rhode Island Metropolitan area as Pastor of the Congdon Street Baptist Church. As an advocate for youth in his community, he supports the Baptist Youth Fellowship and the City of Providence's Adopt-A-Child program.

Lieutenant Leverette currently resides in Taunton, Massachusetts with his wife Marian and their daughter Kalea.

I am pleased to salute Lieutenant Glen S. Leverette of the United States Navy on his outstanding accomplishment.

PERSONAL EXPLANATION

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. CLEMENT. Mr. Speaker, on Roll Call Vote no. 14, I was unavoidably detained on official business. Had I been present, I would have voted aye, and I ask unanimous consent that this statement be placed in the appropriate portion of the RECORD.

Mr. Speaker, on Roll Call Vote no. 15, I was unavoidably detained on official business. Had I been present, I would have voted aye, and I ask unanimous consent that this statement be placed in the appropriate portion of the RECORD.

Mr. Speaker, on Roll Call Vote no. 16, I was unavoidably detained on official business. Had I been present, I would have voted aye, and I ask unanimous consent that this statement be placed in the appropriate portion of the RECORD.

Mr. Speaker, on Roll Call Vote no. 17, I was unavoidably detained on official business. Had I been present, I would have voted nay, and I ask unanimous consent that this statement be placed in the appropriate portion of the RECORD.

DEPARTMENT OF JUSTICE BARS REMEDY FOR BLACK FARMERS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. CONYERS. Mr. Speaker, it is with outrage that I rise today to strongly admonish the Attorney General Janet Reno, and the Department of Justice in its handling of discrimination complaints of Black Farmers. It has come to the attention of the members of the Congressional Black Caucus that Attorney General Janet Reno will be releasing an opinion shortly which would block many Black Farmers from receiving adequate relief in the form of compensatory damages for federal claims made prior to 1994. The fate of many, many black farmers will rest on this opinion.

The situation is that the United States Department of Agriculture encouraged all farmer program participants to participate in the administrative complaint/investigation process. Subsequently, after the farmers placed their claims in good faith, the USDA in effect ''closed down'' the administrative process. This process was closed down for approximately 12 years with no notice of this ''closing down'' being given to the farmers. Finally, when the black farmers filed lawsuits because that were getting no satisfaction from the administrative process, they were told they were barred by the Statute Of Limitations.

The government is complicit and has unclean hands in this matter. It is shameful that the Department of Justice has decided to raise technical defenses, primarily the Statute Of Limitations to bar claims made by the these farmers. The black farmers are granted only one avenue for monetary remedy from which the Department of Justice is allowing payment. This avenue is The Equal Credit Opportunity Act of 1972. This Act has a two year statute of limitations. Hence, all black farmers who made their claims prior to 1994 will be barred from monetary relief, even in cases where discrimination can be established. This is a crime and an atrocity. If the Attorney General goes forward with this tact, then only program type relief will be available. Program relief includes debt and loan forgiveness. Such relief would not be sufficient to right the wrongs done to America's Black Farmers.

I strongly urge Attorney General Janet Reno and the Department of Justice not to issue this opinion, not add to injustices that black farmers have suffered, not to be final death knell to hope for justice and fairness to these black farmers.

RONALD REAGAN WASHINGTON NATIONAL AIRPORT

SPEECH OF

HON. CHARLES W. STENHOLM

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 1998

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2625) to redesignate Washington National Airport as ''Ronald Reagan Washington National Airport''

Mr. STENHOLM. Mr. Chairman, I regretfully rise in opposition to this legislation which will rename Washington National Airport for former President Reagan. I rise regretfully because I do believe that President Reagan certainly should be honored, but I do not believe that this is the proper way to honor our former president.

Washington National Airport is named after one of our founding fathers and first president, George Washington. It is not appropriate to change a name which honors our first president in order to honor another. President Washington lived just down the road from the airport at Mount Vernon, and it has been said here today that the tract of land on which Washington National Airport currently sits was actually owned by his family.

Additionally, this proposed name change is not consistent with President Reagan's philosophies on local control and federal intrusion. President Reagan was a champion of shifting control from the federal government to state and local authorities where decisions are best made. The local governments of Arlington County and the City of Alexandria oppose this change; certainly the federal government should not usurp the wishes of the local governments to honor a man who worked to ensure local representation and control of many entities, including Washington National Airport.

I hope that we in Congress will find a more appropriate way to honor President Reagan. I personally have a great deal of admiration for President Reagan and respect his public service to our nation. In fact, I doubt there is a singe Democrat in Congress who supported Ronald Reagan as much as I did during his presidency. I intend to visit with my constituents to come up with ways to honor President Reagan, and I hope that we come up with a better way to honor President Reagan and his legacy.

HONORING MR. ROBERT L. COUCH JR. FOR HIS SERVICE TO THE COFFEE COUNTY DEMOCRATIC PARTY AND CONGRATULATING HIM FOR BEING AWARDED THE TITLE OF ''MR. DEMOCRAT''

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 1998

Mr. CLEMENT. Mr. Speaker, I rise today to honor Mr. Robert Couch Jr. for his service to the Coffee County democratic party and congratulating him for being awarded the title of ''Mr. Democrat.''

The honor of being chosen Mr. Democrat stems from life-time support of the party, dedication to the democratic process and an unceasing energy to for volunteerism.

Mr. Democrat, Bob Couch, is a dependable, life-time supporter of the Democratic party. Mr. Couch played an important role in a campaign that is very dear to my heart—he co-chaired Coffee County's campaign to elect my father, Frank Clement, to governor in 1953. I remember meeting Mr. Couch when he came to the Governor's residence to have a picture made with me and my brothers. My father always appreciated the work Mr. Couch did for him and for the Democratic party.

Mr. Couch is a Tullahoma merchant, a photographer and a historian. He teaches Sunday School and holds several offices at his church. He has been active in the American Legion for 52 years and a member of the Shriners Masonic Lodge for 48 years. Mr. Couch was also the recipient of the first Tullahoma ''Lifetime Achievement'' award.

This devoted citizen embodies the kind of energy, enthusiasm and dedication that we should all strive for. Mr. Couch is a grassroots campaigner and because of his work, and the work of people like him, Coffee County has not gone Republican for many years.

I congratulate Bob Couch on his lifetime achievement award and I comment him for his years of commitment

Tuesday, February 24, 1998

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S865–S946

Measures Introduced: Four bills were introduced, as follows: S. 1669–1672. **Pages S919–20**

Campaign Finance Reform: Senate continued consideration of S. 1663, to protect individuals from having their money involuntarily collected and used for politics by a corporation or labor organization, taking action on amendments proposed thereto, as follows: **Pages S869–82, S884–S919**

Pending:

McCain Amendment No. 1646, in the nature of a substitute. (By 48 yeas to 51 nays (Vote No. 12), Senate failed to table the amendment.)

Pages S869–82, S884–S906, S908–09

Snowe Amendment No. 1647 (to Amendment No. 1646), to amend those provisions with respect to communications made during elections, including communications made by independent organizations.

Pages S906–909, S911–19

Lott Amendment No. 1648 (to Amendment No. 1647), in the nature of a substitute. **Page S907**

Lott Amendment No. 1649, to prohibit the use of funds by the Federal Communications Commission to impose or enforce requirements with respect to electioneering communications. **Page S907**

Lott Amendment No. 1650 (to Amendment No. 1649), of a perfecting nature. **Page S907**

Motion to commit the bill to the Committee on Commerce, Science, and Transportation, with instructions. **Page S907**

Lott Amendment No. 1651 (to the instructions in the motion to recommit), to prohibit the use of funds by the Federal Communications Commission to impose or enforce requirements with respect to electioneering communications. **Pages S907–08**

Lott Amendment No. 1652 (to Amendment No. 1651), in the nature of a substitute. **Pages S907–08**

Lott Amendment No. 1653 (to Amendment No. 1652), of a perfecting nature. **Page S908**

A motion was entered to close further debate on Amendment No. 1647, listed above and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on the cloture motion will occur on Thursday, February 26, 1998.

Pages S908–09

A motion was entered to close further debate on Amendment No. 1646, listed above and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on the cloture motion could occur on Thursday, February 26, 1998.

Pages S908–09

A motion was entered to close further debate on the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on the cloture motion could occur on Thursday, February 26, 1998. **Page S919**

Senate will continue consideration of the bill and amendments pending thereto, on Wednesday, February 25, 1998.

Appointment:

Amtrak Reform Council: The Chair, on behalf of the Majority Leader, pursuant to Public Law 105–134, announced the appointment of the following individuals to serve as members of the Amtrak Reform Council: Gilbert E. Carmichael, of Mississippi, Joseph Vranich, of Pennsylvania, and Paul M. Wyrich, of Virginia. **Page S943**

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting the report of an executive order ordering the Selected Reserve of the armed forces to active duty; referred to the Committee on Armed Services. (PM–97) **Page S919**

Nominations Received: Senate received the following nominations:

George McGovern, of South Dakota, for the rank of Ambassador during his tenure of service as U.S. Representative to the United Nations Agencies for Food and Agriculture.

Mary Beth West, of the District of Columbia, a Career Member of the Senior Executive Service, for the rank of Ambassador during her tenure of service as Deputy Assistant Secretary of State for Oceans and Space.

Melvin R. Wright, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

2 Army nominations in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Army and Marine Corps.

Pages S943–46

Messages From the President: **Page S919**

Messages From the House: **Page S919**

Statements on Introduced Bills: **Pages S920–31**

Additional Cosponsors: **Pages S932–33**

Amendments Submitted: **Pages S933–40**

Notices of Hearings: **Page S940**

Authority for Committees: **Pages S940–41**

Additional Statements: **Pages S941–42**

Record Votes: One record vote was taken today. (Total—12) **Pages S905–06**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:28 p.m., until 10 a.m. on Wednesday, February 25, 1998. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record, on page S943.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—AGRICULTURE

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, and Related Agencies held hearings on proposed budget estimates for fiscal year 1999 for the Department of Agriculture, receiving testimony in behalf of funds for their respective activities from I. Miley Gonzalez, Under Secretary for Research, Education and Economics, Eileen Kennedy, Acting Deputy Under Secretary for Research, Education and Economics, Donald Bay, Administrator, National Agriculture Statistics Service, Floyd P. Horn, Administrator, Agricultural Research Service, Susan Offutt, Administrator, Economic Research Service, Bobby H. Robinson, Administrator, Cooperative State Research, Education, and Extension Service, and Dennis Kaplan, Deputy Director, Budget, Legislation, and Regulatory Systems, all of the Department of Agriculture.

Subcommittee will meet again on Thursday, February 26.

APPROPRIATIONS—JUSTICE

Committee on Appropriations: Subcommittee on Commerce, Justice, State, and Judiciary, and Related Agencies held hearings on proposed budget estimates for fiscal year 1999 for the Department of Justice, receiving testimony from Janet Reno, Attorney General, and Stephen R. Colgate, Assistant Attorney General for Administration, both of the Department of Justice.

Subcommittee will meet again on Thursday, February 26.

OPERATIONAL READINESS

Committee on Armed Services: Subcommittee on Readiness held hearings to examine the status of the operational readiness of the United States military forces including the availability of resources and training opportunities necessary to meet our national security requirements, receiving testimony from Vice Admiral Herbert A. Browne, Jr., II, USN, Commander, III Fleet; Maj. Gen. Marvin R. Esmond, USAF, Commander, Air Force Air Warfare Center, Nellis Air Force Base; Maj. Gen. Ronald G. Richard, USMC, Commanding General, Marine Corps Air Ground Combat Center; Brig. Gen. Dean W. Cash, USA, Commanding General, National Training Center and Fort Irwin; Col. Thomas Matthews, USA, Commander, Aviation Brigade, 101st Airborne Division; Capt. Thomas Kilcline, USN, Commander, Carrier Air Group 14; Col. Stephen Bozarth, USAF, Commander, 388th Fighter Wing Operations Group; and Col. Emerson N. Gardner, USMC, Commander, 26th Marine Expeditionary Unit.

Hearings continue tomorrow.

SOCIAL SECURITY REFORM

Committee on the Budget: Committee's Task Force on Social Security concluded hearings to discuss the Administration's plans to safeguard Social Security in the context of the Federal budget, after receiving testimony from Franklin D. Raines, Director, Office of Management and Budget; Lawrence H. Summers, Deputy Secretary of the Treasury; and Kenneth S. Apfel, Commissioner, Social Security Administration.

GLOBAL TOBACCO SETTLEMENT

Committee on Commerce, Science, and Transportation: Committee resumed hearings to examine the proposed settlement between State Attorneys General and tobacco companies to mandate a total reformation and restructuring of how tobacco products are manufactured, marketed, and distributed in America, receiving testimony from Geoffrey C. Bible, Philip Morris Companies, Inc., Steven F. Goldstone, RJR Nabisco, Inc., and Laurence A. Tisch, Loews Corporation, all of New York, New York; Nicholas G. Brookes, Brown and Williamson Tobacco Corporation, Louisville, Kentucky; and Vincent A. Gierer, Jr., UST Inc., Greenwich, Connecticut.

Hearings continue on Thursday, February 26.

GETTYSBURG NATIONAL MILITARY PARK

Committee on Energy and Natural Resources: Subcommittee on National Parks, Historic Preservation, and Recreation concluded oversight hearings to examine the National Park Service's proposal to develop a visitor center and museum facility complex at the Gettysburg National Military Park in Pennsylvania, after receiving testimony from Senators Specter and Santorum; Denis P. Galvin, Deputy Director, National Park Service, Department of the Interior; Ralph W. Tarr, Andrews & Kurth, Washington, D.C., former Solicitor, Department of the Interior; Walter L. Powell, Gettysburg Battlefield Preservation Association, and Keith G. Dorman, Friends of the National Parks at Gettysburg, both of Gettysburg, Pennsylvania; Richard Moe, National Trust for Historic Preservation, Washington, D.C.; and Dennis E. Frye, Association for the Preservation of Civil War Sites, New York, New York.

NATO ENLARGEMENT

Committee on Foreign Relations: Committee held hearings to examine Administration views on the proposed Protocols to the North Atlantic Treaty of 1949 on the Accession of Poland, Hungary, and the Czech Republic (these protocols were opened for signature at Brussels on December 16, 1997, and signed on behalf of the United States and other parties to the North Atlantic Treaty) (Treaty Doc. 105–36), receiving testimony from Madeleine K. Albright, Secretary of State; William S. Cohen, Secretary of Defense; and Gen. Henry H. Shelton, Chairman, Joint Chiefs of Staff.

Hearings were recessed subject to call.

REGULATORY IMPROVEMENT ACT

Committee on Governmental Affairs: Committee resumed hearings on S. 981, to provide for the analysis of major regulatory rules by Federal agencies, receiving testimony from Bruce Alberts, President, National Academy of Sciences and Chairman, National Research Council; Ohio Governor George V. Voinovich, Columbus, and Nebraska Governor Ben Nelson, Lincoln, both on behalf of the National Governors' Association; Milton Russell, Joint Institute for Energy and Environment/University of Tennessee, Knoxville; Nancy Donley, Chicago, Illinois, and Sue Doneth, Marshall, Michigan, both on behalf of Safe Tables Our Priority; Lester M. Crawford, Georgetown University, Warren Belmar, American Bar Association, Franklin E. Mirer, United Auto Workers, Karen Florini, Environmental Defense Fund, and Robert E. Litan, Brookings Institution, all of Washington, D.C.; and Michael A. Resnick, National School Boards Association, Alexandria, Virginia.

Hearings were recessed subject to call.

CAMPAIGN FINANCE REFORM

Committee on the Judiciary: Subcommittee on the Constitution, Federalism, and Property Rights concluded hearings to examine whether term limits or campaign finance reform would provide true political reform, after receiving testimony from Missouri State Representative Joan Bray, Jefferson City; James A. Buchen, Wisconsin Manufacturers and Commerce, Madison; Donald Simon, Common Cause, David Keene, American Conservative Union, and Paul Jacob, US Term Limits, all of Washington, D.C.; Bradley A. Smith, Capital University Law School, Columbus, Ohio; and Rod Pacheco, Riverside, California.

FOREIGN TERRORISTS IN AMERICA

Committee on the Judiciary: Subcommittee on Technology, Terrorism, and Government Information concluded hearings to examine the extent of and policies to prevent foreign terrorist operations in America, focusing on certain incidences of terrorist attacks in the United States, including the bombing incident at the World Trade Center in New York City, after receiving testimony from Dale L. Watson, Section Chief for International Terrorism Operations, Federal Bureau of Investigation, and Walter D. Cadman, Counterterrorism Coordinator, Office of Field Operations, Immigration and Naturalization Service, both of the Department of Justice; Richard A. Rohde, Deputy Assistant Director, Office of Investigations, United States Secret Service, Department of the Treasury; J. Gilmore Childers, Orrick, Herrington & Sutcliffe, New York, New York; Henry J. DePippo, Nixon Hargrave Devans & Doyle, Rochester, New York; Patrick J. Colgan, Jr., PBL Associates, Wyckoff, New Jersey; Benjamin Jacobson, Peregrine Group, Miami, Florida; and Steven Emerson, The Investigative Project, and Omar Ashmawy, both of Washington, D.C.

GLOBAL TOBACCO SETTLEMENT

Committee on Labor and Human Resources: Committee resumed hearings to examine the scope and depth of the proposed settlement between State Attorneys General and tobacco companies to mandate a total reformation and restructuring of how tobacco products are manufactured, marketed, and distributed in America, and S. 1648, to provide for reductions in youth smoking, for advancements in tobacco-related research, and the development of safer tobacco products, receiving testimony from Charles N. Jeffress, Assistant Secretary of Labor for Occupational Safety and Health; Lewis A. Grossman, American University Washington College of Law, Richard M. Cooper, Williams & Connolly, on behalf of R.J. Reynolds

Tobacco Company, and Richard A. Levinson, American Public Health Association, all of Washington, D.C.; Jack E. Henningfield, Pinney Associates, Bethesda, Maryland, on behalf of the Society of Research on Nicotine and Tobacco; Jon D. Hanson, Harvard University Law School, Cambridge, Massachusetts; and Kyle D. Logue, University of Michigan Law School, Ann Arbor.

Hearings were recessed subject to call.

NOMINATION

Committee on Veterans Affairs: Committee concluded hearings on the nomination of Togo Dennis West Jr., of the District of Columbia, to be Secretary of Veterans Affairs, after the nominee, who was introduced by Senator Faircloth, testified and answered questions in his own behalf.

House of Representatives

Chamber Action

Bills Introduced: 11public bills, H.R. 3246–3256; 1 private bill, H.R. 3257; and 2 resolutions, H. Con. Res. 223 and H. Res. 365, were introduced. **Pages H577–78**

Reports Filed: Reports were filed today as follows:

H.R. 3116, to address the Year 2000 computer problems with regard to financial institutions, to extend examination parity to the Director of the Office of Thrift Supervision and the National Credit Union Administration, amended (H. Rept. 105–417);

H.R. 2460, to amend title 18, United States Code, with respect to scanning receivers and similar devices, amended (H. Rept. 105–418);

H. Res. 366, providing for consideration of H.R. 2181, to ensure the safety of witnesses and to promote notification of the interstate relocation of witnesses by States and localities engaging in that relocation (H. Rept. 105–419); and

H. Res. 367, providing for consideration of H.R. 1544, to prevent Federal agencies from pursuing policies of unjustifiable nonacquiescence in, and relitigation of, precedents established in the Federal judicial circuits (H. Rept. 105–420). **Page H577**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Barrett of Nebraska to act as Speaker pro tempore for today. **Page H499**

Recess: The House recessed at 1:24 p.m. and reconvened at 2:00 p.m. **Page H508**

Presidential Message—Activation of Selected Reserves: Read a message from the President wherein he authorized the Secretary of Defense and Secretary of Transportation, with respect to the Coast Guard, to order to active duty Selected Reserve units and individuals not assigned to units to augment the Active components in support of operations in and around southwest Asia—referred to the Committee on National Security and ordered printed (H. Doc. 105–217). **Pages H509–10**

National Education Goals Panel: Read a letter from the Minority Leader wherein he announced his appointment of Representative Martinez to the National Education Goals Panel. **Page H510**

Amtrak Reform Council: Read a letter from the Minority Leader wherein he announced his appointment of Mr. S. Lee Kling of Villa Ridge, Missouri to the Amtrak Reform Council. **Page H510**

George Washington's Birthday Observance: The Chair announced the Speaker's appointment of Representatives Davis of Virginia and Hoyer to represent the House of Representatives at wreath laying ceremonies at the Washington monument for the observance of George Washington's birthday held on Monday, February 23, 1998. **Page H510**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Immigrant Status for NATO Civilian Employees: H.R. 429, amended, to amend the Immigration and Nationality Act to provide for special immigrant status for NATO civilian employees in the same manner as for employees of international organizations; **Page H510**

Year 2000 Computer Problems: H.R. 3116, amended, to address the Year 2000 computer problems with regard to financial institutions, to extend examination parity to the Director of the Office of Thrift Supervision and the National Credit Union Administration; **Pages H512–13**

Agricultural Research, Extension, and Education Reauthorization: H.Res. 365, regarding the bill S. 1150, the Agricultural Research, Extension, and Education Reauthorization Act of 1998. Subsequently appointed as conferees: Representatives Smith of Oregon, Combest, Barrett of Nebraska, Stenholm, and Dooley; **Pages H516–21**

Howard C. Nielson Post Office Building: H.R. 3120, to designate the United States Post Office located at 95 West 100 South Street in Provo, Utah, as the "Howard C. Nielson Post Office Building." Agreed to amend the title; **Pages H521–23**

Karl Bernal Post Office Building: H.R. 2766, to designate the United States Post Office located at 215 East Jackson Street in Painesville, Ohio, as the "Karl Bernal Post Office Building;" **Pages H523–24**

Blaine H. Eaton Post Office Building: S. 916, to designate the United States Post Office building located at 750 Highway 28 East in Taylorsville, Mississippi, as the "Blaine H. Eaton Post Office Building"—clearing the measure for the President; **Pages H524–26**

Eugene J. McCarthy Post Office Building: H.R. 2836, to designate the building of the United States Postal Service located at 180 East Kellogg Boulevard in Saint Paul, Minnesota, as the "Eugene J. McCarthy Post Office Building;" **Pages H526–27**

Daniel J. Doffyn Post Office Building: H.R. 2773, to designate the facility of the United States Postal Service located at 3750 North Kedzie Avenue in Chicago, Illinois, as the "Daniel J. Doffyn Post Office Building;" **Pages H527–28**

Larry Doby Post Office: S. 985, to designate the post office located at 194 Ward Street in Paterson, New Jersey, as the "Larry Doby Post Office"—clearing the measure for the President; and **Pages H528–30**

Minimum Sentences for Criminals Possessing Firearms: H.R. 424, to provide for increased mandatory minimum sentences for criminals possessing firearms (passed by a yea and nay vote of 350 yeas to 59 nays, Roll No. 18). **Pages H530–36**

Re-Referral of Executive Communication: It was made in order that the Committee on Agriculture be discharged from consideration of an Environmental Protection Agency rule on State Implementation Plans under the Clean Air Act, and that executive communication 6736 be re-referred to the Committee on Commerce. **Page H521**

Senate Messages: Message received from the Senate today appears on page H499.

Quorum Calls—Votes: One yea and nay vote developed during the proceedings of the House today and appears on pages H535–36. There were no quorum calls.

Adjournment: Met at 12:30 p.m. and adjourned at 8:54 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Farm and Foreign Agriculture Services. Testimony was heard from August Schumacher, Jr., Under Secretary, Farm and Foreign Agricultural Services, USDA; and Len Rogers, Acting Assistant Administrator, Humanitarian Response, AID, U.S. International Development Cooperation Agency.

LABOR-HHS-EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Service, and Education held a hearing on Employment and Training Administration/Veterans Employment. Testimony was heard from the following officials of the Department of Labor: Raymond J. Uhalde, Acting Assistant Secretary, Employment and Training; and Espiridion Borrego, Assistant Secretary, Veterans' Employment and Training Services.

VA-HUD-INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on VA-HUD and Independent Agencies held a hearing on Neighborhood Reinvestment Corporation and on the National Credit Union Administration. Testimony was heard from George Knight, Executive Director, Neighborhood Reinvestment Corporation; and Norman E. D'Amours, Chairman, National Credit Union Administration.

CONDUCT OF MONETARY POLICY

Committee on Banking and Financial Services: Subcommittee on Domestic and International Monetary Policy held a hearing to review the Federal Reserve's conduct of monetary policy (Humphrey-Hawkins). Testimony was heard from Alan Greenspan, Chairman, Board of Governors, Federal Reserve System.

TEACHER TRAINING

Committee on Education and the Workforce: Subcommittee on Early Childhood, Youth and Families held a hearing on Teacher Training. Testimony was heard from Eugene Hickok, Secretary of Education, State of Pennsylvania; and public witnesses.

FEDERAL RETIREMENT COVERAGE CORRECTIONS ACT

Committee on Government Reform and Oversight: Subcommittee on Civil Service approved for full Committee action amended the Federal Retirement Coverage Corrections Act.

Prior to this action, the Subcommittee held a hearing on this measure. Testimony was heard from William E. Flynn, Associate Director, Retirement and Information Service, OPM; Roger W. Mehle, Executive Director, Federal Retirement Thrift Investment Board; and public witnesses.

OVERSIGHT—GULF WAR VETERANS HEALTH CONCERNS

Committee on Government Reform and Oversight: Subcommittee on Human Resources held a oversight hearing on ways to improve the federal government's approach to research into the health concerns of Gulf War veterans. Testimony was heard from John Feussner, M.D., Chief Research and Development Officer, Department of Veterans Affairs; Anna Johnson-Winegar, Director, Environmental and Life Sciences, Department of Defense; the following officials of the Department of Health and Human Services: Drue Barrett, Environmental Hazards and Health Effects Division and William Reeves, M.D., Branch Chief, Viral Exanthems, both with the Centers for Disease Control and Prevention; and Sheila Newton, National Institute of Environmental Health Sciences; Donna Heivilin, Director, Planning and Reporting, GAO; and public witnesses.

OVERSIGHT—REFUGEE PROGRAMS

Committee on International Relations: Subcommittee on International Operations and Human Rights held a hearing on Annual Oversight of Refugee Programs, Policies, and Budget. Testimony was heard from Julia Taft, Assistant Secretary, Bureau of Population, Refugees, and Migration, Department of State; and public witnesses.

DEPOT ISSUES

Committee on National Security: Subcommittee on Military Readiness held a hearing on depot issues. Testimony was heard from Henry L. Hinton, Jr., Assistant Comptroller, GAO.

Hearings continue tomorrow.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on National Parks and Public Lands held a hearing on the following bills: H.R. 2223, Education Land Grant Act; H.R. 1728, National Park Service Administrative Amendment of 1997; and H.R. 2993, to provide for the collection of fees for the making of motion pictures, television productions, and sound tracks in National Park System and National Wildlife Refuge System units. Testimony was heard from Representative Hayworth; Sandra Key, Associate Deputy Chief, Forest Service, USDA; the following officials of the Department of the Interior: John M. Berry, Assistant Secretary, Policy Management and Budget; and Maureen Finnerty, Associate Director, Park Operations and Education, National Park Service; and public witnesses.

WITNESS PROTECTION AND INTERSTATE RELOCATION ACT

Committee on Rules: Granted, by voice vote, an open rule providing 1 hour of debate on H.R. 2181, Witness Protection and Interstate Relocation Act of 1997. The rule provides that the bill will be considered by title, and each title will be considered as read. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. The rule allows the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce voting time to five minutes on a postponed question if the vote follows a fifteen minute vote. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representative McCollum.

FEDERAL AGENCY COMPLIANCE ACT

Committee on Rules: The Committee granted, by voice vote, an open rule providing 1 hour of debate on H.R. 1544, Federal Agency Compliance Act. The rule makes in order the Committee on the Judiciary amendment in the nature of a substitute as an original bill for amendment purposes which shall be considered as read. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendment in the Congressional Record. The rule allows for the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce voting time to five minutes on a postponed question if the vote follows a fifteen minute vote. Finally, the rule provides for one motion to recommit, with or without instructions. Testimony was heard from Representative Gekas.

VETERAN'S LEGISLATION

Committee on Veterans' Affairs: Subcommittee on Benefits held a hearing on the following bills: H.R. 3039, Veterans' Transitional Housing Opportunities Act of 1997; and H.R. 3211, to amend title 38, United States Code, to enact into law eligibility requirements for burial at Arlington National Cemetery. Testimony was heard from John McLaurin,

Deputy Assistant Secretary (Military Personnel Management and Equal Opportunity Policy), Department of the Army; Keith Pedigo, Director, Loan Guaranty Service, Veterans Benefits Administration, Department of Veterans Affairs; Raymond Boland, Department of Veterans Affairs, State of Wisconsin; representatives of veterans organizations; and a public witness.

TREASURY REPORT—INNOCENT SPOUSE RELIEF

Committee on Ways and Means: Subcommittee on Oversight held a hearing on the Treasury Department Report on Innocent Spouse Relief. Testimony was heard from Donald C. Lubick, Assistant Secretary, Tax Policy, Department of the Treasury; and Lynda D. Willis, Director, Tax Policy and Administration Issues, GAO.

ASIA TRADE ISSUES

Committee on Ways and Means: Subcommittee on Trade held a hearing on Asia Trade Issues. Testimony was heard from Charlene Barshefsky, U.S. Trade Representative; Stuart E. Eizenstat, Under Secretary, Economic, Business and Agricultural Affairs, Department of State; David A. Lipton, Under Secretary, International Affairs, Department of the Treasury; and public witnesses.

Joint Meetings

IMF AND INTERNATIONAL ECONOMIC POLICY

Joint Economic Committee: Committee concluded hearings to examine the financing, procedures, administration, and economic impact of the International Monetary Fund, after receiving testimony from Timothy Geithner, Assistant Secretary of the Treasury for International Affairs; Charles Calomiris, Columbia University, New York, New York; Allan Meltzer, Carnegie Mellon University, Pittsburgh, Pennsylvania; and Larry Lindsey, American Enterprise Institute, and C. Fred Bergsten, Institute for International Economics, both of Washington, D.C.

COMMITTEE MEETINGS FOR WEDNESDAY, FEBRUARY 25, 1998

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services, Subcommittee on Readiness, to continue hearings on the status of the operational readiness of the U.S. military forces including the availability of resources and training opportunities necessary to meet our national security requirements, 10 a.m., SH–216.

Committee on Banking, Housing, and Urban Affairs, to hold oversight hearings on monetary policy of the United States, 10 a.m., SD–538.

Committee on the Budget, to hold hearings to examine long term budget projections and issues, 10 a.m., SD–608.

Committee on Commerce, Science, and Transportation, Subcommittee on Surface Transportation and Merchant Marine, to hold hearings on proposed legislation authorizing funds for programs of the Rail Safety Act, 2 p.m., SR–253.

Committee on Energy and Natural Resources, Subcommittee on Forests and Public Land Management, to hold oversight hearings on the use of speciality forest products from the National Forests, 10:30 a.m., SD–366.

Committee on Finance, to resume hearings on proposals and recommendations to restructure and reform the Internal Revenue Service, including a related measure H.R. 2676, 10 a.m., SD–215.

Committee on Foreign Relations, Subcommittee on International Economic Policy, Export and Trade Promotion, to hold hearings on the implementation of U.S. policy on construction of a Western Caspian Sea oil pipeline, 10 a.m., SD–419.

Full Committee, to hold hearings on the nomination of Robert T. Grey, Jr., of Virginia, for the rank of Ambassador during his tenure of service as United States Representative to the Conference on Disarmament, 2 p.m., SD–419.

Committee on the Judiciary, to hold hearings to examine incidences of high tech worker shortage and immigration policy, 10 a.m., SD–226.

Full Committee, to hold hearings on pending judicial nominations, 2 p.m., SD–226.

Committee on Labor and Human Resources, to hold hearings to examine how to mobilize school and community resources during non-school hours, 9:30 a.m., SD–430.

Committee on Rules and Administration, to hold oversight hearings on the strategic plan implementation including budget requests for the operations of the Office of the Secretary of the Senate, the Sergeant at Arms and the Architect of the Capitol, 9 a.m., SR–301.

Committee on Indian Affairs, to hold hearings on the President's proposed budget request for fiscal year 1999 for Indian programs, 9:30 a.m., SD–562.

House

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on FDA, 1 p.m., 2362–A Rayburn.

Subcommittee on Commerce, Justice, State, and Judiciary, on Legal Services Corporation, 10:30 a.m., H–309 Capitol, and on the Secretary of State, 2 p.m., 2358 Rayburn.

Subcommittee on Foreign Operations, Export Financing and Related Programs, on Security Assistance, 10 a.m., H–144 Capitol.

Subcommittee on Labor, Health and Human Services, and Education, on Pension Agencies and Office of Inspector General (Labor), 10 a.m., and on the Employment

Standards Administration and Bureau of Labor Statistics, 2 p.m., 2358 Rayburn.

Subcommittee on Military Construction, on Army Construction, 9:30 a.m., B–300 Rayburn.

Subcommittee on National Security, on FY 1999, Navy/Marine Corps Budget Overview, 10 a.m., 2212 Rayburn, and, executive, on FY 1999, Navy/Marine Corps Acquisition Program, 1:30 p.m., H–140 Capitol.

Subcommittee on Treasury, Postal Service, and General Government, on Treasury Law Enforcement, 10 a.m, and 2 p.m., 2359 Rayburn.

Subcommittee on VA, HUD and Independent Agencies, on Consumer Product Safety Commission, 2:30 p.m., and on the Consumer Information Center, 3:30 p.m., H–143 Capitol.

Committee on Commerce, Subcommittee on Telecommunications, Trade, and Consumer Protection, hearing on the tobacco settlement, 10:30 a.m., 2123 Rayburn.

Committee on Government Reform and Oversight, hearing on ''Yah Lin'Charlie'' Trie's Relationship with the Democratic National Committee and the Administration,'' 10 a.m., 2154 Rayburn.

Committee on International Relations, hearing on U.S. Options in Confronting Iraq, 10 a.m., 2172 Rayburn.

Subcommittee on International Operations and Human Rights, to mark up H. Res. 364, urging introduction and passage of a resolution on the human rights situation in the People's Republic of China at the 54th Session of the United Nations Commission on Human Rights; followed by a hearing on the Peruvian Population Control Program, 1 p.m., 2167 Rayburn.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, to mark up H.R. 1704, Congressional Office of Regulatory Analysis Creation Act; followed by an oversight hearing on the U.S. Department of Justice's Executive Office for U.S. Attorney, Environment and Natural Resources Division, and Executive Office for U.S. Trustees, 10 a.m., 2237 Rayburn.

Subcommittee on the Constitution, oversight hearing regarding the Civil Rights Division of the U.S. Department of Justice, 9:30 a.m., and to mark up H.R. 3206, Fair Housing Amendments Act of 1998, 3 p.m., 2141 Rayburn.

Subcommittee on Crime, to mark up a resolution expressing the sense of the House of Representatives that marijuana is a dangerous and addictive narcotic and should not be legalized for medicinal use, 10 a.m., 2226 Rayburn.

Committee on National Security, executive, a threat assessment briefing from the intelligence community, 10 a.m., 2118 Rayburn.

Subcommittee on Military Readiness, to continue hearings on depot issues, 8 a.m., 2216 Rayburn.

Committee on Resources, hearing on the following bills: H.R. 2756, Kake Tribal Corporation Land Exchange Act; H.R. 2812, Unrecognized Southeast Alaska Native Communities Recognition Act; H.R. 2924, to amend the Alaskan Native Claims Settlement Act to provide for selection of lands by certain veterans of the Vietnam era and by the Elim Native Corporation; H.R. 3087, to require the Secretary of Agriculture to grant an easement to Chugrach Alaska Corporation; and H.R. 3088, to amend the Alaska Native Claims Settlement Act, regarding Huna Totem Corporation public interest land exchange, 11 a.m., 1324 Longworth.

Subcommittee on Forests and Forest Health, oversight hearing on the Administration's Forest Service Roadless Area Moratorium, 10 a.m., 1334 Longworth.

Committee on Rules, to consider H.R. 2460, Wireless Telephone Protection Act, 3 p.m., H–312 the Capitol.

Committee on Science, Subcommittee on Energy and Environment hearing on the following: Department of Energy FY 1999 Budget Authorization Request; H.R. 1806, to provide for the consolidation of the Office of Fossil Energy and the Office of Renewable Energy and Energy Efficiency of the Department of Energy; and S. 965, to amend title II of the Hydrogen Future Act of 1996 to extend an authorization contained therein, 1 p.m., 2318 Rayburn.

Subcommittee on Space and Aeronautics, oversight hearing on FY 1999 Budget Request: The Sciences at NASA, 10 a.m., 2318 Rayburn.

Committee on Small Business, hearing on Reducing America's Small Business Tax Burden, 9:30 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Public Buildings and Economic Development, hearing on GSA FY 1999 Budget, and related issues, 10:30 a.m., 2253 Rayburn.

Committee on Ways and Means, to mark up the following bills: H.R. 3130, Child Support Performance and Incentive Act of 1998; and H.R. 1432, African Growth and Opportunity Act, 10 a.m., and to hold a hearing on the revenue provisions in the Administration's FY 1999 Budget, 1 p.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, briefing on Budget Overview, 2 p.m., H–405 Capitol.

Joint Meetings

Joint Economic Committee, to hold hearings to examine the potential for economic terrorist attacks, focusing on the use of radio frequency weapons, 10 a.m., SD–106.

Next Meeting of the SENATE

10 a.m., Wednesday, February 25

Senate Chamber

Program for Wednesday: After the recognition of six Senators for speeches and the transaction of any morning business (not to extend beyond 11:30 a.m.), Senate will consider the veto message on H.R. 2631, disapproving the President's cancellations regarding P.L. 105–45, Military Construction Appropriations, 1998, with a vote on the veto message to occur thereon.

Senate will also resume consideration of S. 1663, regarding campaign finance reform.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, February 25

House Chamber

Program for Wednesday: Consideration of H.R. 1544, Federal Agency Compliance Act (open rule, 1 hour of general debate); and

Consideration of H.R. 2181, Witness Protection and Interstate Relocation Act of 1997 (open rule, 1 hour of general debate).

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