3485 requires unions to get ''prior, written, separate permission'' to use dues for political activities. This goes beyond the Beck decision, which applies only to mandatory union dues-paying, non-members. It also requires corporations to annually notify shareholders of its intended political spending, and the shareholder's pro rata share of such spending. However, the burden of proof is inconsistent. Union members' consent is not presumed and unions must affirmatively obtain members' consent. For corporations, shareholders' consent is presumed unless they affirmatively object. Furthermore, the definition of political activity goes far beyond electioneering and would hinder the ability of unions and nonprofits to communicate directly with federal agencies and the Congress to discuss public policy issues.

H.R. 3485 also contains provisions that would allow states to disciminate against voters. Mr. Speaker, all Americans are concerned with maintaining and improving the integrity of our nation's elections. We know that, in some recent cases, illegal immigrants and others not legally qualified to vote have registered and cast ballots. A number of bills have been introduced in this Congress to deal with this problem.

Another bill to be considered under suspension, H.R. 1428, while attempting to restore electoral integrity, actually threatens to return us to a darker era in our nation's history, when people's voting rights were frequently challenger or harrassed and their rights to cast ballots shall.

H.R. 1428 would allow local officials to check the eligiblility of registered voters by submitting names from the voting rolls to the Immigration and Nationalization Service or the Social Security Administration. But how will the names be chosen? Will the Smiths, the Johnsons, and the Andersons be scrutinized, or will the effort of local officals be more focused on the Singhs, the Martinezes, and the Nguyens? Unfortunately, the historical record would indicate the latter.

In addition, the bill presumes that the INS and the SSA will have their records available and updated for use by local officials, which we know is not likely to be the case. And should local election officials not be able to confirm citizenship, they can drop voters from the rolls without having proven that they are not qualified to vote.

Mr. Speaker, rightly or wrongly, Hispanic-Americans and other immigrants to our country feel a growing bias against them. U.S. citizens living in my district who were born in Latin America have expressed their growing frustration and fear with harassing INS raids which treat all immigrants as suspects; they are being denied the presumption of innocence. A Salvadoran-American woman living in my district, who have been a resident and a citizen for more than 20 years, never leaves her house without her U.S. passport, for fear that she may be harassed or detained by immigration or other law enforcement authorities.

H.R. 1428 threatens to intensify the growing feeling of alienation among immigrants U.S. citizens, without assuring that it can easily, reasonably, or fairly accomplish its objective of ballot integrity. For these reasons, I must oppose H.R. 1428

Mr. Speaker, it's not too late to bring real reforms to the floor. After the defeat of today's measures under suspension, let's work to bring about an honest debate and real campaign reform—what the American people deserve.

The SPEAKER pro tempore (Mrs. EMERSON). The time of the gentleman from California (Mr. THOMAS) has expired.

The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and pass the bill, H.R. 3581.

The question was taken.

Mr. THOMAS. Madam 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.

## ILLEGAL FOREIGN CONTRIBUTIONS ACT OF 1998

Mr. THOMAS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 34) to amend the Federal Election Campaign Act of 1971 to prohibit individuals who are not citizens of the United States from making contributions or expenditures in connection with an election for Federal office, as amended.

The Clerk read as follows:

H.R. 34

*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 ''Illegal Foreign Contributions Act of 1998''.

**SEC. 2. PROHIBITING NON-CITIZEN INDIVIDUALS FROM MAKING CONTRIBUTIONS OR EXPENDITURES IN CONNECTION WITH FEDERAL ELECTIONS.**

(a) PROHIBITION APPLICABLE TO ALL NON-CITIZENS.—Section 319(b)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e(b)(2)) is amended by striking ''and who is not lawfully admitted'' and all that follows and inserting a period.

(b) PROHIBITION APPLICABLE TO EXPENDITURES.—

(1) IN GENERAL.—Section 319(a) of such Act (2 U.S.C. 441e(a)) is amended by inserting ''or expenditure'' after ''contribution'' each place it appears.

(2) CONFORMING AMENDMENT.—Section 319 of such Act (2 U.S.C. 441e) is amended in the heading by inserting ''AND EXPENDITURES'' after ''CONTRIBUTIONS''.

**SEC. 3. EFFECTIVE DATE.**

The amendments made by this Act shall apply with respect to contributions or expenditures made on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. THOMAS) and the gentleman from Connecticut (Mr. GEJDENSON) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. THOMAS).

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

Madam Speaker, this is a bill by our colleague from Nebraska (Mr. BEREUTER). It was introduced on January 7, 1997, and in yielding myself such time as I may consume, let me read what the bill does in sum and substance:

It is to amend the Federal Election Campaign Act of 1971 to prohibit individuals who are not citizens of the United States from making contributions or expenditures in connection with an election for Federal office.

Rarely have we had a bill in front of us that is so plain, simple to understand, and so necessary.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I would just like to say, having taken this opportunity to yield myself as much time as I may consume, the gentleman from California, who I believe in my heart would have not moved forward with a process like this that denied Members a real opportunity to debate and discuss these issues, his point argues for an end to this insane process. Yes, amendments are needed; yes, changes are needed, and Members ought not be able to be restricted in the manner they are as we deal with this legislation on the floor.

It is his party that chose to set up a process that sets a standard that we need two-thirds to move forward. They waited until after the Senate had already filibustered campaign finance reform to death. Our party has a record of moving forward on campaign finance reform, and today the Republican Party again paints itself with a brush against reform.

Madam Speaker, I yield 1 minute to the gentlewoman from Hawaii (Mrs. MINK).

Mrs. MINK of Hawaii. Madam Speaker, I rise in opposition to H.R. 34, cynically misnamed the Illegal Foreign Contributions Act. The title of this bill is there to lure Members into thinking that it deals with illegal foreign contributions. That is simply not the case.

What this bill does is to prohibit legal residents who are living here in the United States legally, working, paying their taxes, fighting in the military, giving up their lives, denying them the right to participate in the political process in this country. That is absolutely unconstitutional; it is a denial of the First Amendment rights of free speech. The Supreme Court has repeatedly said political voice can be done in many ways, and contributions of money constitutes free speech.

Madam Speaker, therefore I concur with the 100 law professors who have submitted a letter to all the Members of this body decrying this bill, denouncing it as unconstitutional, and certainly if this Congress should pass it and it should become law, it will be contested and it will be found unconstitutional.

Mr. THOMAS. Madam Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. KNOLLENBERG) who also had legislation dealing with this area as well.

Mr. KNOLLENBERG. Madam Speaker, I thank the gentleman for yielding

this time to me. I rise today in strong support of the Illegal Foreign Contributions Act of 1998. As everyone knows, during the 1996 election cycle the Democratic National Committee was forced to return over $2.8 million in illegal or improper donations. I join the American people in shock to realize the frustration over the ability of foreign nationals to wield such power, such influence over our election process without casting a single vote.

That is why I introduced H.R. 767, called the Common Sense Campaign Finance Reform Act. This bill provided a common sense three-step approach to address the problems inherent in the current system. One step would prohibit individuals who are not eligible to vote from contributing to candidates for Federal office or political parties.

I commend my colleague, the gentleman from Nebraska (Mr. BEREUTER), for incorporating into his bill the spirit of H.R. 767 and, of course, to the gentleman from California (Mr. THOMAS) for his work. Banning contributions from non-U.S. citizens reinforces the important message that American citizens and only American citizens elect their representatives in government, not foreigners.

Madam Speaker, foreign influence on our elections has eroded the American people's confidence in our democratic process and left far too many voters feeling demoralized and disenfranchised. While this bill is no sweeping reform effort, it does address one of the system's most glaring problems, the influx of foreign money in our political process.

I urge my colleagues to support this vital piece of legislation.

Ms. KAPTUR. Madam Speaker, will the gentleman yield?

Mr. KNOLLENBERG. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Madam Speaker, I would like to know if the gentleman's measure, where he says noncitizens, does that include foreign-controlled corporations?

The SPEAKER pro tempore. The time of the gentleman from Michigan (Mr. KNOLLENBERG) has expired.

Mr. GEJDENSON. Madam Speaker, I yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Madam Speaker, I would like to comment on this bill, since this is the subject I have been working on for over a decade and have tried to get a bill on this floor. I am very curious that the gentleman merely, as I read the bill which we only got a few minutes ago, essentially says noncitizens. Does this include foreign-controlled corporations and foreign-controlled trade associations as well as noncitizens, those who are not citizens of this country?

I think the gentleman's bill is seriously lacking in covering where most of the money comes from, which is from legally incorporated foreign corporations which are back-dooring money into our elections. I do not believe the gentleman's bill covers that.

Am I correct?

Mr. KNOLLENBERG. Madam Speaker, would the gentlewoman yield for a moment?

Ms. KAPTUR. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. Madam Speaker, this bill, and by the way my colleague may have just seen it, but it has been there for a year. It was a part of a larger bill that I introduced. But let me just say that I am talking about the individual that writes a check must be a citizen. It is that simple.

Ms. KAPTUR. Madam Speaker, I would like to reclaim my time and say that I have been working on this for 10 years, and I know the difference between foreign corporate money and money that should not be coming in here from noncitizens in the first place, and this bill is an absolute sham. I cannot believe it, after all the efforts that we have made and all the agreements.

I am glad there is a Ross Perot, and I hope that that particular party runs candidates across this country because this bill is a sham. It does not close a loophole that the American people have known, they have known this has existed for years. This is a sham.

This entire debate, cynically orchestrated by NEWT GINGRICH, is a sham—why? Because just a few days ago, the Republican Campaign Committee leader in the Senate [the other body] called him Mr. Money Bags from Kentucky, killed campaign reform for this year. Even if this chamber passed the finest reform in the country, nothing is going to happen. It takes both chambers to tango.

This House bill is particularly cynical because the suspension procedure under which we are considering it is a gag rule. No amendments are allowed; it allows only 20 minutes debate on each side in this serious debate. What a travesty! And then to gain passage, it requires ⅔ of the Members to achieve passage, not a majority.

These bills have no spending limits; in fact, these bills allow wealthy individuals to triple the amount of money they can contribute. Yet, they cut off the legs of ordinary working men and women by demeaning their participation in our political life by requiring them to get written permission. What an insult.

I urge the American people to call their Members of the House to urge them to sign on the discharge petition on the Shays-Meehan bill to get a real reform debate on the Floor of this House.

And I wish to enter into the RECORD the editorial in the New York Times today that strikes the heart of the deceitful process underway here tonight—"The Plot to Bury Reform."

THE PLOT TO BURY REFORM

Newt Gingrich has selected today as the moment to line up his firing squad and kill campaign finance reform in Congress this year. Yet the House Speaker may be surprised. Republicans and Democrats who favor reform are so outraged over Mr. Gingrich's broken promises and heavy-handed tactics that they could seize the moment and force him to back down. Whether the reformers succeed depends on their ability to hold together and find ways to get genuine reform to the floor, where a majority of members appear ready to vote for it.

Just how desperate Mr. Gingrich is to thwart reform is clear from the parliamentary tactics he is preparing to use. Last week, the Speaker broke his promise to debate the issue of a campaign cleanup and pulled all relevant legislation from the House agenda. In doing so, he virtually acknowledged that he and his wrecking crew lacked enough support from fellow Republicans to prevent passage of genuine reform. Then the Republican leadership abruptly announced it would bring four watered down reform bills up today, but under rules preventing amendments or substitutions and requiring a two-thirds vote for approval of anything. Clearly, the Speaker's goal is to insure that nothing gets passed, and hope someone else can be blamed.

Republicans are ready to defy the Speaker by joining with most Democrats to vote for legislation sponsored by Representatives Christopher Shays of Connecticut and Marty Meehan of Massachusetts. The Shays-Meehan bill would ban the unregulated and unlimited donations to political parties that are known as "soft money" and were at the heart of the recent scandals. It would also establish exacting disclosure requirements and apply fund-raising limits to independent groups running attack ads on television.

The bills that Mr. Gingrich is sponsoring are either anemic, irrelevant or tied to an anti-union provision repugnant to most Democrats. With a two-thirds approval requirement, they cannot pass. Of course Mr. Gingrich does not care if his own fraudulent legislations wins or loses. All he seeks is the chance to say the House considered campaign finance reform and was unable to pass a bill. It is a cynical maneuver that will come back to haunt Mr. Gingrich and any House member who supports it.

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

Madam Speaker, I am actually having a little difficulty understanding the last exchange, since under Federal law all corporate money, whether it is foreign or domestic, is not allowed to be in campaigns.

This bill deals with individual contributions which are legal under the Federal Election Act, and the gentleman from Nebraska wishes to say that there is an additional criteria on individuals to contribute, and that is that they must be citizens.

Ms. KAPTUR. Madam Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Now I want to say to the gentleman I have testified before his committee. We have defined foreign interests. Those include not only foreign citizens but foreign-controlled corporations and trade associations through which the majority of these dollars flow.

When the gentleman defines noncitizens, does that include foreign-controlled corporations and foreign-controlled trade associations?

Mr. THOMAS. Madam Speaker, I tell the gentlewoman that I still do not fully appreciate or understand her question, since it is the individual in that structure and not the association or the corporation that makes the contribution. Corporate contributions are illegal whether the corporation is a domestic corporation or a foreign corporation.

Ms. KAPTUR. So the gentleman would define foreign interests or foreign citizens as including foreign corporations in which over half the stock is owned by foreign interests, as well as foreign trade associations in which over half of the money comes from foreign individuals or foreign interests, so this bill does cover that?

Mr. THOMAS. Madam Speaker, I tell the gentlewoman that in a bill she has an opportunity to vote on, H.R. 3581, we ban all soft money. So if the gentlewoman is talking about soft money in the system——

Ms. KAPTUR. How about hard money that comes through foreign corporation and foreign trade associations?

Mr. THOMAS. Madam Speaker, I will tell the gentlewoman one more time, and I do not know how to explain it to her any other way but to say that there is no corporate money that is legally allowed under the so-called hard money definition. It is not allowed, either domestic or foreign.

When individuals contribute today under the Federal Election Act, individuals who are not citizens can contribute, as we saw paraded over and over again in terms of the individuals that participated in the presidential election in 1996, some of whom have now come forward and admitted guilt in carrying on the raising of illegal contributions. Those are individuals; those are not corporations.

Could I ask the gentlewoman a question to respond to her?

Ms. KAPTUR. Madam Speaker, the gentleman is not answering my question. More than foreign individuals contribute, and they do so illegally. That is the very point.

Mr. THOMAS. And the law says it is illegal.

Ms. KAPTUR. That is correct.

Mr. THOMAS. Reclaiming my time, Madam Speaker, I tell the gentlewoman that if she is interested and if her point is that we ought to enforce the laws that are on the books, then I wholeheartedly agree with her, we should enforce the laws that are on the books. We just think that one more ought to be added, and that is the one before us.

Mr. GEJDENSON. Madam Speaker, I yield 1 minute to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Madam Speaker, it is an outrage that wealthy individuals can contribute huge sums of money to both political parties and that so-called independent expenditures, under which there are no regulations, can attack candidates all over this country in ugly 30 second ads.

Madam Speaker, this bill would close the door even further on working people's participation in the electoral process by making it harder for union members to participate. Apparently our Republican friends are not content that during the 1995–1996 election cycle corporations, groups and individuals representing business interests outspent organized labor 12 to 1.

□ 1945

Twelve to one, and apparently that gap is not wide enough. Our Republican friends wanted to make it even wider.

The legislation before us would increase, not decrease, the influence of wealthy contributors, by tripling the amount of money individuals can donate to Federal candidates and political parties.

Madam Speaker, currently the wealthiest one-quarter of 1 percent of Americans contribute 80 percent of all political contributions. That is an outrage. We have got to end it.

Mr. GEJDENSON. Madam Speaker, I yield such time as she may consume to the gentlewoman from Hawaii (Mrs. MINK).

(Mrs. MINK of Hawaii asked and was given permission to revise and extend her remarks and include extraneous material.)

Mrs. MINK of Hawaii. Madam Speaker, I rise in opposition of H.R. 34, cynically misnamed the Illegal Foreign Contributions Act. Instead of standing here having a full and fair debate on campaign finance reform, we are here debating whether legal permanent residents have a right to free speech.

The title of this bill is there to lure the Member into thinking that it deals with illegal foreign contributions. That is simply not the case. Legal permanent residents play by the rules in this country. They are legal residents. We have acknowledged their contribution to our society. They must have the right to express their political views. I am mortified that this Congress is about to deny legal residents First Amendment rights guaranteed by the Constitution. The Supreme Court has ruled that making contributions is the exercise of free speech.

Legal permanent residents have a stake in the future of America, and should be allowed to voice their support for candidates and be assured a part in the political process. If we enact this bill, we will be telling thousands of individuals that you can contribute to our economy, register for the draft, serve in the military, and lose your life as a result, but you cannot exercise your freedom of speech.

Who are these individuals? Most are in the United States to join close family members; or to escape persecution based on political opinion, race, religion, national origin or membership in a particular social group. Twenty thousand legal permanent residents serve in the armed forces. They have pledged their life to defend and protect our country, and we respond by silencing their participation in the political activities that help to choose our leaders and decide our policies.

Banning legal permanent residents from contributing to political campaigns is not only scape goating, it is a violation of our Constitution. The Supreme Court has ruled that campaign contributions are considered ''political speech'' and therefore protected under the First Amendment. Moreover, unless the Constitution specifically designates otherwise, legal permanent residents share many of the same constitutional protections as citizens. Where does it say in the United States Constitution that Congress shall make no law abridging the freedom of speech of U.S. citizens only? Nowhere does it say the First Amendment shall apply only to U.S. Citizens.

Don't take my world for it, take the word of almost 100 law professors who have contacted Congress on this issue. I would like to submit the Law Professor's Letter on Campaign Finance Reform and the Rights of Legal Permanent Residents for the RECORD. This letter clearly states that prohibiting Legal Permanent Residents from making contributions in support of candidates would violate their constitutional free speech rights.

Look at the language of H.R. 34. What campaign abuses are we curtailing by this provision? It says nothing about foreign governments ''buying influence'' in the United States. After H.R. 34 becomes law, foreign governments seeking influence need only use citizens. We already have laws that bar these actions. Instead of silencing permanent residents, we should enforce current laws.

Legal permanent residents are an ever increasingly important segment of our population. Not withstanding, this bill makes them scapegoats for our current campaign finance scandals. We attack legal residents who are unable to defend themselves.

This unconstitutional denial of the protections of First Amendment rights of free speech to legal residents must be rejected. Vote 'no' on H.R. 34.

LAW PROFESSORS' LETTER ON CAMPAIGN FINANCE REFORM AND THE RIGHTS OF LEGAL PERMANENT RESIDENTS

*March 20, 1998.*

DEAR MEMBER OF CONGRESS, Recently, several bills have been introduced which would impose new restrictions on the political activities of Legal Permanent Residents (LPRs) by prohibiting them from making campaign contributions. Two other bills—H.R. 34 and S. 11 (the Daschle bill)—would prohibit LPRs from making both contributions and independent expenditures in support of candidates. We, the under-signed law school professors, believe that if enacted into law, these proposals would violate the free speech rights of LPRs. Further, these proposals offer no additional protection from the flow of money from foreign governments into political campaigns. We therefore urge you to vote to strike these proposals from any campaign finance bill you are asked to consider.

In 1976, the Supreme Court established in Buckley v. Valeo, 424 U.S. 1 (1976), that campaign contributions and independent expenditures are forms of ''political speech'' entitled to full First Amendment protection. Political contributions are one of the ways that like-minded individuals associate in furtherance of common objectives. Under Buckley and subsequent cases, any law which limits expenditures or completely prohibits campaign contributions from particular natural persons presumptively violates the First Amendment.

Regardless of one's views on the Buckley decision, the Court's constitutional analysis applies whether the person making the expenditure or contribution is a citizen or an LPR. Courts have consistently held that LPRs enjoy the same First Amendment rights as do United States citizens. To bar legal immigrants from showing support for the candidate of their choice would be like requiring them to sit out during a demonstration, or denying them the right to hold a rally in a park, or banning them from running a political ad in a newspaper.

Proponents of this legislation have suggested that, as LPRs do not enjoy the right to vote, Congress may prohibit them from contributing. We disagree. The right to vote and the right to speak on political matters are, for constitutional purposes, distinct.

For example, persons under age 18, certain corporations, and in many states, even convicted felons, do not enjoy the right to vote, but nonetheless enjoy the right to engage in ''political speech'' by making campaign contributions or expenditures as do others. The right to speak is not limited to those who have the right to vote. Everybody can participate in the marketplace of ideas regardless of whether they can vote, and the voices of LPRs, like those of the members of every segment of our society, only contribute to the variety that marketplace has to offer.

Legal permanent residents have a substantial stake in our society and are entitled to be heard in the political process. They have been invited by the U.S. government to live permanently within our borders. They pay taxes on their world-wide income as citizens do, are subject to the draft, and serve in the military. It is in our national interest that public policy reflect their needs and their views. It would be ironic, indeed, to deny to LPRs the inherently American right to engage in political speech when so many questions of public policy directly affect them.

Aside from being unconstitutional, these proposals are also unnecessary and unlikely to be effective. 2 U.S.C. Sec. 441(f) already prohibits anyone, whether a citizen or an LPR, from laundering money from foreign entities and governments into political campaigns in the U.S. Even if LPR political contributions are banned, foreign governments seeking to circumvent this prohibition would simply use U.S. citizens as fronts.

Because prohibitions on LPR political contributions and independent expenditures would violate the First Amendment, we urge you to ensure that campaign finance legislation excludes such proposals.

Sincerely,

Lillian R. BeVier, Henry and Grace Doherty Charitable Professor and Class of 1948, Professor of Scholarly Research, University of Virginia School of Law; Joel M. Gora, Professor of Law, Brooklyn Law School; Harold Hongju Koh, Gerard C. and Bernice Latrobe Smith Professor of International Law, Yale Law School; Stephen H. Legomsky, Charles F. Nagel Professor of International and Comparative Law, Washington University School of Law; Roy A. Schotland, Professor of Law, Georgetown University Law Center; Peter H. Schuck, Simeon E. Baldwin Professor of Law, Yale Law School; T. Alexander Aleinikoff, Professor of Law, Georgetown University Law Center; Larry Alexander, Warren Distinguished Professor of Law, University of San Diego School of Law; Albert W. Alschuler, Wilson Dickenson Professor of Law, University of Chicago Law School; Alberto Manuel Benitez, Associate Professor of Clinical Law and Director of the Immigration Clinic, George Washington University Law School; Lenni Benson, Associate Professor of Law, New York Law School; Maria Blanco, Associate Professor of Law, Golden Gate University School of Law; Carolyn Patty Blum, Lecturer in Law, University of California at Berkeley, School of Law.

Linda Bosniak, Associate Professor of Law, Rutgers, University School of Law; Richard A. Boswell, Professor of Law, University of California, Hastings College of the Law; Alexander J. Bott, Professor of Law, University of North Dakota School of Law; Francis A. Boyle, Professor of Law, University of Illinois College of Law; Daan Braveman, Dean and Professor of Law, Syracuse University College of Law; Mark R. Brown, Professor of Law, Stetson University College of Law; Penelope Bryan, Associate Professor of Law, University of Denver College of Law; Gilbert Paul Carrasco, Professor of Law, Villanova University School of Law; Ronald A. Cass, Dean and Melville Madison Bigelow Professor of Law, Boston University School of Law; Howard F. Chang, Professor of Law, University of Southern California Law School; Erwin Chemerinsky, Legion Lex Professor of Law, University of Southern California Law School; Gabriel J. Chin, Assistant Professor of Law, Western New England College, School of Law.

Margaret Chon, Professor of Law, Seattle University School of Law; Leroy D. Clark, Professor of Law, Catholic University of America School of Law; David Cole, Professor of Law, Georgetown University Law Center; Perry Dane, Professor of Law, Rutgers University School of Law; Edward DeGrazia, Professor of Law, Cardozo Law School; Nora V. Demleitner, Associate Professor of Law, St. Mary's University School of Law; Peter Edelman, Professor of Law, Georgetown University law Center; Deborah Epstein, Visiting Associate Professor of Law, Georgetown University Law Center; James M. Fischer, Professor of Law, Southwestern University School of Law; Joan Fitzpatrick, Professor of Law, University of Washington School of Law; Niels W. Frenzen, Lecturer in Law, UCLA School of Law; Diane Geraghty, Professor of Law, Loyola University Chicago School of Law; David Goldberger, Professor of Law, Ohio State University College of Law; Frank P. Grad, Chamberlain Professor Emeritus of Legislation, Columbia University School of Law.

Jack Greenberg, Professor of Law, Columbia University School of Law; Susan Gzesh, Lecturer in Law, University of Chicago Law School; Phoebe A. Haddon, Charles Klein Professor of Law and Government, Temple University School of Law; Emily Fowler Hartigan, Associate Professor of Law, St. Mary's University School of Law; Jeffrey A. Heller, Adjunct Assistant Clinical Professor, Brooklyn Law School; Arthur C. Helton, Adjunct Professor of Law, New York University School of Law; Louis Henkin, University Professor Emeritus, Columbia University School of Law; David M. Hudson, Professor of Law, University of Florida College of Law; Marsha Cope Huie, Professor of Law, St. Mary's University School of Law; Carol L. Izumi, Professor of Clinical Law, George Washington University Law School; Kevin R. Johnson, Professor of Law, University of California at Davis School of Law; Jerry Kang, Acting Professor of Law, UCLA School of Law; Daniel Kanstroom, Associate Clinical Professor of Law, Boston College Law School; Daniel M. Kowalski, Adjunct Professor of Law, University of Washington School of Law; William P. LaPiana, Professor of Law, New York Law School; Stephen R. Lazarus, Associate Professor of Law, Cleveland-Marshall Coll. of Law, Cleveland State Univ.

Arthur S. Leonard, Associate Professor of Law, New York Law School; Martin L. Levine, Professor of Law, University of Southern California Law School; Sanford Levinson, Professor of Law, University of Texas School of Law; Lance Liebman, Professor of Law, Columbia University School of Law; Gerard E. Lynch, Paul J. Kellner Professor of Law, Columbia University School of Law; Pedro A. Malavet, Assistant Professor of Law, University of Florida College of Law; Michael M. Martin, Associate Dean and Professor, Fordham Law School; M. Isabel Medina, Associate Professor of Law, Loyola University School of Law, New Orleans; Carlin Meyer, Professor of Law, New York Law School; Eben Moglen, Profesor of Law and Legal History, Columbia University School of Law; Hiroshi Motomura, Professor of Law, University of Colorado School of Law; Rev. Craig B. Mousin, Adjunct Professor of Law, DePaul University College of Law; Subha Narasimhan, Professor of Law, Columbia University School of Law; Lori Nessel, Clinical Assistant Professor of Law, Seton Hall Law School; Gerald L. Neuman, Professor of Law, Columbia University School of Law; Marcia O'Kelly, Professor of Law, University of North Dakota School of Law; Robert M. O'Neil, Professor of Law, University of Virginia School of Law.

Juan F. Perea, Professor of Law, University of Florida College of Law; Bill Piatt, J. Hadley Edgar Professor of Law, Texas Tech University School of Law; William Quigley, Associate Professor of Law, Loyola University School of Law, New Orleans; Jonathan Romberg, Associate Director, Center for Social Justice, Assistant Clinical Professor of Law, Seton Hall University School of Law; Theodore Ruthizer, Lecturer in Law, Columbia University School of Law; Irene Scharf, Associate Professor of Law, Southern New England School of Law; Philip G. Schrag, Professor of Law, Georgetown University Law Center; Herman Schwartz, Professor of Law, American Univ., Washington College of Law; Andrew Silverman, Professor and Director, Clinical Studies, University of Arizona College of Law; Girardeau A. Spann, Professor of Law, Georgetown University Law Center.

Peter J. Spiro, Associate Professor of Law, Hofstra University Law School; Irwin P. Stotzky, Professor of Law, University of Miami School of Law; Peter Strauss, Professor of Law, Columbia University School of Law; Nadine Strossen, Professor of Law, New York Law School; Lee J. Teran, Clinical Professor of Law, St. Mary's University School of Law; Chantal Thomas, Associate Professor of Law, Fordham University School of Law; Eugene Volokh, Acting Professor of Law, UCLA Law School; Charles D. Weisselberg, Professor of law, University of Southern California Law School; Harry Wellington, Dean, New York Law School; Peter Winship, Professor of Law, Southern Methodist University School of Law; Mark E. Wojcik, Assistant Professor of Law, John Marshall Law School; Stephen Yale-Loehr, Adjunct Professor of Law, Cornell Law School; Alfred C. Yen, Associate Professor of Law, Boston College Law School; Mary Marsh Zulack, Clinical Professor of Law, Columbia University School of Law.

Mr. GEJDENSON. Madam Speaker, I yield one minute to the gentleman from Arkansas (Mr. SNYDER.)

Mr. SNYDER. Madam Speaker, those of us on this side were admonished a few minutes ago to read the bill and pointed out that perhaps moral outrage

does not belong just on this side. The problem I have is not moral outrage over any one bill. I think a lot of good bills have been considered here. The problem is the process.

Madam Speaker, we were told to read the bill. I could not get a copy of the bill until a quarter to 6 this evening. The computer program of the House did not have this bill. When you punch in H.R. 3581, I got nothing. It is difficult to read something that does not exist until an hour or so before the debate begins for a topic this important.

This bill is the only option out on this floor. There are no amendments. It has to have a two-thirds vote. This process was designed to fail, even if we read and understand the bill.

So my only question is what is the gentleman from Georgia (Mr. GINGRICH) afraid of? What is the Speaker afraid of? Is he afraid of a true, open and fair debate? Is he afraid that this House may actually exert the will of the American people?

Madam Speaker, say it is not time to be afraid of campaign finance reform; do not be afraid of the will of the American people; but let us have a fair and truly open debate on the House floor on this issue.

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

Mr. Speaker, my assumption is that that was a speech addressing the bill that is no longer in front of us. The bill in front of us is H.R. 34. It was introduced on January 7, 1997, and that is the bill that is before us.

Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. MICA), a member of the Committee on House Oversight and a member of the Committee on Government Reform and Oversight, who is extremely knowledgeable on the question of noncitizens contributing to American campaigns.

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

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

Mr. Speaker, I have the unique responsibility of serving on the Committee on House Oversight. In addition, I serve on the Committee on Government Reform and Oversight and have been on that committee actually since I came to Congress. What has been stunning to me as a member of that committee is dealing with the scandal that we have seen dealing with campaign finance contributions.

Madam Speaker, this measure before us does not in fact address all the problems, but I venture to say that if you ask the American people what would you consider one of the greatest abuses that you saw in the last election, they would say it was undoubtedly foreign money coming in to our Federal political elections process.

I sat on that committee and I saw an unprecedented trail of money. We have a chart here that just shows a little bit of that money, money that came from China, from Indonesia, from Thailand, from various countries around the world, to influence our elections.

Madam Speaker, again, I know that this amendment does not address all the problems, but what it does do is very clearly say that if you are not a citizen of the United States, you cannot contribute. It clearly spells out that foreign contributions from a noncitizen are prohibited.

So, again, we cannot change all of the provisions in our election law, and I might say that 99 percent of those who serve in this body or who run for Federal office obey the law and the law does work. But what we have seen, again, is an unprecedented trail of money.

Just the money that we have seen in foreign and illegal contributions returned by the DNC, the Democratic National Committee, is over $2.8 million.

Again, we cannot address every single wrong that we have seen in the election process, but we can make a beginning. We can get some of our campaign finance election laws in order and address the real problem, the real concerns that the American people have seen.

Madam Speaker, I urge Members to support both this measure and also the bill that our committee has brought before the House. It is not everything that everyone would like to see, but in fact it is a beginning, and it does address the major concerns that the American people have brought to the Congress.

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

Mr. Speaker, I would like to say Members of my side out of frustration are going to be discussing the whole issue of campaign finance reform because of the limited amount of time. I would say on the desire to keep corruption out of campaigns, this side is ready to have an open debate and actually offer amendments on that.

Mr. Speaker, we have had a member of the gentleman's own party indicted and convicted on campaign violations, a member of the Republican caucus. He still sits here. The head of the Republican Party, Mr. Barbour, Haley Barbour, got millions of dollars from a Hong Kong bank. Let us get those things on the floor.

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

Mr. GEJDENSON. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, does the gentleman believe that that gentleman intends to vote on this campaign reform bill?

Mr. GEJDENSON. Mr. Speaker, reclaiming my time, I certainly hope that he uses better judgment than he has used to date.

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

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

Mr. BALDACCI. Mr. Speaker, I rise in strong opposition to this legislation.

Mr. Speaker, I am disappointed to find myself rising today in opposition to this campaign finance legislation. However, given the unfair process which has brought this legislation to the House floor, I find that I have no other choice.

Since I took office in 1993, I have been hearing from my constituents that campaign finance reform is an important issue to them. I have been told—and all of us who have run campaigns have seen first-hand—that our current system is broken. It is awash in money and without meaningful controls. Individual voters feel increasingly out of touch with their government, and believe that unless they can make significant contributions, they cannot access their elected officials.

Since 1993, I have been committed to changing the way our election system works. Unfortunately, at every step along the way, the efforts of a thoughtful and bipartisan group of legislators have been stymied.

The Majority leadership has spoken eloquently of the need for reform. Speaker GINGRICH shook hands with President Clinton, promising to move campaign finance reform forward by establishing a Commission to make recommendations. That never happened. Earlier this year, Speaker GINGRICH indicated that he believed the House should debate campaign finance reform in a ''fair and bipartisan'' manner. The situation we find ourselves in today shows that will not happen.

Today, the House leadership has brought up a disingenuous bill. This is no more ''campaign finance reform'' than the moon is made of green cheese. To make matters worse, the bill is being considered under suspension of the rules, a procedure that is generally reserved for non-controversial legislation. It allows only 40 minutes of debate and requiring a 2/3rds majority for passage. No amendments can be offered that might turn this counterfeit legislation into real reform.

The Majority leadership is so threatened at the prospect of true reform, that they refused to give a single bipartisan bill the opportunity to beat the same difficult odds: passage by a 2/3rds majority of members. The Shays-Meehan legislation, of which I am a co-sponsor, will not be allowed on the floor for fear that it just might pass.

This is not in the public interest. Failure is guaranteed. The Majority Leadership's legislation, HR 3485, deserves to fail; but bipartisan campaign finance reform as a whole does not. The Leadership will now claim that it kept its promise to bring campaign finance reform legislation before the House by the end of March. What a hollow promise that has proven to be.

The Shays-Meehan legislation, like the McCain-Feingold bill in the Senate, would bring an end to the soft money chase; would reform issue advocacy; would increase disclosure of contributions and spending; and strengthen FEC enforcement.

An overwhelming majority of Americans support real campaign finance reform. How disappointed they will be to learn that their Congress has let them down once again. I renew my call on the Majority Leadership to stop playing partisan games with such an important issue. Let's have a ''fair and bipartisan'' debate on real campaign finance reform. The American people deserve no less.

Mr. GEJDENSON. Mr. Speaker, I yield 1½ minutes to the gentleman

from Ohio (Mr. KUCINICH), who has been fighting for campaign finance reform since the day he got here.

Mr. KUCINICH. Mr. Speaker, the so-called reform bill has silenced the voice of working people. It would stop them from using the organized power of their representatives, to use the political system for better wages, to obtain more benefits, to achieve better working conditions.

This bill is an abridgement of free speech of workers and a violation of their freedom of association. It puts onerous conditions on when unions can represent workers in political matters, all in the name of greater political freedom for workers, saying that they should have the additional consent, that workers should be able to give their consent to their leaders.

We know the essence of a union is that people declare an identity of interests right from the very beginning. This bill attacks that principle. It is an attack on unions. It is an attack on workers' rights. It is an attack on workers and the very thing that they labor for.

You cannot put the house of labor outside this political process in a democracy. Working people will be watching to see who would dare to take the fruits of their labor, the very taxes which they pay our salaries with, and use that process to silence them and to try to shut them out of the political process.

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

Mr. Speaker, let us remember the rules we have for voting is only people who are citizens are supposed to vote as well. My assumption is there may be some moral outrage somewhere about the fact that only citizens are allowed to vote.

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

Mr. THOMAS. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I hear what the gentleman is saying. A number of you have indicated ''not voting.'' Would a 17-year-old under your bill be able to contribute to a campaign?

Mr. THOMAS. Is the gentleman indicating that that 17-year-old is a citizen or a noncitizen?

Mr. HOYER. A citizen.

Mr. THOMAS. It is not my bill, it is the bill of the gentleman from Nebraska (Mr. BEREUTER), and if in fact they are a citizen, they can contribute.

Mr. HOYER. But not vote.

Mr. THOMAS. Mr. Speaker, it is now my pleasure to yield 2 minutes to the gentleman from Wisconsin (Mr. NEUMANN), a Member who has lived firsthand, both at the State and Federal level, a meaningful, quote-unquote, campaign reform.

Mr. NEUMANN. Mr. Speaker, I rise to address what is a very important issue and has been uniquely addressed in the great State of Wisconsin. In a Senate race developing out there, of course, campaign finance reform came up, and the debate really is about whether the people here in Washington know best how to draw up the campaign finance laws and whether or not what we think here in Washington should be mandated and dictated to every State all over the Nation, or whether it would be more appropriate to do as we have done in the great State of Wisconsin and reach some voluntary agreements in limiting various parts of the campaign finance reform in compliance with what the people in the State of Wisconsin want us to do.

This very quickly becomes a debate about whether the people in Washington know what is best for every State all across the United States, for California, for New York, for Wisconsin, or whether it would be better in fact to have the people out there in those States make voluntary agreements amongst themselves as to how best to apply some campaign finance restrictions.

In Wisconsin, we have reached voluntary agreements to limit the overall spending. We have reached voluntary agreements to limit the percent of money coming from PACs and special interests. We have reached voluntary agreements to limit the amount of money coming from out-of-State.

We have accomplished in about a 2-week period of time out in Wisconsin voluntarily what has been attempted out in this city for a long sustained period of time. The reason for that is very simple and very clear: Out here in Washington, we somehow think that we are best able to dictate to everyone all over the country what is best for them. But the reality of this situation is that the people in each one of these States, in compliance with what their people want and what their citizens and constituents want, have every possibility and capability in the world of reforming campaign finance reform by simply sitting down and reaching a voluntary agreement amongst themselves to supply their constituents with what it is that they are asking for.

Again, in Wisconsin we have been very successful with this, and I think voluntary agreements between competing candidates in races, whether it be Congressional or Senate, any of the Federal races, is certainly the appropriate way to go when it comes to campaign finance reform.

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

Mr. Speaker, I would hope the gentleman's commitment would extend to signing the discharge petition to get a real debate on campaign finance reform on the floor.

Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. DAVIS).

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, I want to thank the gentleman for yielding me this time.

Mr. Speaker, I rise in opposition to this bill because it has really nothing to do with the real needs of campaign finance reform. What it is is the continuation of a mean-spirited attack on immigrants who have come to this country, who are now permanent legal residents, seeking a voice, an opportunity to participate. They work hard every day, pay taxes, contribute their money to other causes, and now we tell them that they cannot contribute to campaigns in America?

What kind of country is this? We need real campaign reform, not a sham, not a shack. Let us get with it and do it the real way.

Mr. Speaker, I rise against the Illegal Foreign Contributions Act because it is not really a vehicle for true campaign finance reform. Rather, it is a mean-spirited bill that simply bans legal permanent residents from exercising their first amendment right, their civil right that guarantees them freedom of expression. The 1st amendment protects everybody in the U.S., not just ''eligible voters.'' Isn't one of the most valued and time-cherished acts of expression the right to participate in our great political process? I believe that a society can only be a true democracy when even the weakest of all individuals has a voice.

Banning legal permanent residents from contributing is not the solution to the alleged abuses of the 1996 campaign. The problem was the alleged illegal contributions that are already covered under existing law. A fundamental requirement of direct contributions under the current law—is that the source of money must not be a foreign corporation or a foreign national. Legal permanent residents (valid green card holders) were not included in this prohibition and currently are allowed to make campaign contributions. Thus, this proposal does not effectively prevent the flow of foreign money into the American political system.

Legal permanent residents are hard working people who earn their money in the U.S., they pay taxes in the U.S. and contribute to the U.S. economy by buying products in the U.S. Legal permanent residents are even required to register for the draft. Like U.S. citizens, legal permanent residents are stakeholders in America who care about the status of our country. They should be afforded the right to support candidates whom they believe will make it a better place to live.

I reiterate the fact that court cases have found that legal permanent residents are afforded the protections contained in the first amendment. Furthermore, the Supreme Court has ruled that campaign contributions are a form of speech protected under the first amendment.

Thus, I believe that the prohibition to deny legal permanent residents the right to make campaign contributions would be a continuation of the attacks on immigrants that we have seen take place during the last several years. This troubling pattern of anti-immigrant actions fosters the malicious notion that legal permanent residents somehow do not share an interest in the well-being of this nation and do not deserve basic rights and benefits. However, I submit that legal permanent residents are our ''citizens in training.''

Illinois just had their primary elections—voter turn out was at an all-time low. I think we need to be thinking of ways to encourage people to participate in the political process rather than hindering them.

Mr. GEJDENSON. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS), our newest Member.

Mrs. CAPPS. Mr. Speaker, I am truly sorry that I must rise today and oppose campaign finance reform bills. These bills do not represent true reform and the hasty process by which they were brought to the floor does not honor the bipartisan approach which must characterize any serious debate on campaign finance reform.

Mr. Speaker, I know I have only served in this House for 2 weeks, but it is really difficult for me to understand why we will not have the opportunity to debate, much less vote on, the Shays-Meehan bill, which is a bipartisan bill.

In contrast to the bills being considered tonight, the Shays-Meehan bill will end what I consider the most egregious abuse of the current system, the so-called issue advocacy ads.

In my recently completed campaign, my conservative Republican opponent and I both agreed that in our campaigns these ads flooded the airwaves with misleading information. Although the ads clearly targeted us for election or defeat, there was no disclosure and no limits on how they were being funded.

□ 2000

But this issue is not even being debated today. We should not pass legislation in the dead of night and in such a fiercely partisan manner.

We cannot lose sight of the dramatic shift that, even as we speak, is occurring out there in our campaigns. Voters are becoming just pawns in the battle between special, powerful, outside interest groups. We must pass the bipartisan Shays-Meehan bill and bring the political process back to the people. The dignity of our democratic institution and tradition deserves nothing less.

Mr. GEJDENSON. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. KIND).

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

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

Mr. Speaker, I want to speak for a second about the process of the multiple bills we have facing us today. The debate we are having tonight is long overdue. The political process is in need of reform, yet for almost a year and a half we in Congress have never been given the chance to debate campaign finance reform. Now, here we are, with a very divisive, partisan bill which is, to quote the New York Times, ''Sham legislation dressed up to look like reform, with no chance for Members to vote on the real thing.''

This process could have been done a lot better and a lot differently. I have been a member of a bipartisan freshman group who, for the past year and a half, have been crafting a bipartisan form of finance reform. The bill we drafted represented an honest effort to seek middle ground that eliminates the poison pills that we are facing here tonight. It was a real effort at reform, not a sham bill designed to offer cover to those who oppose real reform.

But, ultimately, this debate is about whether we believe there is too much money in the political process or not enough money in the political process. Those who believe in the need for more campaign spending and more special interest influence on the process will support many of these bills we face tonight. But those who want to put elections back into the hands of the people will see through this charade, will see through this sham and will support real campaign finance reform.

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

Mr. Speaker, I find it really, really difficult to argue that the bill in front of us, offered by the gentleman from Nebraska (Mr. BEREUTER), which very plainly says that only citizens should be able to participate in the financial aspects of a campaign, just as only citizens are supposed to be able to participate in the voting part of the campaign, is in fact meaningless and a charade.

Mr. Speaker, it is my pleasure to yield 2 minutes to the gentlewoman from Florida (Mrs. FOWLER).

Mrs. FOWLER. Mr. Speaker, I rise in support of the Illegal Foreign Contributions Act of 1998 and the Campaign Reform and Election Integrity Act. These bills represent a good-faith effort to begin to address the problems in our campaign finance system. They merit support.

Do they solve every problem? No. But that is no reason to oppose these bills. Campaign finance is a complicated issue. We have not even reached consensus on the problems, let alone the solutions.

When I was first elected, I led an effort in our freshman class to develop a campaign finance package. We came up with several commonsense reforms like the ones in the bills before us today. Since that time, a number of new problems have developed that these bills attempt to address. It is an incremental approach, but it is a good start.

Among other things, the bills create a pilot program in five States, including my State of Florida, to crack down on voting by non-citizens. They toughen the ban on contributions from noncitizens and increase the penalties. They also include the Paycheck Protection Act.

Let us pass these bills today and begin the effort to clean up our campaign finance systems. I urge my colleagues to vote yes for reform.

Mr. GEJDENSON. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. PRICE), someone who has again for many years made a great effort in campaign finance.

(Mr. PRICE of North Carolina asked and was given permission to revise and extend his remarks.)

Mr. PRICE of North Carolina. Mr. Speaker, colleagues know that ''outrage'' is not a word I use with great frequency, but I can think of few words that better describe the insult to this House and to our constituents represented by the procedure the leadership has chosen for debating reform of our election laws.

I have been involved in this debate for the many months of the 105th Congress. I have cosponsored the Shays-Meehan proposal for campaign finance reform. I have authored my own stand-by-your-ad bill, which would require candidates and groups to assume responsibility for the ads they air. Last week I asked the Rules Committee to make this bipartisan proposal, sponsored by Representative Horn, myself, and 12 other colleagues, in order on the floor.

To have this and all other amendments barred, to have a motion to recommit barred, to have any substantive discussion of this issue barred by this procedure is an outrage that should be rejected by this House.

We have a responsibility to our democracy to end the abuses of our present campaign system. The Republican leadership has promised Members a vote on campaign reform in this session of the 105th Congress, and the charade we witness on the floor tonight represents a mockery of that promise.

I, for one, am willing to postpone our recess schedule. Let us do that. Let us stay here and devote the time necessary to complete our job. I have signed the discharge petition to bring a real reform debate to the floor. I urge any colleagues who have not signed to do so.

Mr. Speaker, the House and our country deserve better than this scheme devised to foreclose debate and to deny a simple majority vote for serious reform proposals. It is an outrage, and this House must not stand for it.

Mr. GEJDENSON. Mr. Speaker, I yield 1 minute to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

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

Mr. FALEOMAVAEGA. Mr. Speaker, this is a sad occasion for taking up this piece of legislation. I wish it could have been done on a bipartisan basis; but, unfortunately, this is not the case.

Mr. Speaker, I am very concerned about the status of legal permanent resident aliens who pay Federal income taxes on their income, wherever earned around the world. Legal permanent residents have always been given the privilege of contributing to campaign elections, but why are my Republican friends now putting on such a prohibition? I suspect, Mr. Speaker, perhaps the vast majority of the permanent resident aliens are Hispanic Americans and Asian Pacific Americans. I would like to look into this to examine what exactly is the basis for this.

Legal permanent residents are also required to register for the military

draft, and nearly 20,000 serve voluntarily in America's Armed Forces. The record reveals that none have fought harder to protect America's freedoms. In fact, one out of every five Congressional Medal of Honor recipients has been a legal resident permanent alien or a naturalized American citizen.

The Supreme Court has already recognized that the first amendment of our Constitution protects the rights of legal immigrants as well as citizens. Mr. Speaker, I cannot even introduce an amendment concerning the rights and privileges of a U.S. national. It is a sad day, Mr. Speaker. It is a sad day.

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

Mr. Speaker, before Members get too carried away, I would like someone to look at the CRS report for Congress on campaign finance legislation in the 105th Congress. I was just perusing it in terms of the numbers of bills that were introduced.

I would call my colleagues' attention to H.R. 140, introduced by the gentleman from Michigan (Mr. DINGELL). One of the provisions of H.R. 140 is that it would prohibit contributions from non-citizens in U.S. elections.

There is another bill I would call my colleagues' attention to in the 105th Congress. It is H.R. 1777. It is sponsored by the gentleman from Massachusetts (Mr. MEEHAN). Among the provisions in that bill is a section on foreign contributions, which says that it would prohibit contributions in Federal elections by non-citizens and others not qualified to vote.

So I would appreciate, Mr. Speaker, if those on the other side, when they make their comments, not get too carried away when, in fact, Members on both sides of the aisle have introduced worthwhile legislation which would ban contributions from individuals who are not citizens.

Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Kentucky (Mr. WHITFIELD).

Mr. WHITFIELD. Mr. Speaker, I appreciate the gentleman yielding time to me.

Mr. Speaker, I find it ironic this evening that some of our Democratic friends, certainly not all of them but some of them, have expressed such moral outrage at the lack of action in the 105th Congress in bringing meaningful campaign finance legislation to the floor. Prior to 1995, the Democrats controlled the United States Congress for 40 uninterrupted years. I do not recall in the last 10 years the Democrats making much of an effort to bring this type of legislation to the floor.

I remember in 1992, when then candidate Bill Clinton listed it as one of his priorities if he were elected president, that he would strive to bring meaningful campaign finance reform to the floor of this House. After he was elected, when the Democrats controlled the Congress in the 103rd Congress in 1994 and 1993, they did not bring meaningful campaign finance reform to this floor. Yet now they express such outrage.

President Clinton did not live up to his commitment. The Democratic leadership did not live up to their commitment. But the Republican leadership this evening are bringing four bills to the floor. They made a commitment to do so by the end of March of this year. They are living up to that commitment.

Everyone in this House will have the opportunity to vote on four bills. So I think if we just think about this, we will see which party is delivering on its promise.

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

Mr. WHITFIELD. I yield to the gentleman from Connecticut.

Mr. GEJDENSON. Mr. Speaker, the gentleman is completely, factually incorrect.

Mr. WHITFIELD. The gentleman's party did not control the House for 40 years? They did not control the House for 40 years?

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

Mr. Speaker, I am sure the gentleman is earnest; but the gentleman is just factually wrong. I will tell the gentleman why. I will tell the gentleman in what way.

We passed campaign finance reform as Democrats in 1971 and had to override Nixon's veto. We passed campaign finance reform in 1974, and it got signed into law. We passed campaign finance reform in the 1992, and George Bush vetoed it. We passed campaign finance reform when Bill Clinton got to town. It passed the House, it passed the Senate, and the Republicans in the Senate filibustered it to death.

We had a real debate. We gave people a chance to offer an amendment. That is the difference here.

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

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

Mr. Speaker, I rise in strong opposition to this legislation which would ban political contributions by legal permanent residents of the United States.

Mr. Speaker, the measure before us is tremendously unjust, clearly unfair, and an insult to the millions of people, over 4% of this country's population, who are legal permanent residents of our great nation.

Legal permanent residents have worked diligently within the law to legitimize their immigration status in America. They are hard-working, law-abiding individuals who are fulfilling their requirements to become citizens of this great country.

As with U.S. citizens, legal permanent residents are stakeholders who hold responsibilities for the well-being and future of this great nation; and, they have fulfilled their obligations magnificently.

Legal permanent residents pay U.S. Federal income tax on their income from wherever derived around the world.

Legal permanent residents are also required to register for the military draft, and nearly 20,000 serve voluntarily in America's Armed Forces. The record reveals none have fought harder to protect America's freedom. In fact, one out of every five Congressional Medal of Honor recipients has been a legal permanent resident or naturalized American.

The Supreme Court has already recognized that the first amendment of our constitution protects the rights of legal immigrants as well as citizens. Clearly, the right to financially support one's candidate or political party of choice is a form of speech and association that is protected by the first amendment.

Already, U.S. legal permanent residents cannot vote in electing the democratic government that they support with taxes and fight overseas to preserve and protect.

Now, the measure before us seeks to silence the political voice of legal permanent residents and take away their first amendment rights to express their viewpoint through political support of those they believe.

Mr. Speaker, the legislation before us is the ugly antithesis of what America and her democratic ideals have always stood for.

Legal permanent residents of the U.S., like citizens, have an important stake in the well-being of America and they have earned the right to voice their support for candidates whom they believe will contribute to a better America for them and their children tomorrow.

I strongly urge our colleagues to oppose the dangerous measure before us.

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

Mr. Speaker, I would say, we set a bar that we needed 51 percent to pass the bill, not two-thirds.

Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. PASCRELL).

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

Mr. PASCRELL. Mr. Speaker, the current Members of Congress can be broken into two groups, those who think that there is too much money in politics in an election and those who think there is not enough. That goes across party lines.

Mr. Speaker, whether we want to admit it or not, the fact is that our campaign finance system is jeopardizing our credibility. We should not fool ourselves into believing that the problem is only the illegal activities that occur during campaigns. Quite to the contrary, the real problems stem from what is legal. It is the abuse of soft money time and time again. We heard it from both sides of the aisle in the campaign finance bill submitted by the freshman bipartisan committee.

Instead of bringing up our bill, instead of bringing up McCain-Feingold II, for which there is also widespread bipartisan support, the leadership on the other side of the aisle has decided to hide behind some parliamentary tactics. This is a low point in the 14 months that I have been in here. In fact, it may be the lowest point.

Mr. GEJDENSON. Mr. Speaker, I yield 2¼ minutes to the eloquent gentleman from Maryland (Mr. HOYER).

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

Mr. Speaker, let me read again the New York Times editorial: ''Newt Gingrich has selected today as the moment to line up his firing squad and kill campaign finance reform.'' It concludes by saying, ''It is a cynical maneuver.''

Mr. Speaker, the bill before us is another one of those cynical maneuvers. Let me tell the Members why. The gentleman from Florida got up and talked about all those campaign contributions. They were, in fact, illegal, should not have been accepted. They were returned. The Republican party has returned over $1 million, as well. They should not have been received. This bill will not affect any of those contributions. They were illegal at that time and are now.

What is this bill about? It was introduced some time ago. Then it was changed. Let me tell the Members what it was changed to. It added one line. It added the title: Illegal Foreign Contributions Act of 1998.

□ 2015

This is a 30-second ad. That is all it is. It is a 30-second cynical ad to pretend that this bill affects that poster. It does not, I say to the gentleman from Florida, because they were illegal from the beginning and should not have been accepted.

Soft money is made illegal by this bill. There is much support for that. Not for this bill, but much support for that objective. But the fact of the matter is, this bill is for one purpose only: For a press release that the Republicans can say they were against illegal foreign contributions, which of course they accepted and it was wrong. It was wrong. We did the same. It was wrong. But this bill is simply a PR effort. It has no substance to it.

Mr. GEJDENSON. Mr. Speaker, I yield the balance of our time to the eloquent gentleman from California (Mr. FARR) who has led the effort on campaign finance reform for Congress after Congress.

Mr. FARR of California. Mr. Speaker, just a moment ago it was said that we were getting too carried away. Let us look at the record of who is getting a little carried away. According to Congressional Quarterly, the Republican leadership has had the most expensive congressional investigation in the history of the House. Their investigator, they spend over $10,000 a month on his own salary. They sent five investigators to Taiwan to look at bank records. They came back and my colleagues on the other side of the aisle introduced this bill.

PARLIAMENTARY INQUIRY

Mr. THOMAS. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. FOLEY). Does the gentleman from California (Mr. FARR) yield for the purpose of a parliamentary inquiry?

Mr. FARR of California. No, Mr. Speaker, I will not yield.

Mr. Speaker, I will answer the gentleman's question. Nothing that they have investigated was brought for campaign finance reform. This has nothing to do with the investigation. They have not limited foreign corporations from contributing to campaigns. It has cost this House $5 million so far.

What this bill says is that 1-day-old babies can participate in contributing to campaigns through their parents, but if someone is a Congressional Medal of Honor winner, if they won the Gold Medal in the Olympics, if they won the Nobel prize and they happened to be born somewhere else, they cannot contribute a dime, not even if they are a military retiree.

Mr. Speaker, this is a sham. This bill does nothing to reform campaigns, and the investigation that they spent $5 million on is not even seen in this bill. This is outrageous.

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

Mr. Speaker, the bill of the gentleman from Nebraska (Mr. BEREUTER) is a very simple bill. It says if someone is a citizen, they can contribute. If they are not a citizen, they cannot.

The gentleman from Nebraska was not able to be with us tonight, but if he were here I am quite sure he would say, ''Please join me and the gentleman from Michigan (Mr. DINGELL) who sponsored the same measure in H.R. 140, and the gentleman from Massachusetts (Mr. MEEHAN) who sponsored the same measure in H.R. 1777, and the gentleman from Massachusetts (Mr. FRANK) who cosponsored H.R. 1777, and the gentleman from Virginia (Mr. MORAN) who cosponsored H.R. 1777.''

So, apparently, there are a number of Members of this House on both sides of the aisle who believe that banning foreigners from contributing in elections is something that should be done. And all I have heard from the other side of the aisle is that none of this is bipartisan.

Mr. Speaker, I believe if it is supported by the gentleman from Michigan (Mr. DINGELL), the gentleman from Massachusetts (Mr. FRANK), the gentleman from Massachusetts (Mr. MEEHAN), that this clearly indicates that this measure is bipartisan, and I would ask for an ''aye'' vote.

Mr. BEREUTER. Mr. Speaker, this Member rises today in support of H.R. 34 to prohibit foreign individual campaign contributions or expenditures, which this Member sponsored as one aspect of necessary campaign finance reform legislation. This Member would also like to thank the gentleman form California [Representative BILL THOMAS] the Chairman of the Committee on House Oversight and the gentleman from Connecticut [Representative SAM GEJDENSON] the ranking member of the Committee on House Oversight for their support in bringing H.R. 34 to the House Floor. Chairman THOMAS also independently introduced similar legislation on the first day of this 105th Congress.

As many of this Member's colleagues know, this Member has long been a supporter of campaign finance reform. It is clear to this Member that effective campaign finance reform is of fundamental, even crucial, importance to our political system. Our failure to reduce the disproportionate impact of money in elective politics is having a corrosive influence on the American political process contributing to suspicion and cynicism in the American people. Furthermore, there is more than enough blame to go around, as this Member believes it is deplorable that the two political parties have been unwilling to come together to reform this process by relinquishing the elements of our current campaign finance system that favor each particular party. However, this Member has not given up the fight and remains committed to such reform and will continue to be active in pursuing it.

In the past, this Member introduced legislation that included a number of campaign finance reform provisions including a provision requiring that a majority of campaign funds raised by Congressional candidates must come from residents in their own state or district. However, while this Member has always been concerned regarding the influence of out-of-state money in congressional elections, it is apparent that a serious problem that really for the first came to the attention of the American public during the 1996 presidential election season—campaign contributions from foreign sources.

On December 16, 1996, during a meeting with the Lincoln Chamber of Commerce, this Member announced his intention to introduce specific campaign finance reform legislation which would prohibit foreign individual campaign contributions when the 105th Congress convened in January of 1997. This Member kept his promise as on the very first day of the 105th Congress this Member introduced H.R. 34 (i.e., January 7, 1997).

Many Americans believe that it is already illegal for foreigners to make Federal campaign contributions. The problem is that they are both right and wrong under our current Federal election laws. The fact of the matter is that under our current Federal election laws, you do not have to be a U.S. citizen to make campaign contributions to Federal candidates. Under our current Federal elections laws, you can make a campaign contribution to a candidate running for Federal office if you are a permanent legal resident alien—a permanent legal resident alien and you, in fact, reside in the United States.

This Member believes that this situation is wrong, this Member believes that most Americans would agree it is wrong, and this Member believes that it is a problem begging for correction.

Therefore, this Member introduced H.R. 34 on the very first day of the 105th Congress to change our current Federal election laws so that only U.S. citizens are permitted to make an individual contribution to a candidate running for Federal office.

To this Member it's very simple—if you want to be fully involved in our political process, then you must become a citizen of the U.S. If you don't make the full commitment to our country by becoming a U.S. citizen, then you shouldn't have the right to participate in our political system by making a campaign contribution and affecting the lives of American citizens—you shouldn't have a role in electing American officials. This Member believes it is a very obvious conclusion that the process of

electing our officials should be a right reserved for citizens. It is wrong and dangerous to allow even the potential to exist for undue foreign influence in electing our government, and H.R. 34 is one of the numerous important steps to do so.

The abuse that allegedly resulted from foreign campaign contributions in the recent presidential campaign is a terrible indictment of our current campaign finance system.

Indeed, the Congress must be concerned about the issue of legal and illegal foreign campaign contributions. Everyone here today should be concerned about this recent insidious development in our presidential election process, and should understand that these statutory and procedural changes like the passage of H.R. 34 are necessary to protect the integrity of the American electoral process. We must insure that it is Americans who choose our President and Congress.

We simply cannot allow foreign corporations and foreign individuals to decide who is elected to public office at any level of our government. Therefore, my legislation (H.R. 34) to require that only U.S. citizens be allowed to make contributions to candidates for Federal office is one of my priorities for the 105th Congress. This issue must be addressed and this Member intends to push for this change until successful.

With regard to soft money from American subsidiaries of foreign corporations, we must, as a minimum, enforce the current law that such contributions can only come from the profits of their U.S. subsidiaries until greater and appropriate changes can be made.

This Member would ask his colleagues to support H.R. 34 as an important step toward campaign finance reform.

Mr. THOMAS. 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 California (Mr. THOMAS) that the House suspend the rules and pass the bill, H.R. 34, as amended.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. THOMAS. 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.

## PAYCHECK PROTECTION ACT

Mr. THOMAS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2608) to protect individuals from having money involuntarily collected and used for political activities by a corporation or labor organization.

The Clerk read as follows:

H.R. 2608

*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 ''Paycheck Protection Act''.

**SEC. 2. PROHIBITING INVOLUNTARY ASSESSMENT OF EMPLOYEE FUNDS FOR POLITICAL ACTIVITIES.**

(a) IN GENERAL.—Section 316 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b) is amended by adding at the end the following new subsection:

''(c)(1) Except with the separate, prior, written, voluntary authorization of each individual, it shall be unlawful—

''(A) for any national bank or corporation described in this section to collect from or assess its stockholders or employees any dues, initiation fee, or other payment as a condition of employment if any part of such dues, fee, or payment will be used for political activity in which the national bank or corporation is engaged; and

''(B) for any labor organization described in this section to collect from or assess its members or nonmembers any dues, initiation fee, or other payment if any part of such dues, fee, or payment will be used for political activity in which the labor organization is engaged.

''(2) An authorization described in paragraph (1) shall remain in effect until revoked and may be revoked at any time. Each entity collecting from or assessing amounts from an individual with an authorization in effect under such paragraph shall provide the individual with a statement that the individual may at any time revoke the authorization.

''(3) For purposes of this subsection, the term 'political activity' means any activity carried out for the purpose of influencing (in whole or in part) any election for Federal office, influencing the consideration or outcome of any Federal legislation or the issuance or outcome of any Federal regulations, or educating individuals about candidates for election for Federal office or any Federal legislation, law, or regulations.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to amounts collected or assessed on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. THOMAS) and the gentleman from Connecticut (Mr. GEJDENSON) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. THOMAS).

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

Mr. Speaker, I yield the balance of my time to the gentleman from Colorado (Mr. BOB SCHAFFER) and ask unanimous consent that he be allowed to manage the time.

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

There was no objection.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Thomas Jefferson once said that to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves is sinful and tyrannical.

Mr. Speaker, this really is the quote that epitomizes House Resolution 2608 that is before us now, the Paycheck Protection Act, and I would commend it to the House's consideration and urge its adoption.

The Paycheck Protection Act is a piece of legislation that came to many of us here in Congress at the urging of working men and women from throughout the country, working men and women who are fed up and tired of seeing portions of their wages, their paychecks, being siphoned off and directed toward political purposes of various causes without their consent, many times without their knowledge.

The Paycheck Protection Act applies to all wage earners across the country, all paychecks. This is not an act that singles out any one group or organization. It is not a bill that proposes to place a greater burden on one organization or another. This is a bill that speaks directly to paychecks and wage earners.

The fact of the matter is that many people who join various groups and organizations pay for their dues associated with those clubs and groups through wage deductions out of their paychecks. They may sign up for collective bargaining, for agency representation, for various sorts of worthwhile causes, and are frustrated to find that a portion of those funds are frequently and routinely siphoned off to pay for politics.

Mr. Speaker, this bill puts an end to that. It protects paychecks for all wage earners in America. Let me say this, there are people who do not like this. There are many people throughout the country who are political operatives of various sorts who pay for huge campaigns of various kinds, ballot initiatives subsidizing candidates, various political messages. This bill does add one more step of inconvenience to their lives because it requires them to go seek the permission of those who are working hard to earn the cash to pay for these various political games.

But I say, Mr. Speaker, that it is high time that we depoliticize people's paychecks. In fact, survey after survey that has been conducted throughout the country on this topic suggest that the American workers are squarely with us, the proponents of this bill. Eight percent of union households agree with us that they would like to see legislation passed by this Congress that would shut off the practice of siphoning off portions of wages for political purposes.

Today I ask the Congress to stand with me, to stand with the 165 cosponsors of H.R. 2608, to stand with the hard-working men and women throughout the country who work hard to put bread on the table, to put shoes on the feet of their children, to live the American dream, and who would like to be participants in a political process on a voluntary basis. Who believe that Thomas Jefferson was absolutely right years ago when he said, and once again I repeat, to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves is sinful and tyrannical.

Mr. Speaker, I reserve the balance of my time

Mr. GEJDENSON. Mr. Speaker, I yield 3 minutes and 20 seconds to the gentleman from Michigan (Mr. BONIOR), one of our great leaders on the Democratic side and someone who has been fighting for justice and campaign reform for as long as he has been in Congress.