

## EXTENSIONS OF REMARKS

### BIPARTISAN CAMPAIGN REFORM ACT OF 2001

SPEECH OF

**HON. ROBERT W. NEY**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 13, 2002*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2356) to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform:

Mr. NEY. Mr. Chairman, The following information I wish to submit for the RECORD on this matter of Campaign Finance Reform.

#### NEY-WYNN IS THE EFFECTIVE SOFT MONEY BAN

Perhaps the best way to explain the difference between the "soft money bans" is to elaborate on comments by the President of Common Cause, Scott Harshbarger, panning Ney-Wynn. As you may know, Common Cause strongly supports Shays-Meehan, and was apparently heavily involved in drafting much of its language. He incorrectly asserted that Ney-Wynn is just like Senator Hagel's bill, and that Ney-Wynn continues to let in unregulated and unlimited soft money. Both are false—Ney-Wynn does ban (as opposed to cap) soft money for Federal election activity.

First, with respect to Senator Hagel's approach, I have reviewed both bills, and am of the view that any comparison to Ney-Wynn is an oversimplification. Senator Hagel's bill merely put a limit on the amount of non-federal funds the party committees could accept. It put no restriction whatsoever on how the money could be spent, and would not have dramatically altered how party committees currently operate. Party committees would have still been free to run so-called "soft money issue ads" and engage in other similar activities. It would not have forced the party committees to use federal money for federal election activity.

On the other hand, the Ney-Wynn bill would radically alter how party committees on both sides of the aisle operate. Unlike Hagel, it bans soft money for federal election activity. It bans us from doing so-called "soft money issue ads." In short, Ney-Wynn actually accomplishes what the reformers want—an end to party committee soft money being used in Federal elections via the back door.

With respect to soft money, Ney-Wynn bans the party committees from using it for any Federal election activity. As for the limited amount that party committees will be allowed to accept, all the Ney-Wynn bill does is treat party committees the same as corporate and union PACs, allowing us to use limited soft money contributions for fund-raising and administration. And that's all—it can't be transferred, used for issue ads or the like. In fact, Senator McCain himself voted to let this use of soft money continue.

Moreover, Ney-Wynn is consistent with the recent decision in Colorado Republican II, where the Court said that "[a party committee] is in the same position as some individuals and PACs." It also avoids the issue presented in *Jacobus v. Alaska* and a recent

opinion letter from the Attorney General of New Hampshire (finding total contribution bans are unconstitutional). So as to ensure that the Ney-Wynn ban is truly a ban, even voter registration and get out the vote conducted within 120 days of a federal election must be paid for entirely with federal hard dollars. But critically, this limitation still allows the party committees the ability to do voter registration and other outreach.

Several state laws already ban soft money in this way, most notably Texas and New York, and to a certain extent, Florida and California. States that have taken the Shays-Meehan approach tend to be left-of-center, and eventually try some form of public financing. The current Shays-Meehan actually mandates that public financing be studied.

As someone who has intimate knowledge of the financial and political operations of party committees, I believe Ney-Wynn is a radical change. It will force the parties to use hard dollars for our activities, but still allow us the resources to assist our candidates in getting their messages heard. The party committees will remain able to drown out special interest ads, albeit with hard dollars. In sum, Ney-Wynn achieves what ought to be everyone's common goal: allowing the candidate's voice to be the central voice in American politics.

Shays-Meehan will have the opposite effect—it simply attempts to emasculate the political parties, and leave candidates to fend for themselves. It does not make any effort to ensure that parties continue to register voters and involve people in the process. Once the Shays-Meehan experiment inevitably makes matters worse, reformers will then insist that public financing of all Federal elections is the only option left.

As for soft money, Shays-Meehan does not constitute a soft money ban with respect to federal election activity. Contrary to what has been repeated time and time again, "soft money" is neither unlimited nor unregulated. Over 30 states have passed limits or outright bans on corporate and union money, including contributions to state political parties—laws that Shays-Meehan actually preempt. In fact, when the full impact of the two bills is analyzed, particularly in light of the application (or preemption) of state law and the \$30 million soft money loophole, Ney-Wynn constitutes the more effective soft money ban. It has the added advantage of requiring disclosure of third-party issue ads that is consistent with judicial precedent.

Please contact me with any questions or concerns.

[Institute of Governmental Studies and Citizens Research Foundation Policy Brief, July 6, 2001]

#### ASSESSING THE IMPACT OF A BAN ON SOFT MONEY: PARTY SOFT MONEY SPENDING IN THE 2000 ELECTIONS

(By Ray La Raja and Elizabeth Jarvis-Shean)

This policy brief examines how national, state and local parties of the Republicans and Democrats spent soft money in the 2000 Elections. Our findings demonstrate that the state parties, which receive about 83% of their soft money from national party transfers, are the primary venue for soft money

spending. About 44% of state party soft money spending went toward media activities, while 15% was invested in mobilization and grassroots activities. Parties target their media and mobilization spending in competitive states. The Democrats rely more on soft money for campaign activity than Republicans. Spending on all campaign activities—media, mobilization and grassroots—has been increasing over the past several election cycles. If soft money is banned—or simply curtailed within 120 days of a general election—it is likely that both media and party building activity will be reduced significantly unless the parties can make up for the shortfall with hard money.

The purpose of this report is to furnish basic data about soft money spending in the 2000 elections as a way to understand the potential impact of campaign finance reform legislation being debated in the 107th Congress. In particular, we consider the effect of a ban on soft money, a provision that remains the centerpiece of a bill sponsored by Senators McCain and Feingold, and passed by the Senate on April 2, 2001. The House of Representatives will soon consider a similar version of the bill. Much of the debate over reform considers the effect of eliminating soft money on party activities. Will the parties be weakened? To what degree are parties using soft money for issue ads? In this report we assess how parties spent their soft money in past elections as a way to understand the likely consequences of banning or restricting soft money.

Soft money includes funds that parties raise that lack the contribution limits set by the Federal Election Campaign Act of 1971 and its amendments. Under federal law, soft money may be used for party building but not direct candidate support. Advocates for banning soft money argue that its elimination is essential for preserving the integrity of the electoral system. Their underlying premise is that soft money corrupts the political process by allowing wealthy donors to trade political money for favorable treatment in policymaking in Congress and the Executive branch. Some argue that even if candidates are not corrupted, voters perceive that the exchange is corrupt or that parties abuse campaign finance laws by using funds illegally to help their candidates. Such perceptions alienate voters from the political process and undermine the legitimacy of the nation's political institutions.

Others argue, in contrast, that a ban on soft money will damage American democracy. Citing several court decisions, they claim that constraints on political activity run counter to the 1st Amendment. Another line of argument contends that eliminating soft money will weaken an essential political institution in American democracy—the political parties. Removing this resource will weaken parties relative to other political actors such as interest groups, and reduce the party's efforts to get voters to the polls. Rather than reinvigorate political participation, the McCain-Feingold reforms might actually reduce citizen activity.

The arguments on either side deserve rigorous empirical scrutiny. It appears, however, that Congress is poised to enact legislation without considering some basic information about soft money. Drawing on financial data about parties released by the Federal Election Commission, we try to shed

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

some light on the uses of soft money. We are hardly prepared to provide an in-depth analysis to address the claims of either side in this upcoming reform debate in the House. Instead, our goal is to provide an empirical foundation to help policymakers consider carefully the ramifications of their decisions.

The questions we ask are simple, but to our knowledge they have not been addressed adequately. How did parties spend soft money in the 2000 elections? To what extent did they use soft money to finance "issue ads?" How much soft money went toward traditional voter mobilization efforts and other party building activity? Did parties spend differently from prior elections?

Using data providing by the Federal Election Commission we explore these questions about soft money spending. We categorized more than 500,000 entries of itemized expenditures by national, state and local parties in the 2000 elections. Our framework for examining soft money is to consider what would happen if the McCain-Feingold bill was made into law. The key provisions of the bill, as they pertain to party soft money, are the following:

#### *National parties*

May raise or spend only hard money (i.e., limited contributions, no labor or corporate contributions).

May not make contributions to non-profits.

#### *State parties*

Must use hard money to fund any "federal election activities" (defined as Get-Out-the-Vote, or voter registration in the 120 days preceding an election) during a federal election year.

May fund "federal election activities" with soft money capped at \$10,000 from the same source if state laws permit.

#### *Candidates*

Banned from raising soft money for "federal election activities."

#### *Non-profits*

National parties banned from making or soliciting contributions to nonprofits; candidates banned from raising soft money for non-profits for "federal election activities."

#### FINDINGS I

##### *How did parties spend soft money in the 2000 Elections?*

Parties at the federal, state and local level spent almost half a billion dollars in soft money in the 2000 elections. These funds were spent primarily by the state parties because federal and state regulations are more permissive of soft money spending at this level. The 100 major state parties—Democratic and Republican—spent approximately \$340 million in soft money. The national parties, in contrast, spent only \$136 million. The national parties, however, raised a good portion of soft money and then transferred it to the state parties. According to the Federal Election Commission, the national committees raised approximately \$496 million in soft money and transferred \$280 million (56%) to the state parties.

Local parties (158 of them) spent only \$4 million. It should be noted that federal, state and local parties spend additional soft money in non-federal elections. But because these funds are not related in any way to a federal election they do not have to be reported to the Federal Election Commission. Therefore, the soft money data we collected pertains only to campaign spending related to federal elections. We should also point out that we are reporting only soft money figures here. By law, parties are required to match soft money with hard money for each activity, using complex accounting guide-

lines provided by the Federal Election Commission. If we included the hard money figures in several of the subsequent tables, the spending in these categories would be 40% to 50% higher.

For national parties, most soft money (about 43%) is invested in overhead and basic administrative costs of maintaining the party headquarters in Washington. Unsurprisingly, the next largest expenditure is for fundraising (approximately 39%). It appears that little more than 13% of national party spending goes directly into campaigns for media and mobilization activities. Based on our analysis of party spending reports, we believe the bulk of media spending includes the cost of producing and airing television and radio ads. Mobilization spending, in contrast, includes the "ground" activity: registering and identifying voters, Get-Out-the-Vote (GOTV) phonebanks and precinct canvassing, and costs of direct mail. Although the national parties spend a small portion of their soft money on these activities, their investments are significant in absolute terms, investing \$10.3 million on media-related activities and \$7.4 million on mobilization activities.

State parties use soft money more than other party committees. In the 2000 Elections, they spent 2.5 times as much soft money as national parties. Through transfers, however national parties supply approximately 83% of the soft money that state parties spend for federal related activities. At the state level, 44% of soft money for federal related activities (\$149.3 million) is invested in media, a significant increase from the 1996 election in absolute terms, as well as a rise in the portion of the party budget devoted to media. Clearly, state parties are major sponsors of issue ads. Another 12 percent of the budget (\$41.8 million) goes toward ground mobilization activities, much of it targeted in competitive states. Only 4% of state party budgets reflect grassroots campaign activity that includes distribution of bumper stickers and pins, the staging of rallies and related volunteer work (\$11.3 million). State parties rely heavily on soft money for office upkeep and general administrative expenses (\$99.5 million or 29% of budget).

Finally, local parties use very limited amounts of soft money in federal elections. Among the 158 local major parties that submitted campaign finance reports to the Federal Election Commission, their total soft money spending amounted to just \$4 million. More than half of this was for party administration and overhead. Only 2% was used for media, 10% was for mobilization work and 5% for grassroots activities. Local parties are obviously more concerned with local elections so it is unsurprising that they spend so little soft money in federal election activity. Furthermore, much of their work does not involve the costly technical aspects of modem campaigning such as broadcast media. On the other hand, it seems reasonable to expect that more soft money would make its way to the local level since the intent of amendments to the Federal Election Campaign Act was to encourage grassroots party building.

##### *How does soft money spending in the 2000 elections compare to earlier elections?*

One question that arises in the current debate is whether parties have transformed themselves into campaign media organizations through financing issue ads with soft money. The data provide evidence that state parties have become important venues for producing and airing issue ads, something they did not do prior to the 1996 elections. On the other hand, state parties continue to use soft money for party building activities as they have in the past.

In the 2000 elections, state parties invested significantly more soft money directly in campaigns than in prior elections. For example, they spent \$149.1 million on mediarelated activity, more than double their expenditures in 1996. The portion of total party soft money devoted just to media increased from 37% in 1996 to 44% in 2000. Spending on mobilizing voters through the "ground campaign" (telephones, canvassing, direct mail) increased from \$16 million in 1996 to almost \$42 million in 2000, a boost of 160 percent. The share of the soft money budget devoted to this activity increased from 9 to 12 percent between 1996 and 2000.

In 1998, media and mobilization spending was more evenly distributed than during a presidential election cycle. During the 1998 elections, 17% of soft money went toward media and 12% toward ground mobilization. These figures suggest that the media strategies of presidential campaigns drive much of soft money spending. Nonpresidential contests do not always rely as heavily on a media campaign strategy as presidential contests, even though soft money has played an increasingly important role in financing issue ads for congressional campaigns.

State parties continue to rely a great deal on soft money to maintain the party headquarters, paying for staff salaries, benefits, office equipment and other basic necessities. In the 2000 elections, parties spent almost \$100 million on administration, a 38% increase from 1996. Administrative costs reflected 29% of all state party soft money spending in 2000, which was a much smaller portion than in the 1996 elections.

What can we surmise from these data? To the dismay of those seeking definitive evidence to confirm their point of view, the data appear to support both reformers who favor a ban on soft money and those who highlight the virtues of soft money. Advocates of a ban are accurate in observing that the parties abuse their access to soft money by using it for thinly disguised issue ads that actually help the campaigns of particular federal candidates. The parties can hardly claim that their recent media spending is part of a conventional party building strategy when state parties spent virtually no money on issue ads prior to the 1996 elections. On the other hand, those who say a ban on soft money would weaken parties have grounds for concern. It would be wrong to claim that party soft money has not been invested in building the party. Soft money spending on mobilization and grassroots increased substantially with each election for which we have data. It is also clear that soft money pays for a significant share of maintaining the party headquarters.

##### *What effect will the "120-Day Rule" have on party activity?*

The McCain-Feingold bill allows parties to spend soft money up until 120 days before the general election, so long as contributions are capped at \$ 10,000 per source. We assume that the motive of this provision is to enable the parties to engage in partybuilding in the early build-up to an election, without letting them use soft money directly in federal campaigns just before the election. With this in mind, we observe how much soft money was spent before and after this 120-day marker. We find that only one-quarter of soft money is spent prior to this 120 day marker. Parties invest the vast majority of soft money within the final four months of the election.

Which activities will be affected the most by the 120-day rule? If the intent of the provision is to root out much of party spending on media activities it might achieve this result. Only 7% of media spending came before the 120-day mark. Of course, under this new rule, parties could simply frontload issue ads

(if they learn how to craft ads that do not violate other provisions of the new law). But undoubtedly, the impact of media advertising is strongest closer to the election and party strategists will likely seek ways to get around this new provision. Our hunch is that they will spend soft money on issue ads prior to the 120-day marker, and then invest heavily in "independent" issue ads that require hard money. Recent court decisions protect the party's ability to spend without limits when they operate independently from the candidates.

In the effort to eliminate soft money issue ads, it appears that party-building activities will also be affected. Only 9 percent of spending on voter registration and GOTV activities takes place before the 120-day point. Similarly, only 11% of grassroots and traditional party "hoopla" take place before this point. Unsurprisingly, the parties spend significant soft money before the four-month window on maintaining headquarters and raising funds in anticipation of the intense campaign activity to follow. A soft money ban within 120 days of an election will not only reduce party spending on media, but also curtail party building activities Congress intended to encourage through revisions to the Federal Election Campaign Act during the 1970s.

*Are there partisan differences in soft money spending?*

A common concern among policymakers is the relative effect of a ban on either party. Who might be hurt more by banning soft money, Republicans or Democrats? Surely, party members will not want to change campaign finance laws in ways that put their party at a disadvantage. It appears that the Democrats rely more heavily on soft money for direct campaign activity than Republicans. Democrats, for instance, outspent Republicans \$87 million to \$62 million on media with their soft money. Similarly, Democrats invested more than Republicans in mobilization with soft money, but the difference is not as great as for media. Republicans use more soft money for party overhead than Democrats, and use it slightly more for fundraising.

The explanation for the Democratic strategy is that the Republicans raise far more hard money than Democrats. It appears, then, that Democrats try to make up for the difference with soft money, using it in ways that might benefit their federal candidates as much as possible. While both parties use soft money to benefit federal candidates directly rather than for generic party building, the Democrats have a far stronger incentive to employ this strategy than Republicans. We can only speculate whether the large figure for "unidentified" expenditures (\$18.7 million) suggests that the Democrats are reluctant to reveal the way they use soft money to influence federal campaigns.

Given these findings we expect the Democrats to suffer the most from a soft money ban in the short term, since they use it to make up for their relative deficiency of hard money. Over the long-term the Democrats might be able to reach parity with Republicans hard money fundraising, although traditionally the Democrats have been less successful soliciting small contributions than Republicans.

Table 5 (not shown) is further evidence that soft money is important to both parties in federal elections. It demonstrates that the parties concentrate their money in competitive states. The 10 party organizations that spent the most on media were in states with a highly competitive presidential or Senate campaign, or both. These included 6 Democratic and 4 Republican organizations. The average media expenditure among all 100

state parties was 63 cents per voter. Those in the top 10 spent in the range of \$1.91 to \$9.73 per voter.

Table 6 (not shown) provides the same analysis for party expenditures on mobilization. The average mobilization expenditure among all 100 state parties was 19 cents per voter. Those in the top 10 spent in the range of 40 cents to \$1.3 9 per voter. Interestingly, Democratic organizations comprised the first 8 of 10 organizations in this top category, demonstrating a preference for this mobilization strategy in tightly contested races. For Democratic organizations, the average expenditure on mobilization was 24 cents per voter, while it was only 14 cents per voter for Republican committees.

SUMMARY POINTS

National parties use soft money mostly for party overhead & operations, as well as fundraising. They also transfer 55 percent of their soft money to state organizations, which perform much of the campaign work.

State parties rely on soft money to perform a variety of campaign activities: Approximately 44% was spent on media (\$149.4 million); 29% on party overhead and operations (\$99.5 million); and 15% on direct mobilization and grassroots (\$53.1 million).

The "120-day rule" that prohibits soft money spending within 120 days of a general election could eliminate as much as 3/4 of soft money spending; 89% of spending on issue ads falls within 120 days of the general election; and 91% of spending on GOTV and registration falls within 120 days of the election.

Democrats will likely be hurt by a ban on soft money more than Republicans in the short term: Democrats spend more soft money on media and mobilization than Republicans. Democratic organizations, on average, spent 85 cents on media per voter and 24 cents on mobilization per voter. Republicans, in contrast, spent 42 cents and 14 cents on media and mobilization per voter, respectively.

The parties concentrate their soft money resources in the closest races: States with competitive presidential contests spent the most on media and mobilization per voter.

The corrupting influence of unlimited soft money contributions and expenditures, whether real or perceived, is cause for concern and perhaps legislative action. Such action should target underlying problems, while attempting to minimize harmful unintended consequences. The McCain-Feingold bill, with its 120-day amendment and \$ 10,000 contribution limit, will eliminate most soft money spending, including spending 12 on thinly disguised candidate ads parading as "issue ads." But it is likely that voter mobilization efforts will be reduced as well. The dramatic increase in soft money media expenditures is driven by the belief that this expensive campaign activity delivers results at the polls. In an effort to prevent corrupt contributions and purge issue ads, the McCain-Feingold bill will constrain the party in other ways. State parties, particularly in states where the parties rely on major donors, will find it more difficult to pay administrative costs, even as they augment efforts to raise money from smaller donors. It is also conceivable that media expenditures will maintain current levels and be paid for with hard money as "independent" party expenditures. Given finite resources, broadly based party-building, including voter registration and mobilization, may suffer the most. Certainly there are no guarantees, but it is a plausible outcome that should be kept in mind as the House begins debate on campaign finance reform.

[Columbia Law Review, April 2000—  
Symposium: Law and Political Parties]

\*598 SOFT MONEY, HARD MONEY, STRONG PARTIES

(Stephen Ansolabehere and James M. Snyder, Jr.)

Political parties are central to current efforts to reform campaign finance in the United States. Party money constitutes approximately half of all campaign funds raised at the national level. Limiting party money is, thus, integral to campaign finance reform. This Article examines what might be gained and lost if regulations on party money are imposed. Proponents of stronger (and better financed) parties conjecture that strong parties increase the ability of voters to hold their representative's accountable. We find that such benefits are, in practice, minimal. Instead, we argue that the main benefits of party money, especially soft money, derive from the parties' campaign activities. Soft money finances state party organizations' voter registration and mobilization efforts, which have substantial effects on turnout. Reducing party money will, thus, reduce participation. The benefits of limitations on party soft money must therefore be weighed against likely reductions in voting that would result.

INTRODUCTION

American campaign finance law is often described as more loophole than law. Congress and the courts, sometimes working at cross-purposes, continually attempt to clarify and perfect existing regulations, but as campaign practices evolve, candidates, parties, individuals, and groups devise clever, new ways to bend the rules. Today, efforts to reform campaign finance focus on the transfer of national party, funds to state and local organizations. Political parties raise large sums from individuals, corporations, and other associations. They then channel these funds to state and local party organizations, which in turn conduct campaign activities that indirectly and sometimes directly affect federal elections. This was an intended consequence, a genie that Congress meant to let out of the bottle. Our concern is with the effects of putting the genie back in.

In 1979, Congress amended the Federal Election Campaign Act ("FECA"), [FN1] excluding state and local party building activities from the federal contribution limits. [FN2] The Federal Elections Commission ("FEC") further clarified the law in a series of rulings, which in essence allow individuals and organizations to give unlimited amounts of money to the national parties' "non-federal" accounts. [FN3] Funds in such accounts are intended \*599 for "party activities" at the state and local levels, and may not be contributed to or spent in coordination with federal candidates. Behind this exemption, since termed "soft money," lies a simple objective: Strengthen the political parties.

The soft money loophole arose in response to two forces: the sorry state of national parties in the 1970s and the long-held belief among political scientists that stronger national parties would improve the ability of voters to hold government accountable. National parties in the U.S. have never had well-financed organizations. [FN4] and in the 1970s, their situation appeared especially dire. The national party organizations reputedly needed a greater presence in the new world of campaign finance created by FECA, which put candidates at the center of national political campaigns. [EN5] FECA imposed new restrictions on the amounts that national parties could give to candidates and on the ways that the parties could raise

money. These restrictions hit the Democratic National Committee (“DNC”) particularly hard, as the committee labored under debt from the 1968 and 1972 campaigns.

Soft money also answered a century of political science speculation and theorizing. Political scientists have long argued that the absence of strong national party organizations in the U.S. limits the ability of voters to hold government accountable for public policies.[FN6] In order to hold the government accountable, voters need to face clear, programmatic choices. Party money is one means to this end.

Parties are able to impose discipline on their members, acting as a counterweight to the many special interests that may chip away at the public good behind legislation.[FN7] Expanding party money might also weaken the influence of interest \*600 groups by lessening the unique campaign finance advantages of incumbents, which derive substantially from interest group contributions.[FN8] This argument received its most famous expression in a report of the American Political Science Association published in 1950 and entitled “Toward a More Responsible Two-Party System.”[FN9]

The committee that crafted the report recommended three concrete changes in the practice of politics that would improve accountability: more programmatic parties, greater democracy within the parties (such as primary elections), and deregulation of the parties’ campaign fundraising activities.[FN10] On all three counts, American politics have moved in the direction of the committee’s proposals and its vision of responsible party government. The parties within Congress exhibit much more party line voting today than they did in the 1970s, providing voters a much clearer choice.[FN11] Primary elections and other party reforms in the 1960s and 1970s created more democracy within the parties.[FN12] The consequence of those changes in our national politics is the subject of intense scholarly scrutiny.[FN13] Our concern is with the third factor in the contemporary experiment with stronger parties, the money.

Today, the American political parties are prolific fundraisers. In 1998, for example, Democratic and Republican national party organizations raised \$445 million for their federal (hard money) accounts, and \$224 million for their non-federal (soft money) accounts.[FN14]

Party money has not been heartily embraced by the public, politicians or political scientists. Twice, Congress has nearly closed the soft money loophole.[FN15] Campaign reform bills proposed by Representatives Shays and Meehan and by Senators McCain and Feingold passed the House of Representatives in each of the last two Congresses, and have failed in the Senate only because a minority of senators sustained filibusters. \*601 [FN16] Scholarly and popular commentary has similarly turned against party finance, and against soft money in particular. The objections are not that the parties have become too strong. Rather, it is alleged that party finance practices have inadvertently increased the political leverage of interest groups [FN17] and have ruined the ability of government agencies to regulate the system of political finance.[FN18]

Specific objections to soft money emphasize the evasion of existing limits. Following *Buckley v. Valeo*, [FN19] contribution limits on individuals and groups became the centerpiece of campaign finance regulations in the United States.[FN20] In each election, individuals may give no more than \$1,000 to a candidate, up to \$20,000 to national party organizations, and a total of no more than \$25,000 to all federal candidates. Organizations may give no more than \$5,000 to a can-

didate and \$15,000 to national party organizations in each election. The 1979 amendments to FECA provide an avenue through which groups and individuals can avoid these limits, giving unlimited amounts to the parties’ non-federal accounts.[FN21] In addition, organizations, especially corporations, can avoid having to set up a separate and segregated fund, commonly called a political action committee (“PAC”), through which the organizations raise money for federal elections. Finally, soft money is widely seen as an evasion of presidential spending limits, as presidential candidates can raise money for the “non-federal” accounts of the DNC and RNC and those funds can be spent in battleground states.

Critics of contemporary campaign finance raise a more generic concern about party money. Interest groups might capture or corrupt the parties, just as they allegedly compromise congressional decisionmaking. Soft money is raised without contribution limits; many of the donations exceed \$100,000 and come from corporations, associations, and individuals with strong interests in legislative and executive decisions facing the government. Large donations from a specific interest or industry, it is feared, might convince the party caucuses within Congress or the president to protect that interest. Our aim is to put the essential claims about party money to empirical scrutiny. First, how apt is the traditional view of parties? Does party money produce greater degrees of electoral accountability and legislative discipline? Second, how accurate are contemporary critics of parties? Is party money, especially soft money, swamping the system? Has FECA’s system of contribution limits broken down? Finally, what would be the \*602 practical political consequences of further constraining party money raised for state and local parties and elections? We analyze these questions through the lenses of campaign finance reforms that would end soft money.

Part I of this paper details how parties raise money and how they handle it, especially in contrast to how candidates raise money. Here we assess how much money would be affected by proposals to close the soft money loophole, and whether the rise of soft money signals the failure of the contribution limits established by FECA. Part II assesses two key claims about party money and party discipline in national politics: that party contributions and expenditures foster electoral competition and that party money creates greater party discipline within the legislature. In this Part we argue that the parties do produce more electoral competition, but that a ban on soft money would have little impact on national party politics. Part III of this paper explores how party money is used at the state level, especially for grass roots activities. Here we project that a complete ban on soft money would significantly curtail grassroots activities of state party organizations and would significantly reduce participation, a consequence that has as yet received little attention in national discussions about campaign finance reform.

#### *I. Party Money Amounts and Accounts*

Party money is extremely important: It accounts for nearly half of all campaign money raised at the national level.[FN22] But, as we document, the importance of party money has not changed much over the last twenty years.

To measure the importance of national party fund raising we contrast the resources of parties to those of candidates, rather than to interest groups. There are four reasons for this contrast. First, recent political science scholarship emphasizes that candidates have

eclipsed parties as an organizing force in voting behavior and elections.[FN23] The rise of personal voting and the incumbency advantage over the last forty years suggests that many voters focus on the individual politician more and rely on party less.[FN24] Individuals and groups may choose to channel their resources either to parties or individual candidates. The decline of parties is often traced to increases in the campaign resources of individual candidates, especially incumbents, and declines in electoral resources and activities \*603 of party organizations.[FN25] Do parties command substantially fewer resources than candidates do? Surprisingly, in our world of candidate-centered campaigns, parties and candidates attract approximately the same amount of money.[FN26]

Second, party committees are essentially campaign operations and are, therefore, most appropriately compared to candidates, rather than to political action committees. Parties seek to win a majority of seats in the legislatures or control of the executive office, and they do so through direct campaigning and by assisting their local campaign organizations. FEC reports reveal that parties are not primarily operations for donating money to candidates. Less than one percent of party money is contributed to federal candidates, and only about ten percent is spent on their behalf.[FN27] FEC audits of party committees reveal that the national Republican and Democratic organizations spend their funds on overhead, fundraising, and their own campaigns to win control over government, including grassroots organizing and television advertising, as well as on recruiting and training candidates and campaign organizers. An audit of the RNC’s 1984 accounts revealed that approximately thirty percent of that money was spent on direct campaign activities, such as advertising and field operations; an additional third went to fundraising.[FN28] An audit of the Dukakis campaign in California, and of the California State Democratic party, in 1988 showed that half of the funds went for field operations, such as get-out-the-vote drives, canvassing, and direct mail; twenty percent went for media.[FN29] These figures are remarkably similar to the activities of federal candidates, whose reports to the FEC reveal that thirty percent of congressional campaign money goes for media advertising and about twenty percent goes for grassroots campaign activity.[FN30]

Third, candidates are the relevant benchmarks against which to compare party finance because the government is ultimately organized both by individual politicians and by parties of politicians. The U.S. House and Senate, for example, are organized into committees, which are often tailored to members’ and constituents’ interests, as well as party hierarchies. If contributors can influence public policy or change the composition \*604 of the government with their campaign donations, then they may be able to achieve their ends either through donations to politicians or to party committees. Finally, parties and candidates draw on the same pools of donors—individuals and organizations, especially corporations. But, different restrictions apply to candidate and party fund raising. Donations to federal candidates and party committees fall under the contribution limits imposed by FECA, and individuals and groups face lower contribution limits when they give to candidates than when they give to parties. Also, non-federal party accounts are not subject to federal contribution limits.[FN31]

Table 1 contrasts the receipts of federal candidates and of national party committees over nine election cycles in the 1980s and 1990s. The first and second columns of the

table display the amounts raised by congressional (House and Senate) and presidential candidates, respectively. The Presidential funds include public funds provided in the primary and general elections. The third and fourth columns display the parties' federal (hard money) and non-federal (soft money) receipts. [FN32] Official FEC reports on soft money are not available for the early 1980s, and the amounts are presumed to be small. For 1984 and 1988, we include some estimates provided by the Citizens' Research Foundation and other sources.

*Table 1. Candidate and Party Funds*

Some double counting exists in the table because party committees and candidates may contribute money to each other. Surprisingly little money flows between parties' and candidates' treasuries. Parties contributed only about \$5 million directly to candidates in 1998, accounting for less than one percent of candidates' funds. [FN33] In addition, parties' coordinated and independent expenditures totaled \$67 million in 1998. In total, parties only spent about ten percent of their funds on federal election campaigns at the national level, and almost all of these expenditures are advertising and other coordinated and independent expenditures made by the parties, rather than direct contributions to candidates. Even less money goes from candidates to parties. Federal candidates contribute only a trace of their money to national party committees. [FN34] Parties and candidates, then, represent distinct campaign fund raising venues in national politics; one does not feed the other. More money flows among the party committees. Twelve percent of soft money in 1994 and ten percent of the soft money in 1998 came from \*605 other accounts of the national parties. This indicates that the FEC reports suggest that there is more soft money than there actually is. Funds transferred from one non-federal account to another are simply double counted. Funds from federal to non-federal accounts should properly be considered federal money, as they were originally raised from individuals and corporations according to federal contribution limits. Actual soft dollars totaled \$89.8 million in 1994 and \$196.8 million in 1998. [FN35]

The contrast between party and candidate national fundraising helps put the parties in clearer relief. First, the data in Table 1 reveal that under FECA candidates and parties play roughly equal roles in campaign \*606 fund raising. Federal and non-federal money, amounted to approximately forty percent of all money raised at the national level in the 1990s. [FN36] The fraction of all money going to candidates in Table 1 is fairly stable, averaging 60 percent, but never more than 65 percent or less than 55 percent. The equality of candidate and party money is somewhat surprising given the emphasis within political science on the rise of "candidate-centered" campaigns. The importance of parties, though, should not be seen as evidence that FECA has gradually broken down. The parties appear to be a constant in American campaign finance, and this is accommodated by FECA.

Second, the parties have changed how they handle their funds somewhat, relying increasingly on non-federal accounts. Much of the recent growth in the parties' treasuries has come through non-federal funds. The hard money accounts of parties have grown much more slowly than the hard money accounts of candidates. From the early 1980s to the late 1990s, House and Senate money (in off-year elections) grew 85 percent. Over that same time period, the federal accounts of the parties grew by only 45 percent. [FN37] Parties have kept pace with candidate fund raising through soft money.

Reports on the amounts of soft money before 1992 are highly incomplete. The Citizens Research Foundation estimated the amount of soft money in 1984 as \$22 million, which amounts to about 5 percent of the party money raised that year. [FN38] The figures in Table 1 reveal that by the end of the 1990s soft money had risen to \$200 million.

Third, soft money, though it has grown, is still a relatively small fraction of party money and of all money. By the end of the 1990s, non-federal accounts handled slightly less than a third of all party money. Even with this growth, non-federal accounts still handle much less money than federal accounts, and contributions to and expenditures from federal accounts must still comply with contribution limits set by FECA. Table 1 reveals that by the end of the 1990s, soft money accounted for just 15 percent of all money.

Soft money, as it is commonly discussed, has a more negative connotation than simply the amounts of money flowing into non-federal accounts. Soft money has become synonymous with money laundering. Parties, interest groups, and candidates reputedly avoid the limits on group and individual contributions to federal candidates and parties by funneling money raised in national accounts to state and local organizations. The state and local organizations serve merely as fronts for the federal candidates' and parties' campaigns. How much money exceeds the limits?

Total non-federal party money provides an upper bound estimate of the amount of money that is given in order to evade contribution limits \*607 on individuals, corporations, and other associations. The figures in Table 1 suggest that the amount evading the contribution limits is small relative to the amounts subject to the limits. Even with the soft money loophole, two-thirds of all contributions to parties go to federal accounts and are subject to contribution limits. Party money constituted about 45 percent of national campaign finance in 1998; non-federal accounts handled only 15 percent of all money raised in 1998 at the national level.

Not all donors to non-federal accounts exceeded the limit that they would have been subject to had they contributed to a federal committee. In 1998, approximately 18,000 different donors gave to the national parties' soft money accounts. Only eleven percent gave more than \$20,000 to soft money accounts, which is the limit on contributions to party committees. This relatively small number of donors gave 78 percent of the soft money—that is, \$153 million of \$196 million. This is a very large amount of money "skirting" the limits, and it is a cause for concern. However, it represents only 12 percent of all money raised by candidates and parties at the national level. [FN39]

Closing the soft money loophole will not force all of the money in parties' non-federal accounts out of politics. A sizable amount of non-federal money (\$42.6 million out of \$196 million) is raised within contribution limits, and we suspect that federal committees would likely attract these funds if non-federal accounts did not exist. [FN40] In addition, if soft money is banned, donors to these accounts might redirect their contributions to other accounts—to hard money accounts, to candidate accounts, or to state and local organizations directly.

#### *II. Party Money in National Elections*

Current campaign finance reform efforts, such as the McCain-Feingold bill, aim to eliminate soft money entirely. If those efforts succeed, what will be the consequences for national and state politics? We turn first to the national level. The concern for national politics, as political scientists have

described it, is whether restrictions on party resources would lessen the ability of voters to hold the government collectively accountable. [FN41] Party finances may improve accountability in two ways. First, party contributions and expenditures in national elections might increase electoral competition. In particular, party money is often thought to be a counter-weight to the inequity between individual candidates' resources, most notably the discrepancies between incumbents' and challengers' financial advantages. Second, party money might produce more discipline in Congress, as leaders might be able to use contributions as inducements to keep the party's congressional delegation in \*608 line on key votes. Greater discipline within Congress on votes central to the parties' programs would allow the parties to stake out clear policy or ideological positions. As a result, voters would be better able to distinguish the choices they face in the election and to reorient the government if they did not like the direction of the governing party. [FN42]

A further concern is how the parties conduct their own campaigns. If a sizable share of the money goes to voter registration and mobilization, then party money might foster accountability by encouraging people to vote and make their preferences heard. Here, we address the first two concerns; we leave the third issue to the next section, as that is more readily addressed at the state and local level.

#### *A. Does Party Money Increase Electoral Competition?*

Many students and observers of Congress complain bitterly about the lack of competition in congressional elections. They cite such facts as the high incumbent reelection rate (averaging over 95 percent since 1980); [FN43] the "vanishing marginals"; [FN44] the incumbency advantage in voteshare, around 8 percent; [FN45] and the huge advantage incumbents have in fundraising. [FN46] Weakening the fundraising capabilities of parties would probably reduce competition. [FN47] Party money flows to more competitive races. [FN48] Also, as we show here, party money flows much more freely to non-incumbents than PAC money does. [FN49] The panels on the left-hand side of Figure I show the natural log of party money (including coordinated expenditures), plotted against the Democratic vote-share, for each House race between 1978 and 1998 that was contested by both major parties. The top left panel shows the relationship between Democratic party money \*609 and electoral closeness: the bottom left panel shows the relationship between Republican party money and electoral closeness. A unit change in the logarithmic scale can roughly be interpreted as a one percent change in the variable. The graphs, then, represent how a percentage point change in the Democratic vote share corresponds to a percentage change in the amount of party and PAC money received. The symbols are "I" for races incumbents, "C" for races with challengers, and "O" for open seat races.

Parties clearly, target closer races. The curves on the left have a distinct inverted-U shape, with a peak at almost exactly .5, showing that Democratic and Republican party committees target close races. Also, the curves are relatively symmetric at about .5, suggesting that the party committees concentrate equally on vulnerable incumbents and credible challengers, and tend to ignore safe incumbents and struggling challengers.

Figure 1: Party versus PAC Contributions as a Function of Democrat's Share of the Vote Won, US House Elections, 1978 to 1998.

The panels on the right-hand side show analogous plots for PAC contributions. Although PACs also tend to target close races, there is one striking difference between PACs and parties. While party contributions drop off sharply in noncompetitive races involving incumbents, PAC contributions do not. PACs give nearly as much to safe incumbents as they give to incumbents who are in trouble. Incumbency of course, is nearly synonymous with victory, as approximately 95 percent of incumbents who \*610 seek reelection win. [FN50] The asymmetry suggests that PACs are drawn to candidates who are more likely to win. Elsewhere, we have shown that this behavior is consistent with the argument that interest groups give money as an investment in politics, with some expectation of a return for their donation. [FN51] Also, though this is more difficult to discern from the graph, PACs give significantly more to incumbents than to non-incumbents, holding the vote margin constant.

Specifically, PACs give more money to incumbents than they do to open seat candidates who win by the same vote margin or who compete in districts with similar partisan levels. [FN52] What is more, PACs give more to incumbents who lose by 1 to 5 percent than they do to challengers who win by 1 to 5 percent. [FN53] This is not true for the parties. Party contributions act as something of a counterbalance to PAC contributions. A back-of-the-envelope calculation gives some sense of what might happen if party money dries up. Consider all races between 1988 and 1998. On average, Democratic challengers received 14 percent of their total campaign funds (including coordinated and independent expenditures) from party committees, and Republican challengers received almost 11 percent of their funds from parties. The corresponding figures for incumbents were 2.0 percent and 1.7 percent, respectively. In a previous paper, we estimated that the elasticity of challenger vote-share with respect to challenger spending .05 to .08 range. [FN54] Using an intermediate value of .07, a 10 percent reduction in challenger spending implies that the average challenger's vote percent will fall by about 2.5 percentage points.

The effect of this counterweight of parties in specific races for Congress is slight, primarily because parties spend so little money on individual races. We are unsure what the effects on electoral competition and turnover might be if the parties were to spend, say, five times more than they currently do on national elections. This is the world envisioned by proponents of stronger parties, such as Dan Lowenstein, who recommends heavy public subsidy of parties to counteract the incumbency advantage. [FN55] The obstacle to forecasting what this world would be like is that it is unclear what circumstances would lead the parties to shift their \*611 resources more heavily into congressional campaigns and away from state and local activities.

The bottom line, though, is that significant reductions in party receipts would not change competition in the national elections appreciably. Complete elimination of party contributions and coordinated and independent expenditures would lower challengers' vote shares by 2.5 percent, but the typical challenger today only receives 35 percent of the vote.

### B. Does Party Money Buy "Loyalty" to the Parties?

One way to buy loyalty is to help elect and reelect those who are known to be loyal. There is some evidence that at least for Democrats, party committees give more money to House members who vote in line with their party's leaders. [FN56] The evidence is rather weak, however, and other studies find no effects. [FN57]

Showing that party money actually affects voting records is even trickier, because it is extremely difficult to control for the "baseline" level of party support (how much a member would support the party even if he or she did not receive party money). Leyden and Borrelli claim to show an effect, but it is doubtful that have correctly controlled for the baseline. [FN58]

We find mixed evidence for the first claim. We ran a series of Tobit regressions predicting party money as a function of electoral circumstances and party loyalty in roll call voting, measured as proximity to the parties' medians. [FN59] Using the estimated relationship we can measure the \*612 expected amount of party money received by loyal and maverick incumbents. Contrast a Democrat who is at the party's median with one at the 25th percentile of his party (in the conservative or moderate direction). The average Democratic incumbent over the period 1978 to 1998 received about \$10,000 from the Democratic party's committees. [FN60] The more moderate Democrat received only about \$6,000 from party committees. In other words, the effect of being at the 25th percentile of the Democratic party, rather than at its median, cost the more moderate member about \$4,000 in party campaign funds. For Republicans, the corresponding difference between the party's median member and a member at the 25th percentile (again in the moderate direction) is just \$206—essentially no effect. [FN61]

These slight effects suggest that further restrictions on federal party contributions and spending money would have relatively little effect on discipline within the party. Nevertheless, these effects measure how we predict loyalty rates to change with modest changes in party contributions. It is unclear what the consequences for party discipline might be if the party committees' presence in candidates' campaigns expanded significantly. What seems more certain is that expanding the parties' campaign activities and expenditures would aid challengers somewhat. Parties contribute and spend money in federal races in ways that foster competition. The sums, however, do not appear large enough to make an appreciable difference in the final election outcomes. If anything, the behavior of the parties in national elections suggests that, if our objective is to increase electoral competition and, thus, electoral accountability, then parties command too little of the money spent in American national elections.

One caveat to this implication is in order. Party money is not politically balanced or neutral: Republican committees regularly raise and spend more money than Democratic committees. This pattern is especially strong in hard money accounts; in 1998, Republican committees raised \$285 million and Democratic committees raised \$160 million in hard money. Over the last decade (1988 to 1998), Republican national campaign committees raised 65 percent of the party money in federal accounts. [FN62] Soft money is more balanced: Over the last decade, Republican \*613 committees have accounted for 55 percent of soft money. [FN63] Thus, complete deregulation of party money would likely

benefit Republican committees and candidates, and elimination of the soft money loophole may benefit the Democrats.

### III. Party Money in State and Local Elections

Closing the soft money loophole would affect state and local party organizations and the voters they reach much more acutely than it would affect national politics. The effects would be two-fold. First, as we show here, eliminating soft money would seriously reduce the party treasuries in many states. Second, eliminating soft money will significantly reduce the campaign activities that state and local party organizations conduct. Soft money appears to subsidize a wide range of activities, including get-out-the-vote drives, broadcast advertising, and day-to-day operations of the organizations. Of particular concern, cutting federal transfers to the state party organizations will likely reduce grassroots campaign activities and produce lower voter turnout as a result.

To provide a thorough accounting of state parties' financial activities, we chose to profile three states—Idaho, North Carolina, and Ohio—across three election cycles, 1991–92, 1993–94, and 1995–96. [FN64] These states appear representative of the rest of the country. Ohio is the seventh most populous state in the U.S., and it has highly competitive elections. [FN65] North Carolina is a mid-sized state (two-thirds the population of Ohio); it too is highly competitive. [FN66] Idaho is a small state, and leans strongly toward the Republicans, though Democrats have won statewide and federal offices over the last two decades. [FN67]

These states share some important characteristics. All three states have very complete public reporting of the receipts and expenditures of the parties. [FN68] In all three states, the parties' central or executive committees handle almost all of the parties' campaign money. Idaho's party committees raised a total of \$3 million in 1996, \$2.4 million of which \*614 went to the state committees—the Idaho Democratic Party and the Idaho Republican Party. The remainder was distributed evenly across numerous county party, committees. [FN69] The House and Senate caucus committees controlled relatively little. North Carolina also has extremely active county committees; they tend to be recipients of state party money. [FN70] In Ohio, party money is concentrated in the state committees, though the legislative caucuses have played a relatively more important role in the past. [FN71] In terms of party money, these states span much of the observed variation in transfers from non-federal accounts. Combining the 1996 and 1998 elections, Ohio, with 11 million people, received \$10.6 million in soft money, North Carolina, with 7.5 million people, received \$7.6 million in soft money, and Idaho, with 1.2 million people, received \$2.4 million in soft money. [FN72]

Figure 2: *Repub. and Democ. Soft Money in States, 1996–1998*

Tabular or graphic material set forth at this point is not displayable.

Figure 2 graphs the combined 1996 and 1998 soft money contributions to state parties of Democratic and Republican national committees. [\*615 FN73] The graph shows that Democratic and Republican money increase together. In the figure, California, with 32.7 million people, receives by far the most money (\$33 million). Ohio ranks with New York and Illinois as the next largest recipients of soft money over the last two election cycles. North Carolina is in a cluster of states that includes Texas, Pennsylvania, Washington, and Kentucky. Idaho is in a cluster of smaller states including Arkansas,

Connecticut, and Massachusetts, which received about \$2 million total over the two election cycles. The densest cluster of states in the graph is in the lower left corner. One-third of the states received less than \$1 million from national parties non-federal accounts over the two elections.

The importance of soft money to state parties is readily measured as the fraction of state party committees' total receipts that come from non-federal national party accounts. How dependent are the states on non-federal accounts for their resources? Using the reports of the state election finance agencies in Idaho, North Carolina, and Ohio, we calculated the total amount of money raised by the party committees in these states, excluding transfers between state party committees. In Idaho, the Republican and Democratic state and local party committees raised a combined total of \$1.4 million in 1992, of which \$550,000 was soft, and a total of \$3.0 million in 1996, of which \$1 million was soft. In North Carolina, the state and local party committees raised a total of \$10 million in 1992, of which \$4.9 million was soft, and a total of \$18 million, \$5.7 million of which came from soft money accounts. In Ohio, the state and local party committees amassed total receipts of \$24.7 million in 1992, of which \$8.1 million was soft, and \$19.6 million in 1996, of which \$7.6 million was soft.

These figures show that state parties depend heavily on soft money transferred from the national party committees. In all of these cases, more than one-third of the state organizations' total funds came from national "non-federal" accounts. Cutting soft money would significantly reduce state parties' financial resources.

How would reduction of these funds affect state parties' activities? It is often charged that non-federal money merely takes the form of advertising for federal candidates cloaked as state and local party building. This perception appears to be wrong for three reasons.

First, national party committees (such as the DNC-State Account) contribute or transfer money directly to the state party committees rather than spend money in the states, which the national committees might do if they were advertising for federal candidates. Nor is the money that they do spend clearly earmarked. Instead, almost all of the soft money that flows into these states is transferred to the general treasuries of state committees, \*616 which are controlled by state party organizations. The ultimate decision about how the money is to be spent, it seems, rests with the state committees, rather than with federal committees or federal candidates.

Second, to the extent that we observe direct national expenditures in the states or earmarked money, these funds are dedicated to overhead, such as office expenditures. Ohio is the clearest example. In 1992, the RNC and DNC spent almost ten million dollars in the state; eighty percent of these funds were dedicated to "office" expenditures. [FN75]

Third, the state party organizations spend considerable sums on field or grassroots campaigning, such as direct mail, precinct walks, and voter registration. Documenting the amounts spent on various activities takes considerable effort. Working with the public reports of the parties filed with the state elections commissions in Idaho, North Carolina, and Ohio, we classified each itemized expenditure by the parties in the 1991-92 and 1995-96 election cycles. [FN76] All told there were over 41,000 separate data entries to classify. We divided the expenditures into a fairly detailed category scheme that paralleled the format developed by Dwight

Morris and his collaborators. [FN77] We then aggregated these into several broader categories: "grassroots or direct campaigning," "media campaigning," "overhead," "consulting," "contributions," "transfers," and "fundraising."

The state parties spend fairly constant proportions on each of these categories. For our purposes grassroots and media campaigning are of greatest interest. In North Carolina, in both 1992 and 1996, we estimate that the state parties spent approximately 20 percent of their funds on media advertising and 25 percent on grassroots or direct campaigning. In Idaho, we estimate that the parties spent approximately, 15 percent of their funds on grassroots campaigning in 1992 and 1996. They spent just 4 percent on media in 1992 and 9 percent on media in 1996. In Ohio, we estimate that the parties spent 7 percent on media in 1992 and 5 percent on media in 1996. They spent 32 percent on grassroots campaigning in 1992 and 27 percent on grassroots campaigning in 1996. In each of these states, the parties spent between 30 and 40 percent of their funds on reaching voters directly, the larger category of voter contact being direct voter contact, such as direct mail and canvassing, not broadcast advertising. [FN78]

How will the elimination of party soft money affect the campaign activities that parties conduct? Between 1992 and 1996 we observe for each state changes in the total receipts of the party treasuries as well as changes in their grassroots, or direct campaign, expenditures. The ratio \*617 of the change in grassroots expenditures to the change in total receipts measures how the parties translate marginal changes in their receipts into changes in their activities. From 1992 to 1996, Idaho parties' receipts rose \$1.5 million. Their expenditures on direct voter contact rose \$250,000. For every additional dollar raised, the Idaho parties spent an additional 16 cents on voter contact. From 1992 to 1996, North Carolina parties' receipts rose \$8.4 million. Their expenditures on direct voter contact rose \$2.15 million. For every additional dollar raised, the North Carolina parties spent an additional 25 cents on voter contact. From 1992 to 1996, Ohio parties' receipts fell \$7 million. Their expenditures on direct voter contact shrank, \$1.3 million. For every dollar lost, the Ohio parties reduced expenditures on voter contact 18 cents. [FN79] These figures suggest that every dollar lost by the parties from a reduction in federal transfers would cut expenditures on state parties' direct campaign activities by 20 cents. [FN80] Soft money transfers to these states totaled \$13 million in 1996. [FN81] Elimination of these funds, we estimate, would cut the state parties direct campaign expenditures by \$2.6 million dollars.

How much would turnout decline? In 1996, 7.5 million people voted in Idaho, North Carolina, and Ohio combined. [FN82] To calculate how many fewer people would have turned out without the soft money subsidy of state grassroots activities, we need to know the cost of getting an additional voter to the polls through these activities. From a series of ingenious field experiments. Alan Gerber and Donald Green have estimated the marginal cost of getting an additional person to the polls through canvassing and related means of voter contact. [FN83] They estimate that mobilizing an additional voter costs between \$15 and \$20. [FN84] These figures suggest that between 170,000 and 130,000 fewer people would have voted in these states in 1996 without the grassroots activities underwritten by the national parties' soft money. In other words, cutting soft money would have lowered turnout in these states by slightly more than two percentage points. [FN85]

## \*618 CONCLUSION

Party money poses a dilemma, both for those who advocate stronger and more responsible parties and for those who advocate elimination of soft money to reform campaign finance. Broadly speaking, political parties are thought to be instruments of greater political accountability and mass democracy.

Voters can more readily hold stronger, unified national parties responsible for their actions and redirect government if need be. At least since the 1950s, political scientists have argued that we should strengthen the parties organizationally, and that unregulated party campaign money is one of the main mechanisms through which the United States can achieve stronger parties. [FN86] The devil, though, is in the fund-raising. The parties may have to act irresponsibly toward the public in order to raise funds from wealthy individuals, corporations, and other private concerns.

We have considered the concrete tradeoffs presented by proposals to eliminate soft money. In terms of reducing corruption or undue influence, such proposals, at best, can eliminate money that exceeds existing limits. We estimate that soft money contributions that evade existing contribution limits amounted to approximately \$150 million in the 1998 elections. We are unsure what that money buys.

We know of no research that provides reliable estimates of the amount of influence purchased with each additional dollar. If we assume that the influence gained from a dollar contributed within limits is the same as the influence gained from a dollar given outside the limits, then limiting contributions to non-federal party accounts would weaken interest group influence over national politics in the United States somewhat, but this money should not be presumed to have much leverage. Soft money currently accounts for only 12 percent of total national campaign fund raising.

Individual legislators do not depend on these funds at all—if anything these funds are a nuisance, as the expenditures likely go to support their opponents. Thus, if the effects are corrupting, they are not corrupting of individual legislators. Soft money might, however, unduly influence the parties. Even still, the national parties raise two-thirds of their money in hard money donations.

Against these possible consequences must be weighed the possible effects of soft money on the "responsibility" of the parties. We have focused on three of the central arguments about what responsibility means: party discipline in policy-making, national electoral competition, and party building activities, especially grassroots mobilizing.

We believe that the effects of eliminating soft money on the ability of the parties to present voters with clear, programmatic choices would be slight. Contrary to the responsible party argument, party money evidently, does not correspond with significantly more party discipline. \*619 Among Democrats party, loyalty within Congress and party contributions are correlated; among Republicans, they are not. And the sums are so small that it seems unlikely that the parties have created greater discipline through their campaign finance committees.

Party money, if it continues to grow, might have substantial consequences for national elections. In particular, party money has the potential to counterbalance interest group contributions in congressional elections. PACs account for most of the incumbency advantage in campaign finance. [FN87] Parties, by contrast, give to close races, as suggested in Figure 2, and spend their money

efficiently so as to have the largest effect on electoral outcomes. More party money in congressional elections, at least relative to interest group money, would probably produce much higher electoral competition. However, the parties currently give little to congressional candidates and spend little on individual races.

The most troubling effect of closing the soft money loophole is that it would significantly lessen the electoral presence of state and local party organizations. Debates in Washington on bills designed to eliminate soft money, and many political science and popular journals have discussed the many ramifications of eliminating soft money. Little mention, however, has been made of the consequences for the state parties and the voters that they reach. Closing the loophole will starve many grassroots activities of state and local parties. Eliminating all current soft money expenditures, we estimate, would lead to a 2 percent decline in voter turnout—without soft money, approximately 2 million fewer Americans would have gone to the polls in 1996.

#### ENDNOTES

[FN1]. 2 U.S.C. §§ 431–55 (1994).  
 [FN2]. See Elizabeth Drew, *Politics and Money: The New Road to Corruption* 15 (1983); Frank J. Sorauf, *Inside Campaign Finance* 149 (1992).  
 [FN3]. There are numerous FEC advisory opinions that clarify what does and does not constitute a non-federal expenditure or contribution. Three are of particular note: Allocation of Costs for Voter Registration, [1976–1990 Transfer Binder] Fed. Election Camp. Fin. Guide (CCH) P 5340 (FEC Advisory Opinion 1978–10); Corporate Support for Party Convention, [1976–1990 Transfer Binder] Fed. Election Camp. Fin. Guide (CCH) P 5348 (FEC Advisory Opinion 1978–46); Get-Out-the-Vote Drive for State Candidates, [1976–1990 Transfer Binder] Fed. Election Camp. Fin. Guide (CCH) P 5353 (FEC Advisory Opinion 1978–50). See also Richard Briffault, *The Political Parties and Campaign Finance Reform*, 100 *Colum. L. Rev.* 620, 629 (2000) (discussing the FEC's role in clarifying non-federal party activities).  
 [FN4]. See American Pol. Sci. Ass'n, *Toward a More Responsible Two-Party System*, 44 *Am. Pol. Sci. Rev.* 45 (Supp. 1950).  
 [FN5]. See Sorauf, *supra* note 2, at 28–42.  
 [FN6]. The intellectual history on this is long and storied. See, e.g., Austin Ranney, *The Doctrine of Responsible Party Government: Its Origins and Present State* (1962) (providing an excellent history of the American writers advocating strong parties at the close of the 19th century and beginning of the 20th century, including Woodrow Wilson, A. Lawrence Lowell, Henry Jones Ford, and Frank Goodnow). Ranney also offers an assessment of the widely held belief among political scientists in the middle of the 20th century that stronger political parties in the United States are desirable, and discusses the conditions under which such "responsible" parties can be achieved. See *id.* at 155–63.  
 [FN7]. E.E. Schattschneider provides the classic description of the struggle between parties and interest groups: The real choice is between a strong party system on the one hand and a system of politics in which congressmen are subjected to minority pressures. The assumption made here is that party government is better than government by irresponsible organized minorities and special interests. The parties are superior because they must consider the problems of government broadly, they submit their fate to an election, and are responsible to the public. E.E. Schattschneider, *Party Government* 193 (1942). See also Morris P. Fiorina, *The Decline of Collective Responsibility in American Politics*, 109 *Daedalus* 25, 27–28 (1980) [hereinafter Fiorina, *Decline*] (providing a more contemporary formulation of Schattschneider's argument); Anthony King, *Running Scared* 181–87 (1997) (discussing various ways to strengthen American Political Parties).  
 [FN8]. See Daniel Hays Lowenstein, *On Campaign Finance Reform: The Root of All Evil is Deeply Rooted*, 18 *Hofstra L. Rev.* 301, 348–51 (1989).  
 [FN9]. American Pol. Sci. Ass'n, *supra* note 4.  
 [FN10]. See *id.* at 9–11.  
 [FN11]. See Norman Ornstein et al., *Vital Statistics on Congress, 1997–1998*, at 11–13 (1999).  
 [FN12]. See Nelson W. Polsby, *Consequences of Party Reform* 9–16 (1983); Austin Ranney, *Curing the Mischief of Faction* 82 (1975).  
 [FN13]. See, e.g., Morris P. Fiorina, *Whatever Happened to the Median Voter?* (May 11, 1999) (unpub-

lished manuscript, on file with the Columbia Law Review) (providing an excellent summary of how different factors have contributed to increased party discipline in the United States).

[FN14]. See Table 1, *infra*.  
 [FN15]. See Carroll J. Doherty, *Campaign Finance Crusaders Regroup After Latest Defeat*, *CQ Weekly Rep.*, Oct. 23, 1999, at 2507–09.  
 [FN16]. See *id.* at 2507.  
 [FN17]. See Drew, *supra* note 2, at 15.  
 [FN18]. See Michael J. Malbin & Thomas L. Gais, *The Day After Reform: Sobering Campaign Finance Lessons from the American States* 9–13 (1998).  
 [FN19]. 424 U.S. 1 (1976).  
 [FN20]. See Sorauf, *supra* note 2, at 9–11.  
 [FN21]. See Drew, *supra* note 2, at 15; Frank J. Sorauf, *Money in American Elections* 317–22 (1988).  
 [FN22]. See Table 1, *infra*.  
 [FN23]. See Martin P. Wattenberg, *The Decline of American Political Parties 1952–1988*, at 58, 90–91 (1990).  
 [FN24]. See Bruce Cain et al., *The Personal Vote: Constituency Service and Electoral Independence* 9–12 (1989) (providing a thorough assessment of this trend). For a statistical measure of the rise of the personal vote, see Stephen Ansolabehere et al., *Old Voters, New Voters, and the Personal Vote: Using Redistricting to Measure the Incumbency Advantage*, 44 *Am. J. of Pol. Sci.* 17 (2000).  
 [FN25]. On the decline of party contact, see Steven Rosenstone & Mark Hansen, *Mobilization, Participation, and Democracy in America* 162–63 (1993).  
 [FN26]. See Table 1, *infra*.  
 [FN27]. See FEC, *Reports on Financial Activity*, various years; Frank J. Sorauf, *Money in American Elections* 128–31 & tbls. 5–1 & 5–2 (1988).  
 [FN28]. See Herbert E. Alexander & Brian A. Haggerty, *Financing the 1984 Election* 102–05 (1987).  
 [FN29]. See Herbert E. Alexander & Monica Bauer, *Financing the 1988 Election* 77–79 (1991).  
 [FN30]. These figures are from two comprehensive studies of all expenditures by all U.S. House and Senate candidates in the 1990 and 1992 elections. See Sara Fritz & Dwight Morris, *Handbook of Campaign Spending: Money in the 1990 Congressional Races* 5–6 (1991); Dwight Morris & Murielle E. Gamache, *Handbook of Campaign Spending: Money in the 1992 Congressional Races* 6–7 (1994).  
 [FN31]. See Drew, *supra* note 2, at 1–5: Allocation of Costs for Voter Registration, [1976–1990 Transfer Binder] Fed. Election Camp. Fin. Guide (CCH) P 5340 (FEC Advisory Opinion 1978–10).  
 [FN32]. These figures combine the accounts of the DNC, the RNC, the Democratic Senatorial Campaign Committee ("DSCC"), the National Republican Senate Committee ("NRSC"), the Democratic Congressional Campaign Committee ("DCCC"), and National Republican Congressional Committee ("NRCC").  
 [FN33]. See FEC, *Reports on Financial Activity*, 1997–1998.  
 [FN34]. See *id.*  
 [FN35]. See FEC, *Downloadable Databases Containing Financial Information About Candidates, Parties and Other Committees* (visited Jan. 17, 2000) <<http://www.fec.gov/finance/newftpl.htm>> (on file with the Columbia Law Review), *FEC Reports on Financial Activity*, 1993–1994, 1995–1996, and 1997–1998.  
 [FN36]. Calculated by the authors based on Table 1, *supra*.  
 [FN37]. Calculated from the second column of Table 1, *supra*.  
 [FN38]. See Table 1, *supra*: Alexander & Bauer, *supra* note 29, at 37.  
 [FN39]. See FEC, *Report on Financial Activity*, 1997–1998.  
 [FN40]. See *id.*  
 [FN41]. See, e.g., Fiorina, *Decline*, *supra* note 7, at 30–33; Lowenstein, *supra* note 8, at 341–51.  
 [FN42]. See, e.g., Morris Fiorina, *Retrospective Voting in American National Elections* 202–03 (1981) (arguing in the conclusion that without programmatic parties, retrospective voting is not possible).  
 [FN43]. See Ornstein et al., *supra* note 11, at 61–62.  
 [FN44]. David Mayhew, *Congressional Elections: The Case of the Vanishing Marginals*, 6 *Polity* 295, 295(1974).  
 [FN45]. See Ansolabehere et al., *supra* note 24, at 30; Steven D. Levitt & Catherine D. Wolfram, *Decomposing the Sources of Incumbency Advantage in the U.S. House*, 22 *Legis. Stud. Q.* 45, 46 (1997).  
 [FN46]. See Gary C. Jacobson, *Money in Congressional Elections* 105–23 (1980); Stephen Ansolabehere & James M. Snyder, Jr., *Money and Office, in Continuity and Change in Congressional Elections* (David Brady et al. eds., forthcoming 2000).  
 [FN47]. Of course, it is not clear why increasing competitiveness, *per se*, is a good thing—rather, it depends on why there is little competition. If it is due to entry barriers of some sort, then it is prob-

ably bad. If it is due to the effectiveness of incumbents in giving constituents what they want, then it may not be.

[FN48] This pattern is noted by Gary C. Jacobson, *Party Organizations and the Distribution of Campaign Resources*, 100 *Pol. Sci. Q.* 603, 604 (1985–86), and by Paul S. Herrnsron, *National Party Decision Making, Strategies, and Resource Distribution in Congressional Election*, 42 *W. Pol. Q.* 301, 307–09 (1989).  
 [FN49]. See Figure 1, *infra*.  
 [FN50]. See Ornstein et al., *supra* note 11, at 61–62.  
 [FN51]. See Stephen Ansolabehere & James M. Snyder, Jr., *Money and Institutional Power*, 77 *Tex. L. Rev.* 1673, 1682–98 (1999); James M. Snyder, Jr., *The Market for Campaign Contributions: Evidence for the U.S. Senate 1980–1986*, 5 *Econ. & Pol.* 219, 219 (1994).  
 [FN52]. See Ansolabehere & Snyder, *supra* note 46.  
 [FN53]. See FEC, *Report on Financial Activity*, various years.  
 [FN54]. See Stephen Ansolabehere & James M. Snyder, Jr., *Money, Elections, and Candidate Quality* (1997) (unpublished manuscript) (on file with Columbia Law Review). Alan Gerber, *Estimating the Effect of Campaign Spending on Senate Election Outcomes Using Instrumental Variables*, 92 *Am. Pol. Sci. R.* 401 (1998), produces very similar estimates for the U.S. Senate.  
 [FN55]. See Lowenstein, *supra* note 8, at 363–64.  
 [FN56]. See Kevin M. Leyden & Steven A. Borrelli, *Party Contributions and Party Unity: Can Loyalty Be Bought?* 43 *W. Pol. Q.* 343, 351–52 (1990) (concluding on the basis of Tobit results that "the Democratic Party, 'rewards' its most loyal members with greater financial aid").  
 [FN57]. See, e.g., David M. Cantor & Paul Herrnsron, *Party Campaign Activity and Party Unity in the U.S. House of Representatives*, 22 *Legis. Stud. Q.* 393, 402 (1997) (concluding from the results of regression analyses that "past party unity has no significant effect on the distribution of party assistance in campaign fundraising. . .").  
 [FN58]. See Kevin M. Leyden & Steven A. Borrelli, *An Investment in Goodwill: Party Contributions and Party Unity Among U.S. House Members in the 1980s*, 22 *Am. Pol. Q.* 421, 421–52 (1994) (reporting an association between party contributions to candidates and the likelihood that the legislator voted similarly to the party leadership). The problem of baselines is that the research does not simultaneously establish how the politician would have voted in the absence of contributions. If, for example, a legislator represented a district similar to the district of a party leader, then that legislator might cast roll call votes in line with the leader not because of party contributions but because such votes represent his or her constituents.  
 [FN59]. Tobit regression predicts a dependent variable, in this case contributions to and expenditures on behalf of individual candidates that came from political party committees, as a linear combination of many independent variables predicting a single dependent variable. Tobit regressions correct for "censoring" effects due to many 0's in the dependent variable. See generally William H. Greene, *Econometric Analysis* 962–65 (3d ed. 1997). The regressions include year dummies, district partisanship, opponent total expenditures, and roll call voting scores.  
 [FN60]. Party money in this analysis consists of contributions and coordinated expenditures combined. The average is for incumbents who received at least some party money contributions. The average for incumbents and non-incumbents combined was \$14,000.  
 [FN61]. In the regressions pooling all years, for Democrats, the coefficient for proximity of roll call voting to the party median is positive and highly significant, with a t-statistic over 6. Looking at each year separately, the effect of proximity to the median for Democrats is significant in all years. For Republicans, the effects in the pooled data and in each year are always insignificant, and in some years have the "wrong" sign.  
 [FN62]. FEC, *Press Release, FEC Reports on Political Party Activity for 1997–1998*, at 2, Tables 1–2 (Apr. 9, 1999) <http://www.fec.gov/press/ptyey98.htm> (on file with the Columbia Law Review).  
 [FN63]. See *id.*; FEC, *Press Release, FEC Reports on Political Party Activity for 1995–1996*, at Tables 3–4 (Mar. 19, 1997) <http://www.fec.gov/1997news.html> (on file with the Columbia Law Review).  
 [FN64]. See Idaho Secretary of State, *Election Division: Campaign Finance* (visited Jan. 17, 2000) <<http://www.idos.state.id.us/elect/finance.htm>> (on file with the Columbia Law Review) [hereinafter Idaho Election Div. Website]; North Carolina State Board of Elections, *Campaign Finance Reports Download* (visited Jan. 17, 2000) <<http://www.sboe.state.nc.us/cro/finance.htm>> (on file with

the Columbia Law Review) [hereinafter N.C. Bd. of Elections Website]. In Ohio, data are distributed by the Secretary of State, 30 East Broad Street, 14th Floor, Columbus, Ohio 43266-0418. A database was provided by the Secretary of State's office.

[FN65]. See Michael Barone & Grant Ujifusa, *The Almanac of American Politics*, 2000 1240-48 (1999) (statistics on page 1248).

[FN66]. See id. at 1184-93 (statistics on page 1193).

[FN67]. See id. at 506-12 (statistics on page 512).

[FN68]. See FEC, Campaign Finance Law 98, Chart 1 (1999).

[FN69]. See Idaho Election Div. Website, supra note 64 (for hardcopy versions of these data, see State of Idaho, Contributions and Expenditures of Candidates for Statewide, Legislative, and Judicial Office and Political Committees (Jan. 1, 1997-Dec. 31, 1998)).

[FN70]. See North Carolina State Board of Elections, Analysis of Contributions and Expenditures, 1998 (Jan. 15, 1999).

[FN71]. See Ohio Secretary of State, Ohio 1998, Campaign Finance Facts 65-69.

[FN72]. See Barone & Ujifusa, supra note 65 at 512, 1184, 1248 (reporting population figures). Transfers to state committees compiled by authors from FEC, Press Release, FEC Reports on Political Party Activity 1997-1998, supra note 61, at Tables 9 and 10.

[FN73]. These figures come from FEC, Press Release, FEC Reports on Political Party Activity 1997-1998, supra note 61, at Tables 9 and 10.

[FN74]. Calculated by the authors from reports of the state election commissions. See supra notes 56-58.

[FN75]. See Ohio Secretary of State, supra note 71. We were able to classify 94 percent of the 41,000 expenditure items listed in the database into categories of office and overhead, fundraising, grassroots activities, media, contributions, and payroll.

[FN76]. See id.

[FN77]. See Fritz & Morris, supra note 30, at 15-29; Morris & Gamache, supra note 30, at Chapter 2.

[FN78]. These estimates are based on data sets provided by the relevant state offices.

[FN79]. These figures are calculated from the datasets provided by the relevant state offices. See supra note 50.

[FN80]. The 20 cents figure is an average of the reduction in expenditures in the three states combined.

[FN81]. FEC, Press Release, Reports on Political Party Activity for 1997-1998, supra note 61, at 2.

[FN82]. FEC, Federal Elections 96: Election Results for the US President, the US Senate, and the US House of Representatives, at tbl. 1 (1997).

[FN83]. See Alan Gerber, *A Tale of Two Literatures* (Mar. 1999) (unpublished manuscript, on file with Dept. of Political Science, Yale University); Alan Gerber & Donald Green, *The Effect of a Nonpartisan Get-Out-the-Vote Drive: An Experimental Study* (Aug. 1999) (unpublished manuscript, on file with Dept. of Political Science, Yale University) [hereinafter *Nonpartisan GOTV*]; Alan Gerber & Donald Green, *Does Canvassing Increase Voter Turnout? A Field Experiment*, 96 Proc. Nat'l Acad. Sci. 10939 (1999).

[FN84]. See Gerber & Green, *Nonpartisan GOTV*, supra note 83, at 220.

[FN85]. We are indebted to Alan Gerber for assisting with these calculations.

[FN86]. See, e.g., Lowenstein, supra note 8, at 351-55; Fiorina, *Decline*, supra note 7, at 26-27.

[FN87]. See Ansolabehere & Snyder, supra note 46.

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#### SOFT MONEY SPENDING BY STATE PARTIES: WHERE DOES IT REALLY GO?

(By Ray La Raja and Karen Pogoda)

##### SUMMARY

In this study we analyze campaign expenditures by state political parties from the 1992 through 1998 elections, which includes disbursements of soft and hard money. We find evidence to support a more complex reality about how soft money is used by parties than is typically conveyed in the news media. While party spending on issue ads increased dramatically in 1996 and 1998, so did party-building activities, such as voter mobilization and grassroots, which were encouraged by amendments to the Federal Election Campaign Act in 1979. We also find that Democratic state parties spend more soft

money than Republican parties on media-related activities, such as issue ads, probably to compensate for their lack of hard relative to the Republicans. We conclude with a recommendation that reformers consider some of the positive effects on American elections of party control of campaign resources as they attempt to curb the potential for corruption by restricting or eliminating soft money contributions to parties.

##### INTRODUCTION

Scarcely a week passes during an election year without news reports of a corporation or wealthy individual making a large soft money contribution to one of the major parties. Election web sites sponsored by nonpartisan organizations and government agencies routinely provide access to data on campaign contributions to candidates and parties. This widespread focus on contributions to and from political committees stems from a genuine concern to expose corruption rooted in the exchange of money. Even without sufficient evidence of corruption, reform advocates continue a single-minded quest to restrict the size of political contributions, without looking at the other side of the equation. What do candidates and their parties do with campaign contributions? Are they spent in ways that encourage or dampen competition? Does party soft money spending generate any public benefits in elections, beyond its intended support for candidates?

A narrow focus on the sources of contributions prevents us from speaking to such questions. In this paper, we try to redress what we see as a one-sided approach to the study of campaign finance, particularly with respect to the soft money issue. We set out to answer a simple question: how do political parties spend soft money? By most journalistic accounts, the conclusion is that parties use soft money to pay for "issue ads" that support the presidential or congressional candidates. Our study demonstrates this partial truth, but also provides evidence to support a more complex reality. In fact, the parties continue to spend a great deal of soft money on traditional party-building functions that mobilize voters through individual contacts.

Why should we care about making such distinctions about party spending? When Congress amended the Federal Election Campaign Act (FECA) in 1979, it made provisions for parties to spend unlimited amounts on so-called party building functions. The earlier version of the FECA in 1974 inhibited state and local parties from participating in the presidential campaign through grassroots activities because of rules limiting contributions to the candidates. The 1979 amendment, which exempted generic party activity from contribution limits for the presidential campaign, was a deliberate effort to increase the party role in American elections. In this study we find that this policy, worked. State parties, in fact, increased mobilization and grassroots activities in the 1990s, largely as a result of the 1979 exemption and the increased use of soft money.

It is unlikely, however, that when Congress made changes to the FECA, members understood the role that soft money would play in paying for issue advocacy, the generic media advertising sponsored by parties that often crosses the line into direct candidate support. Reform advocates argue, with merit, that issue advocacy reduces the distinction between hard and soft money spending. By producing campaign ads that bolster a particular candidate in all but name, parties found a way to get around limits on candidate support. So long as the party avoids the electioneering phrase, "vote for," or something similar, they can pay for

these ads with soft money. If parties can use soft money to help their federal candidates, then party contribution limits under FECA are rendered almost meaningless.

We find conclusively that national parties exploited an opportunity to help their nominees for federal offices by channeling funds to state parties for the express purpose of purchasing issue ads. Party-sponsored issue ads increased dramatically in the 1996 and 1998 elections, just when national parties were transferring significant sums of soft money to state parties. We also demonstrate that most media-related spending occurred in states with competitive races for the 1996 presidential and 1998 Senate campaigns.

But our analysis also reveals that party issue ads are only one part of the story. While expenditures on media-related activities surged in 1996, so did spending on grassroots and voter mobilization efforts—the kind of party campaign activity Congress wanted to encourage when it revised the FECA in 1979.

We believe our findings complicate the reform debate considerably. On the one hand, we observe parties violating the spirit, if not the letter, of the law when they pay for issue ads with soft money that help federal candidates. And yet, we also notice that soft money has been used to bolster party activities that citizens, elected officials and political scientists view as positive for democracy. The increased use of soft money is associated with greater spending on political rallies, bumper stickers and yard signs, as well as voter identification and get-out-the-vote programs.

Another healthy sign, especially from the perspective of political scientists, is that state party organizations appear to be growing stronger, if somewhat more reliant on national organizations. Our findings demonstrate that infusions of soft money have augmented activities at party headquarters, as evidenced by increased spending on staff salaries, rent, computers, telephones and other organizational maintenance necessities. For several generations, scholars have worried about the demise of party organizations that formerly played a key role in nominating candidates and pulling together coalitions. Weak parties leave the field open to single-issue interest groups and candidate-centered campaigns that tend to fragment the electorate and subsequently increase the difficulty of governing. To the extent that party organizations are increasingly active in campaigns, we take this as a positive sign of party revitalization. Beyond our preliminary analysis, future research should investigate in greater detail the degree to which party activity reflects "pass throughs" of money for specific candidates or support for a collective and unifying form of campaigning, closer to the model of responsible parties outlined by the American Political Science Association.

We make no assertions about whether soft money strengthens the party system and improves the electoral process. Our findings are merely suggestive. In part, we publish the results of this working paper to give pause to supporters of a ban on soft money from the campaign finance system. By moving too quickly to eliminate party resources, the public may forego potential benefits of stronger parties. Worse, the money that now flows through parties may simply be rechanneled through other, less visible organizations. Experience shows this is not simply plausible but probable. The prospects for effective reform are enhanced through a genuine understanding of the outputs, as well as the inputs, of campaign money.

##### SOME BACKGROUND

##### *What is soft money?*

Soft money is a term developed in the 1980s to differentiate contributions to the party

that may be used to support federal candidates directly from those that cannot. Under federal law, the purpose of soft money is for party building and not for direct candidate support. In 1974, when Congress passed amendments to the Federal Election Campaign Act (FECA), it imposed a limit on contributions to the party, and the amount of direct support that parties could provide their candidates, either through cash or in-kind contributions. Individuals could donate no more than \$20,000 to parties, and PACs were limited to \$15,000. In the late 1970s, leaders of state party organizations lobbied Congress and the Federal Elections Commission (FEC) to permit them to extend the use of soft money to generic party activities that included distribution of lawn signs, bumper stickers and activities aimed broadly at mobilizing the vote. They argued that federal laws limiting party support of presidential candidates constrained them from performing generic party campaign activities that broadly benefited both federal and state candidates. Congress responded with amendments in 1979 permitting state and local parties to spend unlimited funds on "party-building" activities, such as grassroots campaign materials and voter contact activities. It is important to note that Congress did not authorize state committees to use unregulated funds to pay for these activities. State parties were required to use funds raised under the rules of the FECA.

In fact, the so-called soft money loophole did not open until the FEC was faced with the dilemma of providing accounting guidelines to state parties where state laws permitted unrestricted contributions from unions and corporations. In response to a query by the Republican State Committee of Kansas about how to allocate federal and nonfederal expenses incurred by party building activities, the FEC declared that the Kansas Republicans could use their non-federal fund to pay a reasonable estimate of the nonfederal share of cost. This ruling effectively meant that the party could use a nonfederal fund—which had no constraints on corporate or union contributions under Kansas law—to fund activities that benefited, in part, federal candidates. A 1988 U.S. District court order, pursued by reform activists at Common Cause, required the FEC to provide detailed allocation requirements to prevent the parties from abusing their new ability to use soft money in federal elections. Yet even with the promulgation of specific allocation requirements, the national and state parties continued to seek the advantages of permissive state campaign finance laws to raise and spend nonfederal funds to support their federal candidates through party-building activities.

Since raising unregulated soft money is easier than federal (hard) money, which has contribution limits, the national parties pushed to expand the definition of party-building so they could spend soft money on more campaign activities. Perhaps the most brazen challenge to the 1974 reforms was when the Republican National Committee argued successfully in 1995 that television advertisements focusing on party themes, even when candidates are mentioned, should be considered party building and therefore payable with soft money. Once the FEC assented, the major parties crafted television ads, paid for largely with soft money, to help specific federal candidates. During the 1996 presidential election, close observers of the campaigns estimated that \$100 million was spent on issue ads by the parties.

Although the FEC attempted to curtail the use of issue ads and other party activities that crossed the line from party building to candidate support, they were blocked by a Supreme Court ruling, *Buckley v. Valeo*. In

this case, the justices tried to distinguish between constitutionally-protected free speech and electioneering messages. The ruling demonstrated that the courts would narrowly define "electioneering" to include messages that clearly exhorted citizens to vote for or against specific candidates. Under a narrow definition, parties could safely use soft money for issue ads that helped candidates so long as they avoided electioneering language that constituted "express advocacy" for a candidate. Such language includes use of the words, "vote for," "oppose," "support," and the like.

One consequence of *Buckley* was a deliberate party strategy to funnel money to state parties where complex rules permitted them greater use of soft money. In a presidential election year, national committees must allocate hard money to at least 65 percent of administrative costs. The state parties, in contrast, might pay for the same activity with as little as 25 percent hard money, depending on a formula that considers the ratio of state and federal candidates in the election. Much has been written about party efforts to conceal campaign advertising behind the shroud of state party building, but there has been little systematic analysis to demonstrate the extent of this activity. We collected financial data on the 100 state parties over four elections to examine how parties use soft money.

#### METHODS

Our analysis is based on expenditure data provided by the Federal Elections Commission (FEC). Since the 1992 election cycle, parties at all levels have been required to maintain two separate accounts, federal and non-federal. The non-federal account is not reported to the FEC because these funds are applied exclusively to nonfederal activities, such as party support for state legislative candidates. The federal account, however, must include itemized expenditures that potentially benefit a federal candidate, even if the spending also helps state and local candidates as well. The FEC calls this "Joint" spending. Party treasurers are required to allocate hard and soft money for joint spending to reflect the federal-nonfederal split of benefits to candidates. To limit the discretion of treasurers—who have an incentive to claim that benefits accrue mostly to state and local candidates so as to avoid using hard money—the FEC promulgated rules determining the proper mix of hard and soft funds for a given kind of joint activity. For example, administrative costs are allocated according to the ratio of federal candidates to total candidates (state and federal) in the state. We use the federal account data, with its matching hard and soft allocations, to determine how parties spend soft money.

We believe the federal account provides us with the greater part of party expenditures. The non-federal account, according to some estimates, accounts for at least an additional 25 percent in soft money that state parties spend exclusively to benefit state and local candidates. State parties are compelled by federal law to use federal accounts whenever they perform some kind of generic party activity that might jointly benefit party candidates up and down the ticket. This requirement ensures that every expense, from routine office costs to voter identification programs, shows up in the federal account. The federal account also includes itemized expenditures on media that parties call "issue advocacy." It is precisely because parties claim that issue advocacy reflects party rather than candidate specific themes that they must report this activity as generic (or joint) in the federal account.

Our study looks at the federal reports submitted to the FEC by the 100 state parties,

for election cycles 1992 through 1998. Fortunately, staff at the FEC entered, by hand, each expenditure item in database files from the hard-copy reports submitted by state parties. Using these files, we developed a coding scheme to categorize more than 300,000 itemized expenditure entries in each election cycle. The categories are the following:

*Overhead:* office related expenses such as rent, salaries, computers, travel, and utilities.

*Media:* communication expenditures for television, radio and newspaper and production and purchase costs.

*Mobilization:* costs of contacting individual voters through direct mail, telephone banks, canvassing and voter identification files.

*Grassroots:* activities that encourage citizen participation in campaigns. Expenditures for rallies, fairs, volunteer precinct walks, banners, slate cards, bumper stickers, and local party support.

*Multi-candidate contributions:* non-generic in-kind contributions from the party to several candidates, e.g., newspaper ads, that jointly benefit specific federal and state candidates. These are distinct from the direct contributions to candidate committees.

*Fundraising:* costs associated with joint fundraising for federal, state and local campaigns.

*Unidentified:* expenditures that could not be determined from FEC reports.

In the following sections, we provide summaries for total soft money expenditures in each of the above categories. We are able to compare the data over four election cycles, 1992 through 1998.

#### FINDINGS

##### *Are the state parties spending more soft money?*

There is little doubt that state parties are more active than ever in election campaigns. Combined soft and hard money spending in the state party federal accounts almost doubled between 1992 and 1996. Undoubtedly, some of this spending is the product of mere "pass throughs," the transfers from the national to state parties to purchase issue ads and other services in support of federal candidates. But as we demonstrate later, state parties have also increased spending on campaign activities that serve party building functions.

Much of this growth in spending has been spurred by additional use of soft money. In the 1996 presidential election the 100 state parties spent \$178 million, almost triple the amount of soft money, spent in 1992. Similarly, between the 1994 and 1998 midterm elections the parties doubled their use of soft money, spending a record \$187 million. Hard money expenditures have also risen but not at the same rate. Since FEC rules require soft-hard matching for each campaign activity, it is not surprising that hard money spending increases with soft money spending. It appears, however, that soft money pays for a larger portion of activities with each passing election cycle. In 1998, for the first time since 1992 when state parties were required to report soft money spending, they spent more soft than hard money in their federal accounts.

The apparent shift from hard to soft money is not difficult to explain. Soft money is easier to obtain since there are no limits on contributions to parties, except when state laws regulate party fundraising. A party that wants to preserve its hard money for candidate contributions and coordinated expenditures in federal elections will purchase goods and services with soft money whenever possible. Over the four most recent election cycles, the state parties have learned how to match soft and hard money

expenditures to maximize the use of the former. One indication that parties behave this way is that direct state party support for federal candidates, mostly in the form of coordinated expenditures increased from \$5 million in 1996 to \$18 million in 1998. We suspect state parties substituted soft for hard money when paying for many kinds of campaign activities, thereby freeing up additional hard money for direct candidate support.

An important question to ask is whether soft money reported in the federal accounts of state parties is actually controlled by the national parties, whose primary interest is to elect candidates for federal office. To the extent that national party supports the state parties through transfers, we can make the inference that they have some control over state party expenditures. Table 1 (not supplied) gives a sense of how much state parties rely financially on the national parties. The national parties support a larger percentage of state party budgets in 1996 and 1998 than they did earlier, suggesting that they have more influence in state party affairs than in earlier elections. Prior to 1996, national party transfers did not account for more than 14% of the federal accounts of state committees. In the 1996 and 1998 elections, this portion grew to 42% and 31% respectively. Table 1 also illustrates that state parties rely more heavily on national parties for soft money than hard money. National parties provide just under a quarter of the hard money that state parties end up spending, but 65% of the soft money they spent in 1996 and 37% in 1998. It appears that soft money has become a primary means of intraparty support. State parties continue to raise the majority of funds on their own—indeed, they raise more money independently than ever before—but they receive significant support from the national parties. In addition to party transfers, some journalistic accounts report that state parties benefit from soft money contributors who are encouraged to donate to state parties by officials of the national party.

Since national parties provide as much as one-third of state party funds, we suspect that portions of soft money from the national parties are targeted to achieve national party goals, which may differ from the priorities of state organizations. These data demonstrate unequivocally that the direction of resource flows between parties has reversed since the 1960s, when national parties had to solicit contributions from state affiliates. Heard (1960) predicted such a change would create opportunities for party integration and growth, even as it augmented tensions among levels of party.

To summarize, soft money spending by state parties has risen each year since 1992, and outpaced hard money spending in 1998. FEC matching requirements will ensure that soft money spending does not entirely eclipse hard money spending, but it appears parties exploit allocation rules to spend soft rather than hard money. We should note, however, that state parties raise and spend increasing sums of hard money, funds that meet all the requirements of the FECA. Hard money spending doubled between the 1992 and 1996 elections and the state parties are responsible for raising three-fourths of this money themselves. The prospect of securing soft money from the national parties may spur state parties to engage more effectively in raising hard money, precisely because of the federal matching requirements. We also find preliminary evidence that soft money spent on administrative chores frees hard money for contributions and coordinated expenditures in support of federal candidates.

#### *How do state political parties spend soft money?*

We now turn to a description of how state parties use soft money in campaigns. As we

stated earlier, there is anecdotal evidence, mostly from the news media, describing the use of soft money for issue ads. More systematic scholarly research demonstrates that in key races soft money is invested in the “ground war” of campaigns, through contacts with individual voters using direct mail and telephone banks. Party and campaign finance scholars continue to speculate whether the infusion of soft money in the last two decades has altered patterns of state party activity. Advocates of stronger parties have argued that providing parties with privileged access to campaign resources would reverse the long decline of party organizations. From their perspective, the introduction of soft money into the party system provides an interesting test case for this theory. How will parties behave with this new wealth generated by soft money? Will they spend additional increments to build the party through voter identification programs and grassroots activity? Or will soft money simply buttress candidate-centered campaigns, with the parties serving as pass-throughs to pay for television ads promoting individual nominees?

Our findings will hardly satisfy those who seek support for an opinion that soft money is either good or bad for the party system. In fact, we find elements of what some would consider “bad” as well as “good” spending. On the positive side, we observe that state organizations continue to use funds in ways we traditionally expect of parties: to mobilize voters, provide grassroots paraphernalia like bumper stickers and lawn signs, and, of course, for basic organizational maintenance activities such as paying rent and salaries (overhead) and fundraising. In short, soft money enables parties to spend additional resources on party-building activities.

The election in 1996, however, marked a dramatic shift toward greater spending on media related activities. Whereas the state parties spent just 3 percent of their budgets on media activities in the 1992 presidential election year, four years later this category absorbed more than one-third of their budgets. The shift is more striking in absolute terms: media spending jumped from about \$2 million to \$65 million. The reasons for this shift have been explained in many journalistic accounts of the 1996 and 1998 campaigns. The increase in media spending in 1996 was a result of campaign strategies pursued by the parties and presidential candidates to saturate critical electoral markets with televised issue ads that benefited the candidates in all but name. Dick Morris, the key Clinton-Gore campaign strategist, urged the DNC to begin televising issue ads in the summer and early fall as a way to shore up a faltering Clinton early in the election and undercut the presumptive GOP nominee, Bob Dole. The RNC, in support of the Dole-Kemp ticket, countered with the same strategy right before and after the convention in July. Apparently, both national parties tried to take advantage of the favorable soft-hard ratios available to state parties by delegating responsibility for purchasing the ads to the latter.

Ironically, soft money spending on issue ads might be an artifact of the sweeping reforms of 1974 that established a system of public financing for presidential candidates. If a candidate accepts public funding, in the primary he faces limits on spending in each state. A competitive race could cause candidates to bump up against these limits rather early in the primary season, especially given the trend toward front-loading of primaries, forcing them to curtail spending severely during the weeks leading up to the convention. Bob Dole, for example, faced several tough and well-funded challengers in 1996. He was forced to spend money fending

off Gramm, Buchanan and Forbes. Clinton, in contrast, began using party soft money, as well as primary campaign funds, to attack the GOP and promote his campaign themes for the general election. Dole and the Republicans could only retaliate with party soft money ads, given that the candidate would not receive additional public funds for the general election until after the convention. The late timing of FEC-released public funds leaves a good part of the summer in which either candidate can harm the other through attack ads. The parties joined in the campaign, in part, to bridge the period between the point at which a nominee effectively, but not officially, wins the party nomination, and the official start of the general election season as determined by the end of the party conventions.

The increasing use of soft money for issue ads may also reflect the inadequacy of a public funding system for presidential campaigns that falls to keep pace with rising media costs. A standard thirty-second advertisement during prime time in a major media market can cost in the range of \$20,000 to \$30,000. Only fifteen years ago, the same ad cost approximately half that amount. Although presidential funding system adjusts for inflation, average media unit costs have risen faster than the average for all other goods and services. More importantly, according to one study, campaign strategists rely increasingly on expensive media-related activities, especially television, which drive up the cost of the entire campaign.

During midterm elections, spending on media decreases without the demands of a national campaign. In the 1998 midterm, the amount spent on media related activities by state parties was cut more than half, to \$30 million from two years earlier. But this amount was ten times as much as party spending on similar activities in the 1994 midterm election. The lessons of using party soft money for issue ads in the 1996 presidential campaign had obviously been passed on for congressional elections. According to a study sponsored by the Brennan Center, party spending on issue ads—which includes both state and national organizations—amounted to \$25.9 million. This spending accounted for close to 45,000 ads, reflecting about 20 percent of all campaign advertising.

Our data demonstrate clearly that soft money was transferred to state parties to fund media-related activity that comprised mostly issue ads. But assuming that every dollar transfer produced a dollar's worth of issue ads, the fact remains that state parties spent little more than 55 percent of transfers on issue ads in 1996, and 43 percent on them in 1998. Where did the rest of the soft money go? The answer is that parties used “excess” soft money to increase traditional party activities. In 1996, spending on voter mobilization almost doubled from the previous presidential election, rising from \$8 million to \$16 million. Over the same period, spending on grassroots activities increased sevenfold, from \$1.2 to \$8.3 million.

These figures, of course, are small in comparison to allocations for media-related activity. One reason is that the cost of bumper stickers, or even telephone banks, is considerably less than that of media-purchases in metropolitan markets. At about ten cents per bumper sticker, one million dollars will purchase 10 million bumper stickers. The same amount will provide about forty ads (30 seconds) on network TV in a major media market during prime time.

Importantly, media spending did not crowd out spending on traditional party activities. The portions of the party budget spent on mobilization and grassroots did not change substantially even when media spending soared. In the 1998 elections, Magleby (2000)

reports that the parties, particularly the Democrats, emphasized a "ground war" strategy that involved lots of direct mail, telephone banks and other get-out-the-vote activities. It appears, according to Table 2, that parties used additional soft money in 1998 to intensify mobilization efforts, spending nearly the same portion of their budget on such activities as they did in 1992 and 1994.

Additional soft money has also been used to expand party headquarter operations. In 1992, state parties spent \$42 million on overhead, which include payments for salaries, rent and other organizational maintenance costs. By 1998, this total had risen to \$107 million. Certainly, we would want to know the degree to which these rising expenses at headquarters reflect sustained organizational growth or temporary surges in activity for the limited campaign season. An analysis of party budgets during the off-election year should resolve whether these costs reflect enduring investments in the party organization. At the very least, the rising costs associated with maintaining party headquarters suggests that state party organizations are a locus of increased campaign activity.

#### *Partisan differences?*

To see if parties pursue different strategies with soft money we compare them for the 1996 and 1998 elections. The parties appear to spend similar amounts on all activities except for media, which accounts for much of the Democratic lead. In 1996 the Democratic state parties allocated about \$48 million for media, three times as much as the Republicans. The gap for the 1998 midterm election was not as great since neither party spent as much on media, but the Democratic state parties continued to outspend the Republicans at the state level by more than 6 million. We believe these partisan differences exist because the national Democrats, being the relatively poorer party, attempt to exploit soft money for federal races more than Republicans. They do this by transferring soft money to state parties where the spending ratios for soft and hard money are higher, meaning that the state parties can use more soft money than the national parties to pay for the same activity.

The practice of using the state parties for national party goals probably comes at a cost. State parties might dun the national parties for these services by requesting additional transfers of soft money beyond the costs of the services. At the very least, a transfer strategy imposes greater coordination costs on national parties, particularly the Democrats, who appear to do this more often. National parties must monitor the transferred funds to ensure state parties spend them properly. The national Republicans, with a significant advantage in hard money receipts, can more likely avoid this problem by producing and purchasing media services directly, even if they must pay with additional hard money. We suspect that the national committees of the Republican Party outspend their Democratic counterparts on such campaign activities.

The Democratic strategy of transferring soft money to state parties for issue ads is clearly evident from Table 4, not supplied, which lists states with the highest media-related spending. In each of these states there was a close federal electoral contest. In 1996, Ohio was not only a key swing state for the Clinton re-election, but also included six close congressional races. The Ohio Democratic Party spent 10.5 million dollars on media-related activities, almost triple the amount of any other state party. Michigan and Illinois were other key states during the 1996 presidential campaign; the latter also

contained a key Senate race and several competitive House races. In Washington, there were at least five critical House elections. Neither party was willing to concede California, the state with the most electoral votes, as well as a good number of competitive congressional races. In 1998, the parties were more evenly matched on media spending with much of it focused in New York, Nevada and Kentucky, the states with highly competitive Senate races.

#### CONCLUSION

We began with a question about how parties spend soft money. We speculated that soft money was not simply a resource to fund issue ads, but also a primary means to support party organizations and their traditional campaign activities. Our finding is that parties use soft money in ways that would strike many observers—including those favoring a ban on soft money—as positive. This preliminary study illustrates that parties use soft money to invest in campaign activities that promote party-building and citizen participation. If soft money permits the party to reach additional voters through telephone calls and mail, or generate enthusiasm for political campaigns through rallies and yard signs, then perhaps we are short-changing American campaigns by cutting off this supply of money. The overemphasis in the news and by public interest advocates on the media strategies of parties obscures the fact that parties do many things with soft money.

Undoubtedly, parties also exploit soft money to fund issue ads through their state organizations. Media-related spending by state parties jumped from just \$2 million in 1992 to \$65 million in 1996. The Democrats appear to take advantage of a state-sponsored issue ad strategy more than the Republicans, probably because they trail the Republicans in raising hard money. Both parties, however, use most of their soft money to expand party headquarter operations during the campaign. Since 1992, they have more than doubled the amount spent contacting individual voters through various voter identification and get-out-the-vote programs. In the last midterm election, just 16% of soft money went toward issue ads, the same amount that was spent on direct mobilization and grassroots efforts.

Seeing that the lesser part of party soft money goes toward issue ads, we feel compelled to re-examine the question: how is soft money harmful in elections? The obvious answer is that soft money permits candidates, contributors and parties to circumvent federal laws limiting campaign contributions. If party soft money can help a specific candidate by using it to purchase a candidate-tailored advertisement, then corporations, unions or wealthy individuals can simply funnel contributions to candidates through the parties. The potential for the quid pro quo exchange between contributor and policymaker escalates with the increasing size of contributions to the party.

But assume for a moment that party money is "clean." Suppose party money is generated through public subsidies, or raised from contributors in increments that are small enough to prevent corrupt exchanges. Are the spending patterns of parties necessarily harmful in American elections? In this study, we observe that parties spend a significant portion of their cash to build the party as intended by the 1979 amendments to the FECA. It is primarily through soft money that parties have had access to resources that permit them to engage in activities that political scientists, for the most part, view as salutary for the electoral system. If the solution to the problem of corruption is to ban soft money fund raising, then

reformers should also consider ways to ensure that parties have access to sufficient resources so they might continue occupying a central role in campaigns.

An earlier set of reforms in 1974 had the effect of weakening party role in campaigns by institutionalizing PACs as legitimate contributors to candidate campaigns. The number of PACs proliferated in the 1970s and early 1980s, providing candidates with an increasing share of their campaign funds. Candidates became more reliant on PACs than on their parties, which encouraged the candidate-centered nature of campaigns. The ever-adaptable American parties exploited the campaign finance regulations to reestablish themselves. Soft money probably helped restore the party role in campaigns, making the candidates less reliant on direct support from PACs. On the other hand, party leaders may now feel beholden to big soft money contributors, a potential problem that should not be overlooked. If the soft money regime encourages interest groups to contribute more frequently through the party leadership, then soft money may simply centralize the corrupt exchange among the most powerful political actors. If this is true we should see greater party unity in congressional voting than in the past, particularly for issues that are important to the most generous party patrons.

The type of party spending that concerns many campaign observers is issue advertisements. In our view, party spending on issue ads is not bad, per se, especially if these ads link the candidate closer to party. Scholars who desire responsible parties would argue that party-sponsored messages create more accountability by promoting themes that unify party candidates around a platform. A recent study by Krasno and Seltz (2000) appears to cast doubt on this theory since only 15 percent of the ads apparently mention the party in the text or graphics. On the other hand, these authors acknowledge that cookie cutter issue ads featuring the same graphics and text are common. We believe these generic ads encourage candidates to use similar themes and symbols across districts and states, which would tend to promote party unity and accountability. The problem, then, is not so much the issue ads themselves, but how they are funded.

The fact that party money goes toward television advertising reflects the reality of campaigning in a mass democracy. Party leaders and their consultants believe television advertising is critical to winning elections so they invest in this form of campaigning. By curtailing party resources, we doubt that party candidates will seek less of this kind of campaign activity. In fact, reform laws that cause the depletion of party resources will likely eliminate "good" spending, such as direct voter contacts, rather than "bad" spending, such as issue ads. Parties will employ a triage strategy that emphasizes media advertising over direct voter contacts and grassroots. The first activities to be shorn are those that support long-term party building and encourage volunteer participation, since these are not of critical interest to incumbents seeking reelection.

We also suspect that the placement of party issue ads encourages electoral competition. The vast literature on campaign contributions suggests that parties allocate campaign resources more efficiently than interest groups, preferring to give money to candidates in the closest races. Interest groups tend to pursue a low risk strategy by giving directly to incumbents who face little competition. Indeed, parties solve a collective action problem by moving resources to where they are needed most, since incumbents are often unwilling to transfer money

from their campaign accounts to colleagues who may need it more.

Campaign resources that flow through parties, therefore, will tend to promote competition more than if resources flow directly into candidate committees, or when money is spent independently by interest groups to promote the election of a favored candidate. Using the Krasno and Seltz data for the 1998 elections, we observe a similar pattern of resource distribution in purchasing issue ads. Table 5 (not supplied) demonstrates that parties place almost 60 percent of their issue ads in competitive House elections, a greater percentage than either candidate committees or interest groups. For Senate elections, which are much more competitive, 92 percent of party issue ads appear in competitive elections, whereas 74 percent all candidate-sponsored ads appear in competitive elections. Interest groups provided less than one percent of ads in the 1998 Senate election, but all of these ads were placed in competitive campaigns. The relatively low participation of interest groups in Senate campaigns is probably because media costs are prohibitively high except for the wealthiest organizations.

Candidate-controlled advertising continues to dominate the airwaves, but interest groups and parties are more active than ever. The only institutional counterweight to outside spending by interest groups is the parties. As long as the courts prevent the FEC from regulating issue ads through *Buckley v. Valeo*, there is a danger from unilaterally disarming the parties by a ban on soft money. Candidates risk losing control of their campaigns in some very competitive districts. Fearful of being hit by outside spending of interest groups, candidates will no doubt enlist the support of groups favorable to them. Indeed, there is sufficient evidence in the 2000 elections that this is already occurring. The groups most able to produce campaign ads for candidates will likely be the wealthiest, skewing the candidates' obligations toward such groups even more.

We conclude with a policy recommendation that parties retain access to sufficient campaign resources to continue the activities they have pursued with soft money. Our findings suggest that soft funds encourage party-building and party integration, much as Congress desired when it passed amendments to the campaign finance laws in 1979. To reduce the potential for corruption, we recommend that Congress place a cap on soft money contributions or raise the limits on hard money contributions. On the other hand, we believe the distinction between soft and hard money is still valuable. Soft money provides an incentive for national parties to transfer funds to state and local parties, where campaign activities have increased substantially. We believe the likelihood of grassroots work is enhanced at lower levels of party, which afford more participation opportunities for amateurs and volunteers. The national parties may be more reluctant to transfer hard money to state parties for party building when they can use this money themselves for direct candidate support and issue ads.

COMMEMORATION OF THE 90TH  
ANNIVERSARY OF HADASSAH

**HON. DAVID E. BONIOR**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 5, 2002*

Mr. BONIOR. Mr. Speaker, last week, thousands of members of Hadassah, the Women's

Zionist Organization of America, kicked off celebrations of their ninetieth anniversary.

Throughout the past ninety years, Hadassah has provided invaluable service to a wealth of communities and peoples. As America's largest female organization, this Jewish collective has provided unprecedented assistance to individuals in countless nations, regardless of race, religion or credo. Established in 1912 by Henrietta Szold, Hadassah has set an example of peaceful relations and service both here and abroad.

Founding the largest medical school in Israel, the women of Hadassah have united students from across the Middle East, building bridges through education and service and establishing friendships—all because they understand that this important work will provide a foundation for new forms of unity in the future.

Since its inception, Hadassah members have worked tirelessly to aid both their local and international communities. The Hadassah Medical Organization consistently stands on the cutting edge of technology, assisting regional patients as well as American troops, heads of state and Congressional delegations. Their reach extends throughout the world, building and staffing new hospitals in Zaire and training African and Asian doctors to work in developing nations. Their dedication to American relief work was demonstrated by the medical aid and blood banks provided in the aftermath of the Pearl Harbor attacks.

Today, Hadassah continues their work through medical and civic education, setting an example of excellence for their humanitarian efforts. A leader in community support programs, Hadassah has invested considerable time to providing information to female citizenries. The organization formed youth counseling groups and female career training in the Middle East, while creating the Hadassah Cares programs to champion efforts to raise breast cancer awareness in the United States.

Mr. Speaker, as our nations continue to work to establish a peaceful, just international community, it is my honor to commemorate the ninetieth anniversary of an organization that has demonstrated these qualities in the work they do every day.

HONORING SAL SALAZAR

**HON. GEORGE RADANOVICH**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 5, 2002*

Mr. RADANOVICH. Mr. Speaker, I rise today to honor the late Sal Salazar on the occasion of the California Restaurant Association commemorating his life with the Lifetime Achievement Award. Mr. Salazar began his remarkable career in the restaurant in 1942 and his family continues the business holding fast to Sal's values and traditional recipes. This award is the Association's highest honor and marks the 60th anniversary of Sal's Mexican Restaurant and pays tribute to a successful entrepreneur, respected community leader, and beloved husband and father.

Mr. Salazar was born in Herez, Zacatecas, Mexico, and came with his parents to Selma, California, in the late 1920's. Sal worked as a farm laborer until he followed an impulse and on August 22, 1942 opened his own taco res-

taurant. The restaurant grew to include a full Mexican menu and earned regional acclaim.

A great Mexican restaurant was not the only thing that Mr. Salazar gave his community. Sal worked for the Selma Justice Court, Fresno County Superior Court, and California Supreme Court in Sacramento as an interpreter. He also sponsored 14 Mexican families who relocated to California, provided leadership in the formation of a West Selma improvement district that led to its incorporation into the city, and helped his siblings with their education. Sal also served on the Selma Chamber of Commerce, Selma Planning Commission, Selma High School Boosters Club, and Fresno County Grand Jury. In 1945, he served as an alternate on the interpreter staff at the first meeting of the United Nations in San Francisco.

Mr. Speaker, I rise today to honor the memory of Sal Salazar as his family accepts the California Restaurant Association's Lifetime Achievement Award on his behalf. I invite my colleagues to join me in remembering Mr. Salazar for his community service and entrepreneurial spirit and wishing his family and restaurants many more years of continued success.

TRIBUTE TO MARTY MARSHALL,  
PRESIDENT OF CALIFORNIA  
SCHOOL FOOD SERVICE ASSOCIATION

**HON. ELLEN O. TAUSCHER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 5, 2002*

Mrs. TAUSCHER. Mr. Speaker, Marty Marshall is President of the California School Food Service Association, with over 2,500 members, Director of Nutrition Services for Fremont Unified School District, with over 32,000 students, wife, mother, grandmother, and community volunteer. Her life has been, a continues to be, devoted to service to others. Whether to family, co-workers, friends, or fellow professional association members, Marty finds giving of her heart, energy and time to be her greatest pleasure.

As President of the California School Food Service Association, Marty Marshall has worked tirelessly to revitalize the Association by conducting strategic planning sessions, and accomplishing the resulting strategic goals in the areas of organizational structure, internal and external communication, membership, professional image, leadership development, and legislative activity. With her inclusive style of leadership, she has brought together members of all levels including site staff, management, and industry to come to consensus on the goals as well as the necessary steps to achieve them. The membership has expressed enthusiastic appreciation for bringing back some of the traditions and structure that had been lost over the past few years. In addition to her current position as President of CSFSA, Marty has served as President Elect, Chair of the Professional Development, Awards and Scholarships, and Rules and Resolutions Committees, Conference Program Chair, Conference Exhibits Chair, and President of the Josephine P. Morris and Northern California Chapter. She is also currently the Executive Committee Advisor to the Public

Policy and Legislative, and Conference Committees.

Marty's theme for her Presidency, "Nutrition and Learning, Hand in Hand," depicts her commitment to children's nutrition education, and the positive effect good nutrition has on a child's learning ability. This has been a timely theme because of current interest amongst California families, schools, and Legislators in children's nutrition issues. Marty testified numerous times during the 2001–2002 session in both Senate and Assembly Committee hearings regarding nutrition and training related legislation. Her testimony contributed strongly to reaching compromise on SB 19, the Pupil Health, Nutrition, and Achievement Act of 2001, signed into law by the Governor, and authored by Senator Escutia.

Marty Marshall was born Martha Elizabeth Knecht in Berkeley, California on August 21, 1946. She grew up in Walnut Creek, where she attended Parkmead Elementary School and Del Valle High School, participating in service and leadership activities in both. In Elementary School she was active in Brownies, Girl Scouts, Job's Daughters and St. Paul's Episcopal Church, and took lessons in flute, piano, and ballet. She was a member of the Student Council, and gave the commencement speech at her eighth grade graduation ceremony. Attending a new high school, as a member of the second graduating class, Marty was in the Leadership Class and on the Student Council all four years, and was a cheer leader for three years, the last of which she was elected as Head Cheer Leader. She was a member of the Latin and French Clubs, tutored special education students, earned a life membership in the California Scholarship Federation, and was selected as Del Valle High School's "Most Outstanding Citizen" by the school staff.

After graduating from High School, Marty Marshall attended the University of California at Berkeley, where she majored in Dietetics. It is here where she met Marilyn Briggs, current Assistant Superintendent of Public Instruction for the California Department of Education Director of the Nutrition Services Division, who has become a lifelong friend and mentor in the area of child nutrition. Marty continued tutoring special education students through her college years, and volunteered in a local convalescent hospital, reading to residents and participating in holiday events. She joined the Alpha Phi sorority, which focuses nationally on activities to support heart health, and participated annually in their fundraising drive.

Before working at Fremont Unified School District, Marty worked for two years as an Assistant Dietitian for a chain of convalescent hospitals. She also worked for six years as the Food Service Instructor for a Federal Training Grant Project where she trained functionally retarded and legally blind clients to work in commercial food service. Here, she developed an Independent Living Skills program for her clients, most of who had recently been released from a state hospital that had closed. She also developed a prescreening program for the Business Enterprise Program for the Blind, to help ensure the success of her clients when they entered this business food service training program. Marty still stays in touch with two of her clients from this Federal Training Project after 30 years.

Marty has worked at Fremont Unified School District for over twenty years as the Di-

rector of Nutrition Services. She works hard to combine nutritional integrity with sound business practices, and has earned a USDA Recognition Award each time her program has been audited. She is committed to the children and is known for running her program with the highest of ethics and standards.

Marty is a member of Candle Lighters, a Fremont organization that builds and operates a ghost house each year and donates the proceeds to local charities. She has chaired the Caramel Apple booth and the scheduling of students to work in the house. Over \$1,500,000 has been returned to the community over the past 25 years through the efforts of this organization. Marty's husband Steve, and her two children, Chris, 26 and Nicky, 23, participate with her in many of her volunteer activities.

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HONORING SUZANNE MUBARAK,  
FIRST LADY OF EGYPT FOR WINNING THE  
STEPHEN P. DUGGAN AWARD FOR INTERNATIONAL  
UNDERSTANDING

**HON. TOM LANTOS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 5, 2002*

Mr. LANTOS. Mr. Speaker, I invite my colleagues to join me in paying tribute to Mrs. Suzanne Mubarak, the wife of Egyptian President Hosni Mubarak, upon her receipt of the Stephen P. Duggan Award for International Understanding on Monday evening of this week. The award, presented by the Institute of International Education and named after the organization's first president, is awarded to distinguished world leaders in the fields of government, education, business and diplomacy in recognition of their commitment to educational exchange and appreciation of other peoples and cultures.

Mrs. Mubarak is indeed a worthy recipient of this honor. She is a sociologist, having received both her bachelors and masters degrees from the American University in Cairo, and she has devoted her efforts to education at all levels. In particular, she has supported the television program Alam Simsim, the Egyptian production of the popular U.S. children's series of the Children's Television Workshop, Sesame Street. When this excellent Egyptian production began its third year in October 2001, Suzanne Mubarak participated in the opening. As in the American model, Alam Simsim helps to build literacy, number skills, education of young girls, and tolerance and understanding.

Mr. Speaker, Mrs. Mubarak's commitment to education, particularly of young women, is most worthy of recognition, and I am delighted that the Institute of International Education (IIE) has made the decision to honor her for her life's work. The Institute was founded in 1919 by two Nobel Laureates, Elihu Root and Nicholas Murray Butler. The purpose of the Institute, in the words of its Chairman Henry Kaufman and its President Allan Goodman, is to "replace ignorance of other cultures and peoples with knowledge and understanding." To this end, the IIE has fostered and supported study in the United States by foreign students and study abroad by American students.

Suzanne Mubarak's commitment to education is consistent with these worthy goals. This was acknowledged in the citation of recognizing her contributions:

"For seven millennia, the world has learned from Egypt. And, even today, we are learning much for your work about the impact that early education has on a child's ability to cope with his or her environment. You have taught us that education must encompass all of life's issues and should enhance the ability of people to interact in society. By your leadership you have demonstrated the overwhelming importance of the education of girls. You have set a new standard for respect and gender equality that will make Egypt and our world safer and more secure for all."

Mr. Speaker, I invite my colleagues in the Congress to join me in paying tribute to Mrs. Suzanne Mubarak for her contribution to international understanding and in honoring her on receiving the Stephen P. Duggan Award.

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HONORING HADASSAH

**HON. PETER DEUTSCH**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 5, 2002*

Mr. DEUTSCH. Mr. Speaker, I rise today to congratulate Hadassah, the Women's Zionist Organization of America, on its 90th Anniversary. Since its beginning, Hadassah has contributed to worthy charities around the world both financially and through volunteer work. Hadassah's tireless efforts have aided in the creation of access to quality health care throughout the Middle East, and Hadassah has always strived for the equal treatment of women in the United States and Israel.

Today, Hadassah, with over 300,000 active members organized throughout the United States, has continued its rich tradition of volunteerism by enacting programs to fight breast cancer and other health related issues affecting women. Hadassah has also sponsored numerous programs to increase the quality of the educational system in the United States.

While Hadassah's interests are primarily education and women's rights, this group has been active in educating its membership on a variety of public policy issues and encouraging civic participation. In a time of increased violence in the Middle East, Hadassah has also remained a staunch advocate of peace and tolerance between Arabs and Jews.

Mr. Speaker, Hadassah has worked since its inception in 1912 to create a higher quality of education and equal rights for women in the United States and the Middle East. It is my sincere belief that as Hadassah continues into the Millennium and to its own hundredth birthday, it will continue to fight for women against disease, violence, and injustice.

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RESCUE THE UNINSURED FROM  
SEA OF UNCERTAINTY

**HON. BENJAMIN L. CARDIN**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 5, 2002*

Mr. CARDIN. Mr. Speaker, the growing epidemic of the uninsured threatens both the social fabric and the economic stability of our nation. If Congress fails to act, soon millions

more Americans will be denied their basic right to health care. The Catholic Health Association represents facilities across this country that provide a safety net for uninsured and underinsured citizens in need of medical care. Led by the Reverend Michael D. Place, its president and chief executive officer, CHA is working actively to increase awareness of this crisis. I urge all my colleagues to heed their timely call to action.

[From the Baltimore Sun, Feb. 19, 2002]  
**RESCUE THE UNINSURED FROM SEA OF  
 UNCERTAINTY**

(By Michael D. Place)

WASHINGTON.—In Manchester, N.H., a 6-year-old girl arrives at Catholic Medical Center unable to eat for several days because of medical complications from dental pain.

Why the wait? The little girl's family did not have health insurance.

This child, and so many others across the country, represent the crisis of vulnerability endured by 38 million Americans without any health insurance.

While the girl in Manchester was fortunate enough to live in proximity to a Catholic health facility with high quality emergency care, there are 22 million Americans who live in rural areas that the federal government calls "health profession shortage areas."

Many of these citizens are without health insurance and without access to medical care of any kind. They are at the apex of this health care crisis of vulnerability.

As we struggle to cope with burgeoning numbers of uninsured across the country, rural areas highlight a disturbing trend of funding "drift"—a drift away from subsidized health care coverage for the poor, the unemployed and the disabled.

Rural hospitals were hit hard by the Balanced Budget Act of 1997. It has been estimated that of the \$118 billion that the law directed to be cut over five years, \$16.8 billion was cut from Medicare funds intended for rural areas. Legislation in the past two years has restored only about \$3.8 billion of this money.

For skeptics who believe that rural health care may not be as vital as has been reported, a quick look at a sample state's mortality statistics may be convincing.

In Illinois, rural death rates from all causes from 1992 to 1996 were 1,106.7 deaths for every 100,000 people. This figure compares with 853.8 deaths in Illinois' urban areas.

Sadly, the rural patient base tends to be older, poorer and less medically privileged. For such patients, the small rural hospital is indeed a lifeline in need of preservation.

Whether in rural or urban areas, our cities have no shortage of uninsured and desperate families. In Des Moines, Iowa, a single Catholic hospital—Mercy Medical Center—operates a free clinic through its House of Mercy program. More than 600 people a month come in without insurance, many with acute illness.

In the South Bronx, the Dominican Sisters Family Health Services is a safety net provider in what has been designated the nation's poorest congressional district. Hospital admission rates in that community for children with asthma and pneumonia—conditions that can be prevented with adequate primary care—are five to seven times the rates in more affluent areas of New York City.

Emergency access to basic health care is a stopgap. The emergency room or free clinic is not a substitute for health insurance coverage for access to the same health-care services enjoyed by the more privileged in our society.

And such access is critical not only to ensuring quality of life but also term of life.

The heart or cancer patient, treated early and with our best tools, can be offered a much different prospect than the critical care patient who arrives without benefit of early therapy.

During this congressional legislative session, it is increasingly important that we tackle the health care needs of our nation's uninsured. When Congress failed to adopt an economic stimulus package in February, the growing numbers of the recently unemployed and uninsured were dealt a dose of legislative paralysis.

Added to the diminishing set-asides for the "permanent" uninsured, the health care outlook for our nation's poor, uninsured, and under-served population is truly bleak.

We must and can do better.

American society must ensure that each person has access to affordable health care. At a crossroads moment, let us engage in a new national conversation on systemic health care reform, a dialogue from Main Street to Pennsylvania Avenue.

It is time for our nation's public and private leadership, health care providers and faith-based groups to come together and to join all Americans in a search for real and meaningful solutions to this health care challenge.

CONGRATULATING REVEREND  
 BOBBY RAY MORRIS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2002

Mr. GRAVES. Mr. Speaker, I rise today to congratulate Reverend Bobby Ray Morris of Lawson, Missouri. Reverend Morris has been the pastor of the Lawson Assembly of God Church for the past 42 years, providing spiritual leadership to generations of Missourians.

In addition to caring for his congregation, Reverend Morris is a positive influence on the community of Lawson. During his distinguished tenure, 25 individuals became pastors, youth leaders, and missionaries. The dedication and guidance of Reverend Morris enabled these individuals to answer their calls to the ministry.

This well-loved and respected man of God is retiring on March 16. Although the Reverend will relinquish his role as leader of the Lawson Assembly of God Church, he will remain a spiritual leader in the community and continue to guide and inspire future generations. Please join me in honoring Reverend Bobby Ray Morris for his life of service to the community of Lawson.

PERSONAL EXPLANATION

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2002

Ms. SOLIS. Mr. Speaker, during rollcall vote number 46 on H. Con. Res. 305 I was unavoidably detained. Had I been present, I would have voted "yes".

PERSONAL EXPLANATION

HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2002

Mr. HINOJOSA. Mr. Speaker, I regret that I had to travel to my Congressional District for an important event on February 28, 2002. Had I been present, I would have voted "yes" on rollcall 46.

HONORING ABRAHAM FROST

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2002

Mr. DEUTSCH. Mr. Speaker, today I rise to honor the memory of Abraham Frost, who came to this country from Poland in 1912. Mr. Frost was an individual who was constantly in awe of everything he saw in the United States. For his entire life, he had a deep appreciation for the opportunities this great nation provided to him, and truly enjoyed his work and time spent raising his family. Mr. Frost marveled at the development of modern conveniences such as automobiles and airplanes. He was truly captivated with the possibility of realizing the American Dream. Abraham Frost died in 1976 in Miami Beach, Florida.

Mr. Speaker, the accomplishments of Abraham Frost are a testament to his dedication and his passion for life. He leaves a lasting legacy for both his family and friends.

HUNTING MADE EASY

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2002

Mr. FARR of California. Mr. Speaker, I encourage you to read the Time Magazine article entitled "Hunting Made Easy" which describes the "slaughter" of "captive animals to mount their heads on a wall."

It is a very disturbing article which also raises the question, "Should Congress step in?" The answer is a resounding yes. You can step in by cosponsoring H.R. 3464, the "Captive Exotic Animal Protection Act of 2001", a bill to combat the unfair and inhumane practice of "canned hunting." Even hunters are objecting to this gruesome practice.

HUNTING MADE EASY

(By Jeffrey Kluger)

The exotic Corsican ram trotting about the 100-yard-long pen in central Pennsylvania paid little mind to the men approaching across the field. People were always walking in and out of the pen, as often as not with food for the flock. So the ram didn't resist when the men drove all the animals toward one end of the enclosure. It was only when the first arrow—fired from just yards away—struck it in the haunch that it realized something was up. The ram hobbled off and was struck by a second arrow, then a third. It stood for a moment staring beyond the fence line and then settled onto its haunches, bleeding. A gunshot to the abdomen finished it off—preserving its head as a trophy.

It has never been easy being an animal at the business end of a hunt, but these days it's hard being the hunter too. Dwindling ranges and herds make the ancient business of stalking prey an increasingly difficult proposition. The answer for many Americans is to shift their shooting grounds from the wild to one of the country's growing number of hunting preserves.

By almost any measure, hunting preserves are enjoying a boom. Up to 2,000 may exist in the U.S., with 500 in Texas alone. Many advertise on the Internet and in hunting magazines, and all offer the same thing: the chance to bag a trophy, with none of the uncertainty of hunting in the wild. "No kill, no pay" is the promise many make.

Of course, making good on that guarantee requires bending the prey-and-predator rules. Animals at some preserves are so accustomed to humans that they wander into range at the sound of a rattling feed bucket. Elsewhere they're confined to small patches of woods where they can't elude hunters for long. At others they may never even make it out of their cages before being shot.

Most troubling, it's not just prolific-animals deer and other common prey that are being killed in such canned hunts, as they're sometimes called; it's rarer creatures too. All manner of exotics—including the Arabian oryx, the Nubian ibex, yaks, impalas and even the odd rhino, zebra or tiger—are being conscripted into the canned-hunt game and offered to sportsmen for "trophy fees" of up to \$20,000.

Not surprisingly, these hunts have their critics. A handful of states ban or restrict the practice, and a pair of bills are pending in the U.S. Senate and House of Representatives to prohibit the interstate sale of exotic animals for hunts. Supporters of the hunts object, arguing that exotics are bred in sufficient numbers to support the industry and that many surplus zoo animals could not survive in the wild anyway. Even to some outdoorsmen, however, canned hunts are beginning to look like no hunt at all. "I started hunting when I was 7 and didn't kill my first deer until I was 16," says Perry Arnold, 52, of Lake City, Fla. "What they got going on now, that ain't hunting. That's a slaughter."

A slaughter is precisely the way canned-hunt foes frame the practice, and the killing of the Corsican ram is not the only horror they point to. The Humane Society of the United States tells stories of its own: the declawed black leopard that was released from a crate, chased by dogs and shot as it hid under a truck; the domesticated tiger that lounged under a tree and watched a hunter approach, only to be shot as it sat. "Canned hunts are an embarrassment," says California Representative Sam Farr, sponsor of the House bill.

What makes the problem hard to police is the sheer number of exotic animals for sale. There are about 2,500 licensed animal exhibitors in the U.S., and only 200 of them belong to the American Zoo and Aquarium Association, which condemns the sale of exotics to hunting ranches. Even unaffiliated zoos might be reluctant to wade into the canned-hunt market, but many do so unknowingly, selling overflow animals—often products of too successful captive-breeding programs—to middlemen, who pass them into less legitimate hands. The crowding that can result on the ranches leads to animals' being killed not just by hunters but also by diseases that occur in dense populations.

If zoos have trouble keeping track of exotic animals, Washington doesn't even try. The U.S. Fish and Wildlife Service can intervene only if animals are federally protected or if the hunt violates a state law and interstate commerce is involved. Since many cases don't meet those criteria, the animals are essentially orphaned by the feds.

Still, not all hunts on preserves provoke an outcry. Many ranch owners keep exotic animals out of their collections or conduct hunts on grounds that give prey a sporting chance. The Selah Ranch in Austin, Texas, is a 5,500-acre spread covered by Spanish dagger and prickly pear, often with no sign of the elusive animals that live there. "There are a lot of exotic animals on this place that die of old age," says Mike Gardner, owner of San Miguel Hunting Ranches, which runs Selah.

Here too, however, the odds can be stacked in the hunters' favor. Deer are often lured to feeding stations, where they are serenely unaware of the men in the stilt-mounted tin shack 75 yards away. Such lying in wait—or "shooting over bait"—is legal in Texas and defended by hunters. "It promotes a clean kill," says Gardner. Other sportsmen are troubled by the practice. Stan Rauch of the Montana Bowhunters Association believes that fed animals are tame animals and should thus be off limits. "Animals become habituated to people when they depend on us for food," he says.

Even preserves with no baited killings and lots of room to roam may be less of a square deal than they seem. "If a ranch advertises itself as having 3,500 acres, you need to know if that space is open or broken down into pens and whether there's protective cover or the ground is clear," says Richard Farinato, director of the Humane Society's captive-wildlife protection program.

Concerns such as these are promoting governments to act. More states are being pressed to ban or restrict hunting in enclosures. The House bill, which parallels one introduced in the Senate by Delaware's Joseph Biden, would not drop the hammer on the hunts but would give Washington a way to control the animal traffic.

But the new laws could come at a price. In Texas alone, the hunt industry brings in \$1 billion a year; a crackdown could hurt both good ranches and bad. "Cattle prices have stayed the same for 40 years," says Gardner. "To hold on to acreage, you've got to have other sources of income." Safari Club International is worried that since hunting areas are so different, it may be impossible to pass a law that covers them all. "There's no standard to say what is and what isn't fair," says club spokesman Jim Brown. "You know it when you see it."

But there may be a deeper standard than that. If the hunting impulse is as old as humanity, so is the sense of what it truly means to chase and bag an animal. Nature may have intended humans to hunt, but whether it meant to toss ranches, pens and feeding stations into the mix is a question hunters must ask themselves.

#### YOUNG PEACEBUILDERS ACT OF 2002

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 5, 2002*

Mr. UDALL of Colorado. Mr. Speaker, today I am introducing the Young Peacebuilders Act of 2002, a bill intended to help young people from regions of conflict around the world learn about conflict resolution, communication, and leadership. The legislation aims to get at one of the root causes of terrorism by enabling young people to interact with each other and gain a greater understanding of their cultures and their differences.

The goal of the Young Peacebuilders Act is to help international youth learn the value of

working together to solve problems, break down barriers and mistrust, and avoid the cultural misunderstandings that have plagued their parents' generation. My hope is that the program this bill would establish can be part of a solution that will prevent another September 11 from ever happening again.

The bill would establish a program in the State Department for youth from regions of conflict around the world. The program would provide for visits in the United States of 90 days or less for training in conflict resolution and mutual understanding. Non-profit organizations and other organizations as determined by the Secretary of State would provide training, with the State Department working in conjunction with the Attorney General to establish criteria for eligibility.

With this program, Americans would have another opportunity to respond to President Bush's call for national and community service. I believe that groups like Seeds of Peace and Outward Bound, where I was an educator and director in Colorado for 20 years, could be vehicles for developing leaders of tomorrow and stewards of peace.

At the Colorado Outward Bound School, I saw first-hand how young people developed strong character and leadership skills by working in the outdoors. Our young people are our greatest resource and our future. Building peace requires an investment in new generations of young people around the world. In light of the violence and turmoil in the Middle East and the September 11 attacks, it is clear that this modest investment has never been so timely or needed more urgently.

I look forward to working with my colleagues in the House to move forward with this important initiative, and I am attaching a fact sheet on this bill.

#### A TRIBUTE TO JODI J. SCHWARTZ

**HON. NITA M. LOWEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 5, 2002*

Mrs. LOWEY. Mr. Speaker, I rise in tribute to Jodi J. Schwartz, who will be honored on Thursday, March 14, by Kolot: The Center for Jewish Women's and Gender Studies. Jodi's kindness and generosity have made her a dear friend. Her extraordinary ability, inexhaustible devotion, and charismatic personality have made her a leader in the Jewish community.

A partner at Wachtell, Lipton, Rosen and Katz, Jodi still finds time to serve in a leadership capacity for a host of diverse community organizations, including the Jewish Agency for Israel; American Jewish Joint Distribution Committee; the Commission on the Jewish People, a New York UJA-Federation group dealing with the unity and diversity of the Jewish people; Israel Policy Forum; United Jewish Communities; Jewish Board of Family and Children's Services; Jewish Community Relations Council; and the Jewish Council for Public Affairs.

Jodi's appreciation for Jewish causes surfaced while first visiting Israel in the late 1980's with the Young Leadership Cabinet of the United Jewish Appeal. During her fellowship at the Wexner Heritage Foundation in 1990-91, she gained a more robust appreciation for Jewish philosophy and principles. Jodi

was later asked to take over as the United Jewish Appeal representative for annual giving at Wachtell, Lipton, Rosen and Katz, and has since returned to Israel more than 50 times.

Jodi received her Bachelor's degree, MBA, and law degree from the University of Pennsylvania and her Master's of Law in Taxation from New York University. She resides in New York with her husband, Steven F. Richman.

Jodi's contributions to New York and the Jewish community are immeasurable. It is my pleasure and privilege to congratulate my dear friend, Jodi J. Schwartz. Kolot could not have chosen a more worthy honoree.

A TRIBUTE TO THE LIFE AND  
ACHIEVEMENTS OF JAMES H.  
MCKENZIE

**HON. MIKE ROSS**

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 5, 2002*

Mr. ROSS. Mr. Speaker, I rise today to pay tribute to a close personal friend and a distinguished Arkansan who last week lost a courageous four and a half year battle with cancer. His name was James H. McKenzie.

Jim McKenzie was born in my hometown of Prescott, Arkansas, in 1941. After graduating from Prescott High School, he attended the University of Arkansas and was a member of Arkansas Razorback baseball team and the Student Senate and president of Sigma Alpha Epsilon fraternity. He then went on to get his law degree from the University of Arkansas School of Law and served two years on active duty as a Captain in the U.S. Army.

Upon his discharge from active duty, Jim returned to Prescott to practice law. As an attorney, he quickly earned the respect of the legal community and became a leader in the Arkansas Bar Association, serving in many capacities including president. He fulfilled appointments to several committees of the Arkansas Supreme Court and, in 1998, was named outstanding lawyer by the Arkansas Bar.

In our hometown of Prescott, to say that Jim was a respected and notable citizen would be an understatement. He was a pillar in our community. Jim served as president or chairman of the local Chamber of Commerce, the hospital board, and the Kiwanis Club. He was a lifelong, active member of the First United Methodist Church, where he was my Sunday school teacher. He was also a youth sponsor in the church, and he even coached Little League baseball.

Jim McKenzie truly exemplified the ideal of a public citizen. Throughout his life, he was a leader who never hesitated to give his time and energy to help others. For me personally, he was a role model growing up and an inspiration throughout my public service. I am grateful for all he did for our family and for his fellow citizens, and I feel privileged to have had the opportunity to call him a friend. His death is an enormous loss not only to those who knew him well, but also to our community and to our state.

My heart goes out especially to Jim's wife, Betty, their two daughters, Kris and Miki, and their five grandchildren as they deal with the pain of this difficult loss, and I am keeping all of them in my thoughts and prayers. While Jim may no longer be with us, his legacy and his

spirit will always live on in all those whose lives he touched.

CLUB 20 STARTING SECOND HALF-  
CENTURY

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 5, 2002*

Mr. UDALL of Colorado. Mr. Speaker, I rise today to recognize Club 20 as it starts its second half-century as a forum and advocate for Colorado's majestic western slope region.

Founded in 1953 by the publisher of the Grand Junction Daily Sentinel and a number of business leaders, Club 20 took its name from the 20 counties from which its original membership came. Now it includes 22 counties, 75 incorporated cities and towns, the Southern Ute and Ute Mountain Ute Indian Tribes, 40 chambers of commerce, a number of special districts, and hundreds of businesses and individuals.

In its 50 years of service, Club 20 has been an active participant in lively debates about issues important to the economic vitality and quality of life in the communities of the western slope. From transportation, health care and other social services to the whole range of issues related to federal lands—which make up a large share of this region—Club 20 has been an effective advocate for its members. It has worked to identify issues of concern, inform its members about them, develop as great a degree of consensus as possible regarding ways to address those issues, and, most importantly, communicate to elected officials and others to make sure the voice of its members are heard on important policy matters.

As part of its work, Club 20 members make an annual visit to the nation's capital to meet with Members of Congress and their staffs and officials of the Executive Branch. These trips help inform people in Washington about the issues affecting western Colorado and the views of its citizens. They help us better understand how issues are affecting western Coloradans—people who are directly affected by federal decisions on public lands, agriculture, transportation, rural social services, and water as well as other issues. These direct contacts put a human face on the issues and are very valuable for all of us who work on these matters.

I ask all our colleagues to join me in congratulating Club 20 for its successful 50 years and in wishing them continued success for the next 50 years and beyond.

A TRIBUTE TO ALICE SHALVI

**HON. NITA M. LOWEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 5, 2002*

Mrs. LOWEY. Mr. Speaker, I rise in tribute to Alice Shalvi who will be honored on Thursday, March 14, by Kolot: The Center for Jewish Women's and Gender Studies. Mrs. Shalvi, an internationally known scholar and women's rights advocate, has dedicated her life to creating a more just society in Israel.

Alice Shalvi has called Israel home for more than 50 years. Born in Germany and educated in England, she moved to Israel in 1949. The following year Mrs. Shalvi became Professor of English Literature at the Hebrew University, a post she held for 40 years. During her remarkable tenure, she established the English Department at Ben Gurion University of the Negev (1969–1973) and also served as head of the Institute of Languages and Literature at Hebrew University (1973–1976).

Her devotion to the betterment of Israeli women's lives led her to a voluntary role as Principal of Pelech Experimental High School for Religious Girls in Jerusalem, a school dedicated to ensuring equal opportunities for women in Torah study and in every aspect of civil society. She was also the founding Chair of the Israel Women's Network, the country's major advocacy organization on women's rights, and today serves as its honorary President. In 1996, Mrs. Shalvi was appointed rector of the Schechter Institute of Jewish Studies where she later served as President and as Chair of the Executive Committee.

Mrs. Shalvi lives in Jerusalem with her husband, Moshe Shalvi. They have six children, and are blessed with grandchildren.

I am proud to congratulate Alice Shalvi on her tremendous accomplishments. She has devoted her life to enriching the lives of women in Israel, and we are the better for her efforts.

A NATIONAL TREASURE

**HON. MIKE ROSS**

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 5, 2002*

Mr. ROSS. Mr. Speaker, I wish to honor and congratulate a good friend and constituent on a well-deserved recognition for his unique and exemplary commitment to preserving our nation's architectural and cultural heritage.

For over 30 years, Parker Westbrook has dedicated himself to promoting the preservation and rehabilitation of countless buildings, parks, museums and monuments throughout the nation. In Arkansas, he is affectionately and aptly known as "Mr. Preservation." An active member of many states and local preservation foundations, commissions, and councils, Parker's efforts can be observed in numerous places throughout the state, perhaps most notably in the historic town of Old Washington, Arkansas, which briefly served as the state capital.

Parker spent many years in Washington, D.C. working here on Capitol Hill for several members of Arkansas's congressional delegation. His contributions to historical preservation began in 1968 while he was serving as an aide for the last United States Senator J. William Fulbright. At that time, Parker purchased and restored an old Quaker cottage in Waterford, Virginia, for which he received the Excellence in Restoration award from the Loudon County Chamber of Commerce.

His passion for restoration and preservation continued when he returned to Arkansas in the mid 1970s. In the 1980s, he helped create the Historic Preservation Alliance of Arkansas and helped pass an initiative that provides over \$3 million per year for preservation in the

State of Arkansas. Later, President Clinton appointed him to the National Park System Advisory Board and twice named him to the President's Advisory Council on Historic Preservation.

Friends and colleagues described Parker as dedicated and committed to "volunteerism." His leadership in preservation serves as an example to all of us at a time when our country faces new challenges that demand greater community involvement and public service.

Fittingly, in honor of his decades of work and dedication, the National Trust for Historic Preservation has recently bestowed upon him the prestigious National Preservation Award and declared him a "National Treasury." Parker Westbrook is a "national treasure," a true champion of a noble cause. His accomplishments will undoubtedly be admired and appreciated by this and future generations for many years to come.

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YOUNG PEACEBUILDERS ACT OF  
2002

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 5, 2002*

Mr. UDALL of Colorado. Mr. Speaker, the Young Peacebuilders Act of 2002 recognizes that our young people are our greatest resource and our future. It also recognizes that promoting international cooperation and increased mutual understanding—in effect, building peace—requires an investment in new generations of young people.

This legislation would offer young people from regions of conflict opportunities to develop strong character, integrity, and leadership skills, and would help them to learn about conflict resolution and communication. The bill is intended to instill hope—instead of fear—in the hearts of the world's young people, as well as in the hearts of Americans who are at a loss as to how to view the months and years ahead.

For 20 years, Representative UDALL was director of the Colorado Outward Bound School, where he saw first-hand how young people developed strong character and leadership skills by working in the outdoors. Outward Bound and similar programs in the U.S. could help international youth learn the value of working together to solve problems, as well as to help them avoid the cultural misunderstanding that have plagued their parents' generation.

The Young Peacebuilders Act of 2002 would establish a program in the Department of State for youth from regions of conflict. The program would provide for visits in the United States of 90 days or less for training in conflict resolution and mutual understanding. Training would be provided by non-profit organizations and other organizations as determined by the Secretary of State. The State Department, working in conjunction with the Attorney General, would establish criteria for eligibility for participation. The bill would authorize \$2 million for each fiscal year to carry out this Act.

PERSONAL EXPLANATION

**HON. ROBIN HAYES**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 5, 2002*

Mr. HAYES. Mr. Speaker, due to a scheduling conflict, I was unable to be present for rollcall Nos. 41 and 42. Let the record reflect that, had I been present, I would have voted "yea" on each of these votes.

LIMITS FOR FARM PAYMENTS

**HON. NICK SMITH**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 5, 2002*

Mr. SMITH of Michigan. Mr. Speaker are we going to have a vote of "yea" or "nay" on limits for farm payments?

I would first offer a quote by the President from last August, "There's a lot of medium-sized farmers that need help, and one of the things that we're going to make sure of as we restructure the farm program next year is that the money goes to the people it's meant to help."

The following is a dear Colleague sent out yesterday and signed by Representatives NICK SMITH, MARCY KAPTURE, JOHN HOSTETTLER, EARL POMEROY, EARL BLUMENAUER, DAN MILLER, DOUG BEREUTER, and TAMMY BALDWIN, and I quote, As the farm bill conferees begin deliberations, I ask for your help in bringing about meaningful federal farm policy with limits on how much money a farm can receive. As President Bush has said, we should work to send him a bill that directs support to those it was meant to help, namely small and mainstream family farms.

In response to the Dear Colleague letter dated February 27, 2001 from Representatives CHAMBLISS and BERRY, one thing should be made clear: there are no effective limits for price support payments farmers may receive in current law, or in the House-passed farm bill. When the \$150,000 limit is reached, any producer can continue to receive unlimited price support benefits through loan forfeitures and certificates. According to the Environmental Working Group's website ([www.ewg.org](http://www.ewg.org)) the top 5 recipients from 1996–2000 were: Riceland Foods, Inc. \$49 million; Farmers Rice Corporation, \$38.2 million; Harvest States Coop, \$23.8 million; Tyler Farms, \$28.2 million; Producers Rice Mill, Inc., \$19.8 million. Do we really want federal farm policy that gives unlimited support to huge farm operations?

Last October, the Smith payment limitation amendment was brought before the House under the 5-minute debate rule. Despite the time limit on debate and organized opposition, the amendment fell just 26 votes short of passage. However, payment limitations successfully moved in the Senate farm bill by a vote of 66–31. Now we must resist the efforts of those who seek to thwart our efforts to cap farm subsidies. Unlike what has been suggested, most states do not have a single farmer who would be affected by the limitations we are trying to establish.

If you have any questions or would like to sign on to the letter of Representatives POMEROY and BEREUTER requesting payment limitations, contact Representative POMEROY's office, Representative BEREUTER's Office, or Representative SMITH's office.

HONORING REINHARDT COLLEGE

**HON. BOB BARR**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. BARR of Georgia. Mr. Speaker, there are a select group of people who reach out to make the world a better place, and truly make an impact on the lives of others. Dr. and Mrs. Floyd A. Falany are two such individuals. They worked tirelessly at Reinhardt College for 25 years, to bring students, faculty, and alumni the best they could offer as an educational and collegiate experience.

Since first coming to Reinhardt in 1973, one of Dr. Falany's dreams was to bring a church to the campus. He saw that dream become a reality, when Reinhardt opened its doors to a new sanctuary in 1987. Aware of the importance of music and the performing arts, not only to a well-rounded educational facility, but also to a community, Dr. Falany's next goal became the construction of a state-of-the-art performance center. I am pleased to say that as of January 2002, Dr. Falany's second dream has also been brought to life.

The Floyd A. and Fay W. Falany Performing Arts Center was first announced in 1998, following the completion of its ambitious fundraising campaign. An anonymous donor contributed the center's name gift, asking it be named for the former Reinhardt president and his wife. It holds eight practice rooms, six classrooms, two rehearsal spaces, two production/control rooms, four dressing areas, a green room, storage space, 15 offices, and a 350-seat auditorium with seven balcony areas. Taking 14 months to build, the project ran a total of \$9 million. It houses both the music and communications departments of the college; the music department began holding classes in the building in January, and the communications and business school will join in the fall.

The first service was held in the center on Saturday, February 16, 2002, honoring the Falanys and the dedication of the center to the school. The next ceremony will be in April for the school's annual "Celebration Event," at which the college's trustees, advisors, alumni board, and ministerial association officers will meet to attend a performance by the Atlanta Symphony Orchestra.

I ask my fellow members to, please join me in congratulating Reinhardt College, on the successful completion of its new performing arts center, and in thanking Dr. and Mrs. Falany for their continued dedication to their work, to the students of Reinhardt College, to God, and to their community.

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TRIBUTE TO RETIRING WENTWORTH  
MILITARY ACADEMY  
PRESIDENT

**HON. IKE SKELTON**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. SKELTON. Mr. Speaker, let me take this opportunity to pay tribute to Colonel (Ret.) Jerry Brown, former President of Wentworth Military Academy, for the service he has given to the academy for the last seven years.

Colonel Brown's time as president of the academy has been marked with many accomplishments. Some of Colonel Brown's achievements include orchestrating the building of new barracks and an accreditation visit by the Higher Learning Commission of the North Central Association. Brown was also instrumental in forming the Wentworth Foundation, created to gather funds for capital improvements at the school.

As he prepares to spend more time with his family, I know that Members of the House will join me in expressing appreciation for his dedication to Wentworth Military Academy.

HONORING THE LIFE AND  
ACHIEVEMENTS OF EDWARD  
DURELL STONE

**HON. JOHN BOOZMAN**

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. BOOZMAN. Mr. Speaker, I rise today to honor Edward Durell Stone on the 100th anniversary of his birth.

Born in 1902, Edward Durell Stone attended the University of Arkansas before becoming one of the most celebrated architects in American history. He is famous for designing recognizable buildings including the Museum of Modern Art, The U.S. Embassy in New Delhi and the Standard Oil Building, better known as the Amoco Building in Chicago. The latter still stands as the ninth tallest building in the world.

My colleagues here in Washington, DC are very familiar with one of his designs in particular, as many of them have enjoyed concerts, plays and performances at the Kennedy Center.

Stone left Arkansas for New York City, but eventually returned to design a number of notable buildings, including the University of Arkansas's Fine Arts Center, the Medical Center Hospital in Little Rock and the Pine Bluff Civic Center.

Today, Edward Durell Stone's family are in Fayetteville, Arkansas joining the University in celebrating his life and touring the house in which he grew up in. That house, the Walker-Stone House, is on the National Register of Historic Places and is now home to my Fayetteville District Office.

Mr. Speaker, I thank you for the opportunity to honor Edward Durell Stone and I yield back the balance of my time.

A SPECIAL TRIBUTE TO JAMES  
BLAKE OF TIFFIN, OH, A TRUE  
AMERICAN HERO

**HON. PAUL E. GILLMOR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. GILLMOR. Mr. Speaker, it is with great pride that I rise today to recognize a true hero. Since September 11, the definition of a hero has changed dramatically. People who selflessly put their lives on the line for others have always been recognized as heroes, but their deeds are even more appreciated today.

One of my constituents fits this description, James Blake from Tiffin, Ohio. Three days

after the Christmas 2001 holiday, Mr. Blake, a truck driver for Fry Foods, and his son, Zach, were traveling on Interstate 80 in Pennsylvania, returning home after a trip to New York City. Over his CB radio, he heard of an accident ahead of him caused by a snow squall. When he and his son came across the accident scene, they saw that it involved a tanker truck that was loaded with powdered iron, an extremely flammable substance. Debbie Weeda and her three children were wedged in their car under the tanker. Her car on fire, her youngest trapped, she screamed for help. Mr. Blake reacted without regard for his own safety, running to the burning car to save Dominick, age 1, who was trapped in his car seat. On his first try, he was unable to extract the child. Wielding his pocketknife, he returned a second time and cut the restraints that trapped the infant. Having extricated Dominick from the burning car, the children, their mother and the Blakes fled the scene just before the tanker exploded.

Mr. Speaker, James Blake is a true hero. Today, at a time when the forces of evil have threatened our way of life, Mr. Blake exhibited the American spirit. I thank Mr. Blake, his son, and the countless fire and rescue personnel who put their lives on the line for others. Mr. Blake, you are a truly selfless American.

TRIBUTE TO MR. JAMES T.  
MCCAIN

**HON. JAMES E. CLYBURN**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a lifelong friend and mentor, Mr. James T. McCain of Sumter, South Carolina. "Nooker" as he is affectionately known, is an extraordinary man who has contributed greatly, not only to his community and state, but the entire nation. He started his professional career as an educator. But his most lasting contributions were made as a civil rights activist. An accomplished author, his long-standing commitment to the struggle for equality is legendary throughout the nation. He is married to the former Ida M. Channault of Georgia, and they have three children.

Nooker was born on March 8, 1905 in Sumter, South Carolina, where he resides. He graduated from Morris College in Sumter, and continued his education in Philadelphia, Pennsylvania where he received a Masters of Education Degree from Temple University. His talents were displayed over subsequent years as an outstanding educator. He held positions as a teacher, principal, college professor, registrar and dean. The Negro Educational Review nationally recognized Mr. McCain's unique abilities in 1952 when he was named Runner-up in a nation-wide Classroom Teacher of the Year project conducted.

In addition to his incredible contributions as an educator, Mr. McCain has dedicated his life to seeking full citizenship, civil rights and absolute equality for minorities in our country. Through his participation in such civil rights efforts as the sit-ins, Freedom Rides and picketing during the sixties, Mr. McCain displayed his willingness to put the good of the people ahead of his own safety. He served as Field Secretary and Director of Organization of the

Congress of Racial Equality (CORE) for nine years. His affiliation with CORE called for him to courageously work in numerous communities throughout the South during the turbulent 60's when civil rights activities were hazardous work. He later served as Director of the Citizenship, Education, Scholarship, Education and Defense Fund for Racial Equality in South Carolina.

Mr. McCain has made his mark on the civil rights movement, not only through his actions, but also through his publications. He was an inductee into the University South Caroliniana Society, and has contributed countless volumes on the civil rights movement to the South Carolina Library. He is co-author of the publication, *Political Strength: How to get it, a guide to effective community action.*

Throughout his life, "Nooker" has been active in many facets of his community. His past and present professional and civic affiliations include Associate Director, South Carolina Council on Human Relations; President and Treasurer, Palmetto Education Association; Vice Chairman, South Carolina Economic Opportunity Board; Coordinator Sumter Black Political caucus; Charter President, Sumter Branch of the N.A.A.C.P.; 1st Vice Chairman, Wateree Community Actions, Inc.; Boy Scouts of America; Lay Advisory Board, Sumter High School; Sumter Count Council on Aging, and the Governor's Council on Human Affairs for South Carolina. He is a recipient of the Order of the Palmetto, the highest honor that a South Carolina Governor can bestow on an individual. He has also been recognized as the Outstanding Senior Citizen of the Year for South Carolina. Mr. McCain continues his community involvement as a trustee emeritus of the Mt. Zion Missionary Baptist Church.

Mr. Speaker, I ask that you and my colleagues join me in wishing my first baseball coach and lifelong political mentor—Mr. James T. "Nooker" McCain—a Happy 97th Birthday which, God willing, he will celebrate on Friday, March 8th. I wish him good luck and God-speed.

PAYING TRIBUTE TO RALPH  
NEWBY

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to recognize a truly dedicated teacher at Otero Junior College, Mr. Ralph Newby. Ralph has dedicated countless hours to helping others understand and succeed in the field of computer studies at OJC. He has gone far beyond what is required in the classroom and touched the lives of his students in such a profound way that he was recently named OJC Teacher of the Year. Mr. Speaker, I feel that it is only appropriate during this moment of distinction for Ralph that we, as a body of Congress recognize his efforts.

For fifteen years, Ralph has remained dedicated and committed to his students in their pursuit of computer studies. He has consistently kept up on the ever-evolving world of computers in order to give his students the best skills for their future jobs. He is known to his colleagues and his students for his loyalty, his willingness to be involved in their lives and

his innovative teaching style. However, he is best known for his perseverance in his teaching; he will not quit trying new methods until his students fully understand a concept. Ralph has served his fellow teachers as the Chair of the Faculty Assembly and he has served his state as the Vocational and Technology Advisor to the State Community Colleges.

Ralph is not only an extraordinary educator but also a pillar of the community. He has been involved in organizing the Arkansas Valley Career Fair, regional FBLA conferences, Kids College, and Phi Beta Lambda. Ralph also coaches recreational sports, sponsors a marching band and is involved in church activities. He is also known as a loving father and husband.

Mr. Speaker, it is a great privilege to recognize Ralph for his service to his community and the students whose life he has changed. The diligence and commitment demonstrated by Ralph Newby certainly deserves the recognition of this body of Congress, and this nation. Ralph's achievements as a teacher serves as a symbol to teachers throughout Colorado, and indeed the entire nation. The honor of OJC teacher of the year is proof that hard work is rewarded. It is people like Ralph who help to ensure that our future generations are guaranteed the opportunity to improve their lives through the resource of education. Congratulations Ralph, and thank you for all of your hard work.

TRIBUTE TO THE CARL AND  
GLESSIE YOUNG COMMUNITY AU-  
DITORIUM

**HON. IKE SKELTON**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. SKELTON. Mr. Speaker, let me take this means to recognize the city of Marshfield, Missouri, and the generosity of Carl and Glessie Young on the grand opening of the Carl and Glessie Young Community Auditorium. During a recent visit to Webster County, I attended the grand opening of this facility, which will serve the community and the students in Marshfield for many years to come.

The auditorium was made possible through a local bond issue and a generous donation from Carl and Glessie Young. This facility will be home to community and school plays, musical performances, concerts and speech and debate competitions. It will provide a teaching facility for the nearby schools.

Mr. Speaker, the citizens of Marshfield can be proud of their new 21,000 square foot, state-of-the-art facility. I know the Members of the House will join me in congratulating all of Marshfield on completing this fine addition to their community.

HONORING SAILING TEAMS FROM  
TEXAS A&M AT GALVESTON,  
TEXAS A&M UNIVERSITY AND  
UNIVERSITY OF TEXAS

**HON. NICK LAMPSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. LAMPSON. Mr. Speaker, I rise today to honor the sailing teams from Texas A&M at

Galveston, Texas A&M University, and the University of Texas for their heroism. I am amazed at the selflessness that these young people displayed.

On Saturday, February 23, 2002, Texas A&M University at Galveston was hosting a sailing team-racing regatta. As the sailboats were maneuvering for the start of the race, a mini van carrying a total of six people drove at high speed off a dead-end road and flew approximately 80 feet out over the water and sank. The van landed within 30 feet of the starting line.

Participants from the regatta yelled to shore for someone to call 911 and then swam in the 60-degree water to the van and made repeated dives in an effort to rescue the people trapped inside. The rescuers called for rocks from the shore to smash the windows open and other students began swimming the rocks out to the site. An anchor from the regatta motorboat was also used to smash the windows.

Over a period of ten minutes while the van was submerged the participants successfully rescued the five unconscious occupants, brought them to shore and administered first aid/CPR. The students rescued two adult women and three children, four years old, six years old and seven months old. The driver of the van, who purposely drove the van into the water and escaped on his own, is incarcerated and faces attempted capital murder charges.

Mr. Speaker, these students, many of whom were injured themselves from broken glass, showed astonishing courage. Today, I would like to recognize them on the floor of the U.S. House of Representatives. These brave sailors are:

Coach Gerard Coleman, Brence Bedwell, Jenipher Cate, Megan Chrostowski, Kelly Cunningham, Capt. Jeffrey Daigle, Kelly Gallop, Kevin Gunn, James Loynes, Chris Noll, Robin Roger, Joseph Richardson, Bill Self, Julie Svaton, Danna Svejkosky, Lloyd Towns, Judkey Reed, Mr. Shannon Galway, Capt. Jake Scott, Jennifer Doreck, John Gross, Spencer Ogden, Mike Curtin, Sarah Lakhani, Varun Idnani, Jennifer Curtin, and Scott Marsden.

On behalf of the city of Galveston, I would like to express my thanks to these courageous sailors who showed no regard for their own safety when it came to rescuing the people trapped inside that van. They make me proud to be a Texan. God bless.

HONORING THE JUNIOR ROTC  
CLASS OF CASS HIGH SCHOOL,  
GEORGIA

**HON. BOB BARR**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. BARR of Georgia. Mr. Speaker, at a time when the country remains understandably concerned about national and homeland security, it is reassuring to see a bring young group of students interested not only in becoming part of our military programs, but taking it upon themselves to begin one of their own. High school students who participate in Junior Reserve Officer Training Corps learn practical information that teach leadership, foster patriotism, and polish individual character; all traits that can be applied in every professional

arena, whether or not they become part of the U.S. military directly.

I am proud to say that in the 7th District of Georgia, we have a wonderful program at Cass High School in Bartow County. The lengths to which the support system at Cass went in order to start their JROTC program early, is a true testament to their dedicated service. It was quite an ordeal for the students, faculty, and parents of Cass students to get JROTC classes up and running. Under normal conditions it takes five years for the application process to be completed, but in this case the school board was petitioned and the program rushed through.

The rapid implementation of the program can be attributed largely to two determined students: seniors Matt Barnes and Sarah Cavazzini. The two students recognized the need for a course that promoted maturity, discipline, and commitment. Educator Jeannie Buck says she has seen students turn a full circle due to the program. Sara Cavazzini was one of the first girls to be in the JROTC technology program, and became very involved in the engineering efforts of the program as well. She plans to continue here education at Auburn University's Navy ROTC program. Matt Barnes became interested in the military when he joined the Junior Silver Air Patrol in sixth grade. As a result of his success in that organization, he was awarded the Silver Air Patrol Award. Matt's desire to continue his education regarding the armed forces motivated him to initiate the JROTC program at Cass. Matt plans to join the military following graduation in June.

JROTC courses at Cass are under the direction of Brent Bunkley, and are support by a large network of teachers, administrators, parents, and other students. Students are responsible for purchasing their own uniforms, and parental support is the primary means by which the classes are kept afloat. Teens enrolled in JROTC earn class credit, as well as life-long lessons such as discipline, teamwork, and leadership.

The Cass High School JROTC program has made itself available for appearances at parades, and the presentation of colors for athletic events. I would like to commend the JROTC students at Cass for their foresight and dedication, as well as the parents and faculty who supply their own time and money to ensure the best for the future of their students. I hope my fellow members of the House join in applauding the JROTC program and in particular, the program at Cass High School in Bartow County, Georgia.

HONORING THE LIFE OF DARRYL  
FRANCIS

**HON. JOHN BOOZMAN**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. BOOZMAN. Mr. Speaker, I rise today to pay tribute to the memory of Mr. Darryl R. Francis of Fort Smith, Arkansas.

Darryl Francis passed away Feb. 8, 2002 in the arms of his beloved wife, Sherrian. He was survived by a large group of family and friends who will miss his contributions to their lives dearly.

Born in 1912, Darryl Francis grew up in Ridgeway, Mo. After receiving his bachelor's

degree in agriculture at the University of Missouri College of Agriculture in 1936, he began a career in banking that led him to the position of President of the Memphis branch of the Federal Reserve Bank of St. Louis.

In 1976, Mr. Francis moved to Fort Smith, Arkansas to be closer to his family. He took the position of President, CEO and chairman of the board of Merchants National Bank, from which he retired in 1982 to take care of his former wife, Loretta, who suffered from Alzheimer's disease.

Mr. Francis was responsible for the modern reputation of the Federal Reserve Bank of St. Louis. He led them to take revolutionary steps in emphasizing the importance of inflation as a national problem. He showed that money creation held the central role in the inflation process.

In 1966 he was awarded the Golden Step Award of the Agri-Business Club of St. Louis in recognition of his achievements resulting in a major economic impact on the St. Louis area. He also received the Citation of Merit Award from the University of Missouri Agriculture Alumni Association. He was named to a special U.S. delegation to Honduras in the 1950's to help set up a new banking system. He was honored in 2000 by the Federal Reserve by their dedication of the 25th annual Economic Policy Conference to him. His contributions to the world of banking and the systems used by that world will not be forgotten.

Mr. Speaker, thank you for giving me the opportunity to honor the memory of Mr. Darryl Francis.

IN MEMORY OF MOLLY PORTER

**HON. MICHAEL N. CASTLE**

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. CASTLE. Mr. Speaker, it is with deep sadness that I report the death of Molly Porter, 34, of Smyrna, Delaware. Molly passed away on March 1, 2002, in the prime of her life. For the past five years, Molly has been a valued employee of the Delaware Public Archives in Dover, Delaware. Molly's work ensured that the history of Delaware was preserved and available for all Delawareans, and she helped many more people, firsthand, in their desire to learn more about their family, their state and their country. Her service to the citizens of Delaware and this country was a model for public service. She worked to help others and, in so doing, contributed to the quality of life in Delaware. She will not be forgotten. The state of Delaware has lost a true public servant, and our thoughts and prayers are with her family and friends at this time.

PAYING TRIBUTE TO G. MARVIN BEEMAN

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to Marvin Beeman and thank him for his extraordinary contributions to the National Western Horse

Show. His life-long dedication to both his job, as a large animal veterinarian, and to the National Western Horse Show, as its manager, is surpassed only by the level of integrity and honesty with which he has conducted himself each and every day while at his posts. As the manager of the National Western Horse Show, he will always be remembered as a man with the utmost dedication and talent, and will continue to be known as a leader in the veterinary field. As he celebrates his retirement, let it be known that I, along with each and every person with whom he has worked and the people of Colorado, are eternally grateful for all that he has done for the National Western Horse Show and for the state.

Marvin has dedicated his entire life to the care and treatment of horses. Growing up on a 28,000-acre ranch, which was owned by the Phipps family, his father was a professional huntsman who managed the horses and hounds of the ranch and taught him how to care for and appreciate horses. At as early an age as seven years old, Marvin realized that he wanted to be a horse vet. He doggedly pursued his dream, and earned a doctorate in veterinary medicine from Colorado State University in 1957. Shortly after, he began working at the Littleton Large Animal Clinic, where he has worked ever since.

Marvin has had a distinguished career as a large animal veterinarian. He is the past president of the American Association of Equine Veterinary Practitioners, chief huntsman for the Arapahoe Hunt Club, and the only vet to be a trustee on the American Horse Council. In addition, he serves on the American Quarter Horse Association research committee and was inducted into the AQHA Hall of Fame. In 1997, Marvin took the prestigious post of Horse Show Manager at the National Western, where he served until retiring after the 2002 show. During his tenure, he markedly improved the quality of the show, as well as increased interest in it. Because of his dedication, knowledge and hard work, he will be sorely missed by everyone involved in the National Western, and by the thousands of people who enjoyed his work each and every year.

Mr. Speaker, it is clear that Marvin Beeman is a man of unparalleled dedication and commitment to the National Western Horse Show, to his veterinary practice and to the people of Colorado. It is his unrelenting passion for each and every thing he does, as well as his spirit of honesty and integrity with which he has always conducted himself, that I wish to bring before this body of Congress. He is a remarkable man, who has achieved extraordinary things throughout his career, and it is my privilege to extend to him my congratulations on his retirement from the National Western Horse Show and wish him the best in his future endeavors.

A SPECIAL TRIBUTE TO YVONNE N. DARLING ON HER RETIREMENT FROM THE OTTAWA COUNTY BOARD OF ELECTIONS

**HON. PAUL E. GILLMOR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. GILLMOR. Mr. Speaker, it is with great pride that I rise today to recognize a woman

who has served the Fifth Congressional District with patriotism, devotion, and kindness. Today, Yvonne N. Darling of Elmore, Ohio will be retiring from the Ottawa County Board of Elections. For the last eight years, she has ensured the accuracy and sanctity of Ottawa County elections. Her dedication and optimism will not be forgotten.

Mrs. Darling's service to our country started long before she came to Northwest Ohio. She began her marriage as a military wife, making her own sacrifice while her husband, Jim, served our country. After his retirement, Mrs. Darling and her husband returned to Elmore, Ohio where she joined the Ottawa County Republican Central Committee. Taking on a leadership role, she served as Women's Club Treasurer. As an Elmore Village Councilwoman for 8 years, she again demonstrated how important it is to give back to your community. Most recently, she has served on the Ottawa County Board of Elections ensuring that our elections are safe and accurate.

Since 1975, Mrs. Darling has been an active member of the American Legion Post 269 and her efforts speaks for themselves. As the Chairman of the Americanism Committee, Mrs. Darling helps foster a sense of patriotism in high school students across Ottawa County. She motivates young people to give back to their communities and encourages them to reach for their dreams. At every opportunity she has made a positive impact on her community and the people around her.

Mr. Speaker, Mrs. Darling is an example of how American values can make a difference in each of our communities. Her passion for service and charity towards all will remain an important staple in the Elmore community for many years to come. I ask my colleagues of the 107th Congress to join me in saluting Mrs. Yvonne N. Darling and wishing her the very best in her future endeavors.

TRIBUTE TO STAN SLOSS

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. UDALL of Colorado. Mr. Speaker, I rise today to ask my colleagues to join me in celebrating the 60th birthday of Stan Sloss, who serves as my Senior Legislative Counsel and heads my legislative staff.

I would not ordinarily take the time of my colleagues to thank a member of my personal staff, but Stan is so well known and beloved by members on both sides of the aisle, and his reputation is so well regarded, that I believe it is entirely appropriate to commemorate his birthday in a journal that he has known so well and to which he has contributed so much.

Many of you know Stan and have had an opportunity to work with him over the years. Stan's distinguished service has resulted in his becoming a valued resource—not only as an experienced voice on substantive policy issues, but also for his knowledge of the venerated but often byzantine procedures of the House. I heavily draw upon his experience, expertise and diplomatic operating style.

A native of Glenwood Springs, Colorado, Stan is a graduate of Amherst College and the Harvard Law School. He came to Washington, DC in the late 1960s, working first in the General Counsel's office of the Atomic Energy

Commission. He next spent some time in private practice, and among other things spent some time in Alaska working on some issues related to the Alaska Native Claims Settlement Act of 1971.

Stan's congressional career started in 1975 when he joined the staff of what was then known as the Interior and Insular Affairs Committee. He served as counsel to the Mines and Mining Subcommittee, chaired by Representative PATSY MINK. He assisted with some important amendments to the Coal Leasing Act that were passed over the veto of President Ford and with a variety of other measures that came before that Subcommittee.

In 1977, Stan became a counsel to the new Subcommittee on General Oversight and Alaska Lands, chaired by former Representative John F. Seiberling. In this capacity, Stan worked with both Representative Seiberling and my father, Morris K. Udall, who was the Chairman of the full Interior Committee. Stan helped draft a number of key parts of the legislation that became the Alaska National Interest Lands Conservation Act (ANILCA), particularly those related to subsistence uses by Alaska's Native peoples. Stan staffed hearings throughout the lower 48 states and Alaska and was one of the many key professional staff who helped shape the final legislation. ANILCA was a milestone in conservation, setting aside more than 100 million acres of Alaska's most pristine, public lands—an area larger than the State of California—and more than doubling the size of the nation's systems of national parks, wildlife refuges, wilderness and wild and scenic rivers.

In addition to ANILCA, Stan has been involved with many other laws and regulations affecting the public lands and natural resources. He served as Representative Seiberling's staff counsel to the Select Committee on the Outer Continental Shelf (OCS). That Committee developed the 1978 Amendments to the Outer Continental Shelf Lands Act, which shifted the focus of debate on the OCS away from just energy production to a more balanced approach, which included greater protection for the environment. He also played a key role in connection with a variety of other measures, including the Colorado Wilderness Act of 1980 and the Military Lands Withdrawal Act of 1986.

When John Seiberling retired in 1987, Stan remained on the Interior Committee staff, serving under former Representative Bruce Vento, chairman of the Subcommittee on National Parks and Public Lands. He was involved in development of legislation, including the Arizona Desert Wilderness Act sponsored by my father, the Colorado Wilderness Act of 1993 that included legislation developed by my predecessor, Representative David Skaggs, and the California Desert Protection Act.

In 1995, Stan left the Resources Committee to become the Legislative Director for David Skaggs. Representative Skaggs was a member of the Interior Subcommittee of the Appropriations Committee, so Stan was able to use his familiarity with public lands issues to assist in connection with those issues as they arose in that new context. He also dealt with the contentious issues related to Rocky Flats and the other sites in the DOE nuclear-weapons complex.

Stan was one of the first people I hired following my election in November 1998. I was fortunate to have someone who worked for my

predecessor and so was familiar with the Second Congressional District. As a newly elected Member of the Resources Committee, I also appreciated his familiarity with matters within its jurisdiction as well as the more senior members and the Committee staff.

At my office, Stan has made important contributions in drafting legislation to establish Rocky Flats as a national wildlife refuge after it is cleaned up and closed. He also has worked on the Udall-McInnis wilderness bill for James Peak, and fire prevention legislation I have proposed with my colleague, Mr. HEFLEY.

Stan's work has not been confined to the environmental arena. His keen intellect, common sense and sharp legal analysis have been invaluable on the wide range of issues and topics that face all members every day. He has been especially effective in tutoring many of the younger members of my staff on the inner workings of the House, the nuances of legislative drafting and as an example of the highest standard of professionalism for congressional staff.

Like any thoughtful and accomplished lawyer, Stan is often fond of saying that he "can argue it flat or argue it round", and his objectivity is legendary in our office. Having said that, however, I also know that beneath his always calm demeanor and his ability to see all sides of a question, there beats the heart of a man who is passionate about doing the "right thing." Stan has never compromised his firm and unswerving commitment to civil rights and liberty. He loves the absurdity that is sometimes politics, but he doesn't allow political analysis to get in the way of his strongly held views about the majesty of our constitution.

Stan is a public servant in the best sense. He brings a work ethic and code of professionalism that is always focused on the promotion of policies that best serve the environment, the public good and the values of honesty and bipartisanship that are the hallmarks of American democracy at its best. His contributions to my office, the offices of my predecessors, the House Resources Committee and the whole House of Representatives—and ultimately the people of the United States—serve as an example of a professional life that commands both respect and affection. I wish Stan a happy birthday and many productive years ahead.

THE CONGRESSIONAL GLAUCOMA CAUCUS URGES AMERICANS TO GET SCREENED THROUGH CAPITOL VISION

### HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. CUMMINGS. Mr. Speaker, I rise today to address the issue of glaucoma awareness and the importance of early detection to prevent blindness among Americans.

Glaucoma, a debilitating eye disease that strikes without warning and often without symptoms, blinds more than 5,500 Americans annually. While impacting all Americans, glaucoma is the leading cause of blindness in African-Americans. Because eye damage from glaucoma cannot be reversed, early detection and treatment are the only ways to prevent vision impairment and blindness.

As a member of the Congressional Glaucoma Caucus, I am pleased to announce that glaucoma will take on a renewed emphasis on March 6, as the Congressional Glaucoma Caucus, Friends of the Congressional Glaucoma Caucus Foundation and Pharmacia Corporation join forces to bring glaucoma awareness and screenings to those at risk around the United States.

Capitol Vision, the call-to-action and educational campaign, will challenge Americans to learn more about glaucoma and encourage them to take positive steps to protect their vision. Capitol Vision will especially emphasize the importance of glaucoma awareness among African-Americans, who are three to four times more likely to go blind from glaucoma than are Caucasians. We will also raise awareness of the Medicare Improvement Act—effective since January 2002—that adds Medicare coverage of annual glaucoma screenings for people who are at high risk for glaucoma.

Rep. Charles B. Rangel (D-New York); Bud Grant, CEO, Friends of the Congressional Glaucoma Caucus Foundation; Eve Higginbotham, M.D., Professor and Chair, Department of Ophthalmology, University of Maryland School of Medicine; Paul Chaney, Vice-President, Global Ophthalmology Business, Pharmacia Corporation; Herman Washington, WHUR-FM; and Sharon Matthews, a glaucoma patient, will join me to kick off the campaign with a media briefing in the Rayburn building on March 6 in Washington, D.C. Capitol Vision will then travel to communities throughout the country to provide free glaucoma screenings. The first screening will take place in Rep. Rangel's district in late March.

I am honored to join forces with such a distinguished group to tackle a very important health concern. I strongly encourage other members of Congress to join us in our efforts to promote early detection of glaucoma so that we can eradicate a disease that steals the sight of many Americans.

IN HONOR OF JAMES M. SMITH

### HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of James M. Smith, who is retiring after 30 years of distinguished service on the Cuyahoga County District Board of Health, 28 of which he served as President. Mr. Smith's unwavering commitment to public service has been invaluable to the people of Cuyahoga County. His integrity, intelligence, and unselfish commitment will be greatly missed.

Mr. Smith grew up in Nebraska where as early as high school he displayed leadership as president of his senior class. After high school he served his country during WWII in the Navy and the Naval Corp. He went on to attend the University of Michigan where he earned a BBA degree from the School of Business Administration and a JD from the law school. He then moved to Cleveland where he opened his own law practice which he ran for many years before merging with the firm founded by William R. Van Aken in 1977. He became a senior partner in what is now called, Van Aken & Bond.

Throughout his career Mr. Smith has displayed continued leadership and community involvement in the Cleveland area. He spent 10 years beginning in 1959 as a Councilman in the city of Highland Heights, the last three as President of the Council. He has served as an officer and member of the board of directors of many Cleveland based corporations as well as a member of various civil organizations.

James M. Smith's educational background, professional experience and extensive community involvement in Cleveland made him an ideal candidate to serve as President of the Cuyahoga County District Board of Health. His leadership, vision and genuine concern for the people of Cuyahoga County have led the department to be a leader in public health issues statewide. On behalf of the residents of Cuyahoga County and the city of Cleveland I would like to express sincere gratitude to the years of devoted service by James M. Smith.

I ask my colleagues to join me in rising to honor this truly remarkable public servant for his distinguished years of service to the Cleveland community.

H.R. 1542, THE INTERNET FREEDOM AND BROADBAND DEPLOYMENT ACT

**HON. RICK BOUCHER**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. BOUCHER. Mr. Speaker, I rise today in full support of the Tauzin-Dingell bill, H.R. 1542. Included as a part of that bill by means of the Manager's Amendment is an antitrust savings clause. This is an important addition to the bill and the authors, the Chairman of the Committee on Energy and Commerce and the Chairman of the Committee on the Judiciary, are to be congratulated on the development of this amendment.

Regulatory and antitrust laws serve different functions. This amendment recognizes and embraces that fact as it preserves the antitrust laws and it indicates that these laws are not affected by H.R. 1542, the Telecommunications Act of 1996, nor the Communications Act of 1934. Second, and equally important, is the fact that it does not overrule nor affect any court case interpreting those laws including the Goldwasser case. The savings clause preserves this case law as well. Third, when the savings clause uses the term antitrust laws, such term includes antitrust defenses and immunities.

Congress and the courts have recognized how ill-equipped antitrust courts are to serve as regulatory agencies. That's why the 1996 Act replaced judicial supervision under the AT&T consent decree with regulatory supervision of the process through which competition in the telecom industry would be jump-started. If we had simply abolished the AT&T consent decree and left all these details to antitrust enforcement agencies, private litigants, and the courts, five bad results would have occurred.

First, the courts would have been flooded with regulatory tasks they are not suited to handle. It was a formidable task having one federal judge trying to micromanage the telecommunications industry under a consent de-

cre. We did not repeat that experiment by authorizing many state and federal antitrust courts to undertake the same tasks.

Second, the antitrust enforcement agencies, including the Department of Justice, would have been called on to duplicate, second guess, and perhaps contradict the telecommunications policy decisions Congress instead decided to entrust to the FCC and to the state commissions. We need the enforcement agencies to enforce the antitrust laws, not establish telecommunications policy or duplicate the regulatory expertise of other agencies.

Third, incumbent carriers would not have been subject to many of the requirements they now face. By this bill, we limit regulation in the broadband segment of the industry, but we leave in place many regulatory requirements imposing on carriers duties they do not have under the antitrust laws.

Fourth, as courts reached different and inconsistent conclusions in different cases, chaos would reign in an infrastructure industry critical to our economy and our nation's security.

Fifth, we would bog down the deregulatory process through the protracted process of antitrust litigation in which cases often drag out for many years and, in some cases, decades.

The 1996 Act assigns responsibility for working out the difficult details of interconnection and other transitional arrangements to private parties, state regulators, and the FCC. Antitrust laws are not expanded or diminished in any way by the 1996 Act or this Act. Among the antitrust laws preserved by the savings clause in the Managers' Amendment are the well-crafted and carefully applied judicial doctrines that govern the manner through which antitrust courts coordinate their activities with those of the regulatory agencies to avoid potential incompatibilities that might otherwise occur. We did not expand or diminish the antitrust laws, or the manner in which the courts apply those laws, when we enacted the Telecommunications Act of 1996. We will not do so now by enacting this Act.

PAYING TRIBUTE TO CLARA HORAN

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to honor a woman whose passion for life and whose incredible human spirit is an inspiration to us all. Clara Horan, a Colorado resident of almost sixty years, who will soon achieve an extraordinary milestone, celebrating her one-hundredth birthday with four generations of her friends and family.

Clara was born on April 11, 1902 in Elba, Nebraska. She was raised by her parents, Peter and Katherine Andrzejewski, on a cattle, corn and wheat farm with her eight brothers and sisters. On December 7, 1921, Clara married Lloyd Horan of Cotesfield, Nebraska. The couple relocated to Mesa, Colorado in 1943, and then moved to Clifton, Colorado five years later. Her friends and family fondly refer to her as "Grandma."

Incredibly, Clara is the matriarch of a family that includes 3 children, 8 grandchildren, 16

great-grandchildren and 10 great-great-grandchildren. It is an impressive lineage of which she is extremely proud, and which, more importantly, is extremely proud of her. She has been a member of St. Ann's Church in Palisade, Colorado for nearly 25 years, and continues to volunteer on a weekly basis at the Migrant Center in Palisade. She still loves to attend to her garden, and finds time to fish on Grand Mesa. The remarkable longevity of Clara's life is a testament to the extraordinary passion for life that she has always carried with her, and her family and friends are all fortunate to be able to share in a life as rich and varied as hers.

Mr. Speaker, it is with great pleasure that I bring to the attention of this body of Congress the life and spirit of such an incredible woman. She has lived her life with extraordinary passion and kindness, and possesses an innate ability to brighten and invigorate the lives of those around her. She is truly an inspiration to all of us, and I, along with the many people whose lives she has touched, am honored to recognize her tremendous accomplishment in reaching her one-hundredth birthday, and more importantly, her passion for life and indomitable human spirit.

RECOGNIZING JOHN PLACK AS TOP STUDENT VOLUNTEER IN PRUDENTIAL FINANCIAL'S SPIRIT OF COMMUNITY AWARDS

**HON. CAROLYN MCCARTHY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mrs. MCCARTHY of New York. Mr. Speaker, I rise in recognition of John Plack, my constituent from New Hyde Park who has been chosen as a top student volunteer in Prudential Financial's Spirit of Community Awards, a nationwide program honoring young people for outstanding acts of volunteerism. John is one of only nine students from New York chosen for this award. He will receive an engraved bronze Distinguished Finalist medallion in the Prudential Spirit of Community Award ceremony.

John is a sixteen-year-old junior at New Hyde Park Memorial High School. John's project was to create the "Children Helping Children Remembrance Quilt." He headed the worldwide effort to make remembrance quilts from squares displaying personalized messages of condolence and hope for children affected by the September 11 terrorist attacks.

Thanks to John our community will always remember the support and help given by the world to New York during a desperate time. Children everywhere will always be aware of the contributions made by many to a city in need. Our community can rest assured that its future is in good hands with people like John demonstrating outstanding public service.

The awards, presented by Prudential Financial in partnership with the National Association of Secondary School Principals, honor young people for outstanding community service. This year, a record 28,000 youth volunteers across the country were considered for these awards.

John's ideas and creativity show his vision and determination to make the world a better place. It is refreshing to see such a young person with such a mature outlook and it bodes

well for our future generations. I applaud John for his hard work, generosity and leadership. Long Island is proud to commend such a talented young individual.

We are fortunate to have John Plack in Nassau County.

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#### HEART OF A CHAMPION PROGRAM

### HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Ms. GRANGER. Mr. Speaker, each of us shudders in horror when we hear about a school shooting or about the drug and alcohol abuse that haunts our youth. We immediately want to do something—perhaps draft new legislation—something, anything, that will make things “safe” for our children and grandchildren.

As a former teacher with three children of my own, I know the anxiety and anguish that students and their parents often experience in facing the world today—it can be a very scary place.

So, last December, I sponsored a Safe Schools Summit in Fort Worth, Texas. Five hundred middle school and high school students from across my district participated in this 3-hour session. They were students of all races and backgrounds, male and female. The purpose of this summit was to hear directly from the students about how they felt in their schools. It was an amazing day, and the students produced some remarkable and somewhat surprising results.

Today, I want to talk about what the students said about character education. The students told me that they would feel safer at their schools if there were greater attention to the development of character in those schools. We found that students overwhelmingly support character education in their school, by nearly 80%. I knew that parents and educators were supportive of quality character education programs, but I learned through that gathering of students that, these young people also know that character is the critical element for creating safer schools. Yes, there are mechanical and physical elements of a safe school, but these students identified a “human” element of safe schools, and character is a critical aspect of that element. To simplify, these students know that in order to have safe schools, we must have safe students.

On February 4th, what I believe will be one of the most effective character education programs in the nation was launched in my district. The Heart of a Champion character development program is a one-of-a-kind curriculum that combines video, and audio, with a print curriculum, to reach today's “sight and sound” generation on a year-round basis. Heart of a Champion's founder, Steve Riach, has created a comprehensive in-class program to reinforce positive character traits and virtues, and demonstrate examples of persons with high character to students in our schools.

Using positive role models, the Heart of a Champion program tells the stories of widely known athletes—stories that demonstrate virtues such as commitment, perseverance, integrity, courage, honesty, discipline, responsibility and fairness. These stories, and the ap-

plication lessons that follow, encourage students to examine these character traits, and inspire them to embrace and integrate those traits into their own lives. It is a winning formula.

The Heart of a Champion program, has already received the endorsement of several key national community and educational groups, and their representatives will meet with members of the Department of Education later this month. I believe there is nothing else like this program available for schools today. I am in full support of this program and believe it will have a dramatic impact.

President Bush has repeatedly said that character education in our nation's schools is of great importance in this day. He is aware that each year, 10 million school kids abuse alcohol or drugs; that 65 percent of youth in school say they are sexually active by the 12th grade; and that 80 percent admit to cheating in school. We know there is a problem that needs our attention. I believe that character education programs like Heart of a Champion are a solution for this generation.

My fellow members of the House, we all agree our young people are the most valuable asset we have for our nation's future. That is why I believe the Heart of a Champion program is so necessary for our country at this time. This program will provide our kids with the character our society so desperately needs; will give them direction for the future, and will create champions in our schools, homes, and communities—young men and women of character who will become leaders for the next generation. But that can only happen if leaders like you and I show our young people that we truly care about them, by getting behind this program and helping to see that no young person is “left behind” in the development of their character.

Mr. Speaker, I invite all of my colleagues to get to know the Heart of a Champion program. I am confident that you will see the powerful impact it can have on the youth of your cities and counties. Today, it is impacting my district. Tomorrow, with your help and support, it could make a difference in yours.

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#### COMMENDING TONY MONROE

### HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. RADANOVICH. Mr. Speaker, I rise today to recognize Tony Monroe for his commitment to his community through service to disadvantaged youth and gang members in the Fresno area. Mr. Monroe rides a horse in some of the roughest neighborhoods and encourages those he encounters to find a better way of life.

Mr. Monroe has made numerous personal sacrifices to continue his service. Previously, he was a Fresno reserve police officer and a Santa Cruz County deputy sheriff. Now, he offers the children and youth a chance to feed his horse and talk about God, gangs, and life in general. A young Fresnan met Tony six years ago when he was an angry and violent street fighter. This young man credits Mr. Monroe with helping him get his life turned around.

The community has also responded by helping Tony with supplies and assistance. Jen-

sen's Armstrong Stables houses two of Mr. Monroe's horses in exchange for maintenance work. All three of his horses, Max, Gumby, and Impact, were donated when his first horse died. This generosity shows how warmly received and appreciated Mr. Monroe is in the community.

Mr. Speaker, I rise to commend Tony Monroe for his community service and dedication to helping those in need. I encourage my colleagues to join me in wishing Mr. Monroe many more years of continued success.

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#### PERSONAL EXPLANATION

### HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. BECERRA. Mr. Speaker, on Tuesday, March 5, 2002, I was unable to cast my floor vote on roll call number 47, on the Motion to Suspend the Rules and Agree, as Amended to H. Con. Res. 305, a Resolution Permitting the Use of the Rotunda of the Capitol for a Ceremony to Present a Gold Medal on Behalf of Congress to Former President Ronald Reagan and his wife Nancy Reagan.

Had I been present for the vote, I would have voted “aye” on roll call vote 47.

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#### CALIFORNIA UNIVERSITY OF PENNSYLVANIA INTERMODAL TERMINAL FUNDING

### HON. FRANK MASCARA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. MASCARA. Mr. Speaker, I submit to the RECORD a letter I have sent to Secretary Norman Mineta of the U.S. Department of Transportation. My letter is to clarify to the D.O.T. the intended use of an earmark I requested in TEA 21 for an intermodal transportation terminal on the campus of California University of Pennsylvania. I requested that earmark in order to fund an intermodal facility that would help connect the main campus to the new campus over one mile away. Now, the campus has an exciting opportunity to create a low speed magnetic levitation system connection between the two campuses and this intermodal facility would be a vital part of the system.

HOUSE OF REPRESENTATIVES,

*Washington, DC, March 6, 2002.*

Hon. NORMAN MINETA,  
Secretary, U.S. Department of Transportation,  
Washington, DC.

DEAR SECRETARY MINETA: I write to clarify the intended use of funding I have obtained for an important project in my district. Over the years I have been working with California University of Pennsylvania officials to acquire funding for a much needed intermodal facility on the campus. Consequently, I have secured a \$1 million TEA-21 earmark and other related earmarks for the University to construct an intermodal facility/transportation improvement project.

My intent for funding the intermodal facility was to support a people-mover system to connect the main university campus to the new auxiliary campus in the Roadman Park

area. This area is approximately 1.25 miles away on a mountain ridge above the main campus and the fastest growing area of the university. Ultimately, this area will house over 750 students and be the location of the University's Sports Complex.

This people-mover transportation system is critical to the intermodal center and the University's Master Plan, which identifies a need to demonstrate a safe transportation connection between these parcels of land.

California University of Pennsylvania officials have had extensive discussions with the Pennsylvania Department of Transportation and the General Atomics Urban Maglev team to demonstrate the urban Maglev people-mover technology. I am fully supportive of this initiative which is consistent with the intent of the original earmarks that I obtained for the intermodal facility at California University of Pennsylvania.

Any Federal earmarks referencing the California University of Pennsylvania intermodal project should address the Urban Maglev people-mover demonstration project. All costs incurred to date and any cost incurred in the future as part of this project should be considered eligible.

I am a strong supporter of this important project, and am firmly committed to bringing a Maglev system to the campus of California University of Pennsylvania.

Sincerely,

FRANK MASCARA,  
Member of Congress.

#### PAYING TRIBUTE TO HOWARD ROLAND

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. McINNIS. Mr. Speaker, it is with profound sadness that I rise today to recognize the life and contributions of the former County Commissioner and livestock auctioneer Howard Roland. His life-long dedication to both his job and the people of Mesa County is matched only by the level of integrity and honesty with which he conducted himself each and every day. As his family mourns his loss, I think it is appropriate to remember Howard and pay tribute to him for his many contributions to his community.

Howard began his service to Mesa County as County Commissioner in 1975. He served in this position with dedication and distinction until 1979. Howard was also renowned throughout the region for his honesty and integrity as an auctioneer. Using these qualities and his extraordinary knowledge of the stock show business, Howard opened the Grand Junction Livestock center in 1966. Howard will be remembered by his community as a humble man who was dedicated to both his work as a civil servant and as an auctioneer.

Mr. Speaker, it is my privilege to pay tribute to Howard Roland for his contributions to the Mesa County community. He was known for his kind heart and gentle demeanor, which he displayed throughout his life. His dedication to his fellow man certainly deserves the recognition of this body of Congress and this nation. I would like to extend my thoughts and deepest sympathies to Howard's family and friends during this time of remembrance and bereavement.

IN HONOR OF DANIEL PEARL

**HON. ANNA G. ESHOO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Ms. ESHOO. Mr. Speaker, on February 21, 2002, the world learned of the horrific and senseless murder of Wall Street Journal reporter Daniel Pearl. An extraordinary American and a courageous and talented journalist, Pearl was killed in the pursuit of truth. Abducted in Karachi, Pakistan, Pearl was investigating potential connections between alleged shoe-bomber Richard Reid and radical fundamentalists in Pakistan. His death represents a tragedy not only for his wife Marianne, now seven months pregnant, and their family, but for all humanity.

Daniel Pearl's murder left an indelible mark on the world of journalism. A colleague who had the privilege of knowing Pearl is Don Kazak, a highly respected senior staff writer and former editor of the Palo Alto Weekly. It was at the Weekly that Pearl, then a student at Stanford University, began his career in journalism as an Editorial Intern during the spring of 1984.

Mr. Speaker, I respectfully submit for the RECORD a tribute to Daniel Pearl written by Don Kazak and published in the Palo Alto Weekly on February 27, 2002. I share it with my colleagues who I'm sure will find it as poignant and instructive as I did.

[From the Palo Alto Weekly, Feb. 27, 2002]

OUR TOWN: "IS THAT OUR DANNY?"

(By Don Kazak)

There is always distance between us and what we read in the newspaper or watch on the evening news.

These are usually events happening far away, which don't touch us.

The Sept. 11 terrorist attacks touched many, and shocked, angered or numbed the nation, but for most there was still a distance. As much as I felt for what happened, it was other people, somewhere else.

And then I heard about Wall Street Journal Danny Pearl being captured by a radical Islamist group. He had been a reporter for the Journal for 12 years. It was a big, international news story—but it touched me deeply and personally, along with others at the Weekly and at Stanford University.

Pearl was based in Pakistan and had traveled to Karachi, which is kind of the Wild West of Pakistan, to interview radical Islamists.

Then there was the photo of him sitting head bowed, hands tied, with a gun to his head.

Like many of the rest of rest of us, I have a hard time putting a label on what is right or wrong. Maybe I've covered too many stories for too many years.

The Weekly has employed editorial interns for many years. They are basically low-paid college help to get some newspaper experience as part of their education. These have been mostly terrific kids, bright and eager.

We've had so many interns over the years that they kind of blur together for me.

But I remember Danny, Stanford class of 1985. He had a bright smile and was obviously very talented. He's one of those I distinctly remember, and I recoiled at the image of him with a gun to his head.

I was the editor of the Weekly when Pearl was an intern, and when the news broke about his capture Carol Blitzer, an editor then and now, asked me, "Is that our Danny?"

Carol later received an e-mail from Kathleen Donnelly, a former Weekly reporter and Mercury News writer, now living in Seattle, which confirmed: That is our Danny.

He was so good-natured when he was here that it is hard to envision him as a hard-edged hard-news reporter. But that's what he has been and what he has been doing, chasing a difficult story in a dangerous place.

Eight journalists have already been killed trying to cover the mess in Afghanistan, because they wanted to "get the story."

I have a lavish photo book, "Requiem," about the Vietnam War, the war of my youth, the war I marched against. In it are the photos of photographers who died covering the wars in Southeast Asia, 135 of them.

I don't know if I would have had the courage to do what Danny Pearl was doing. But I sense the desire to get the story. He wanted to know—which is what drives all good journalists.

He and his wife were expecting their first child when he was kidnapped, adding to the pathos. Now that baby will grow up without ever knowing his or her father.

As a reporter, it has been bred deep within me not ever to take sides. I'm just a reporter, trying to make sense of what I see and hear for our readers. But no one can make sense of his death.

Now, it turns out he was killed not just because he was an American reporter, but because he was also a Jew.

Sometimes I think people who ignore what's going on the world around them have an easier time, because they don't have to feel for what is happening. But some things touch even the people once removed, reading a newspaper or watching the news on TV. This was one of those times.

When the World Trade Center towers collapsed, it was a tragedy for thousands of people and their families, friends, co-workers, all of us. There is still one photo which haunts me, taken on the fly by a Magnum photographer who didn't see what he shot until he looked at his film later.

In the photo, there are dozens of people outside the windows of the upper floors of one of the World Trade Center towers, fires billowing below them. They were there, looking out of the building, and they all died.

That was impersonal, because it was just people in the photo, none of whom I knew.

And then there was the photo of Danny Pearl with a gun to his head, killed for trying to get the story.

#### INTRODUCTION OF A BILL CONCERNING AGENT-DRIVERS AND COMMISSION-DRIVERS

**HON. PHILIP M. CRANE**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. CRANE. Mr. Speaker, I rise to announce the introduction of legislation that will clarify the rules for determining whether certain agent-drivers and commission-drivers are employees for the purpose of FICA and FUTA taxes. Under present law, the determination of whether a worker is an employee or an independent contractor for Federal tax purposes is determined under a common law facts and circumstances test. An employer-employee relationship generally exists if the person contracting for the services has the right to control not only the result to be accomplished by the

services, but also the means and details by which the result is accomplished.

Under a special statutory rule in section 3121(d)(3) of the Internal Revenue Code, agent-drivers and commission-drivers, who are independent contractors but are engaged in distributing meat, vegetable, bakery, beverage (other than milk) products, or laundry or dry-cleaning services, are treated as "statutory employees" solely for FICA and FUTA tax purposes if (1) their services are part of a continuing relationship with the person for whom services are performed; (2) the distributor's service contract contemplates that he or she will perform substantially all of the services personally; and (3) the distributor does not have a substantial investment in facilities used in performance of services, excluding facilities used for transportation.

In a reversal of its long-standing ruling position, the IRS issued GCM 39853 in 1991, which held that investments in distribution rights and territories were akin to investments in the intangible assets of education, training, and experience. The legislative history to section 3121(d)(3) had indicated that investments in education, training, and experience were not to be treated as investments in "facilities." The GCM analogized an investment in a distribution right or territory to an investment in education, training, and experience, and accordingly concluded that an investment in a distribution right or territory was not to be considered an investment in "facilities." This reversal has created much uncertainty, particularly in the baking industry, with respect to independent contractor drivers, who have made substantial investments in their businesses and have been paying Social Security taxes with their federal tax returns. While the IRS may contend that the GCM is no longer in force, I believe that it is being applied by various field agents.

For example, at least four companies have endured prolonged audits in which the IRS challenged the status of bakery drivers based on the GCM. In each of those audits, the IRS agreed that bakery drivers were independent contractors under the common law test, but sought to treat them as statutory employees by ignoring their substantial investment in ownership of their routes.

This is not only an unfair result, but has caused great confusion in the bakery industry. This amendment attempts to clear up that confusion and correct that inequity.

An investment in a distribution right or territory specifically and directly relates to, facilitates, and is used in the performance of the distribution services in question. In contrast, education, training, and experience have a more general, attenuated, and indirect relationship to distribution services. Accordingly, my bill will clarify the statute to reflect Congressional intent that an investment in facilities can include an investment in a distribution right or territory, in contrast to an investment in education, training, and experience. Thus, an independent contractor driver who is engaged in distributing meat, vegetable, bakery, beverage (other than milk) products, or laundry or dry-cleaning services and who has a substantial investment in his or her distribution right or territory will not be treated as a statutory employee.

IN HONOR OF INTERNATIONAL  
WOMEN'S DAY

### HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. FARR of California. Mr. Speaker, International Women's Day began in our Nation. It was not a gift from Members of Congress, nor from the well-clothed captains of industry, but rather a victory achieved by the women who sewed the suits they wore. It was these women, garment workers, who went on strike March 8, 1857, demanding the bread of economic security and the roses of a better life.

At an international conference held fifty-three years later, German socialist Clara Zetkin asked for an international women's day to mark the strike of the garment workers in the United States. Her request was met with unanimous support, and International Women's Day was born.

More than 11,000 babies will be born in our Nation today. These children will eventually inherit many of the problems the Federal Government strives to solve. To prepare them to assume responsibility for progressive government leadership, we must ensure their health, give them adequate nutrition, educate them, allow them equal opportunities, and inspire them with knowledge of the accomplishments which generations of women have contributed to the world.

And so, as we celebrate International Women's Day this Saturday, we must recommit ourselves to the betterment of the lives of and equal opportunities for our daughters, our wives, our sisters, and our mothers. We do this to honor all women, and especially those on strike during the early spring of 1857, who remind us of our capacity to improve our lives and the lives of those around us.

### THE PRESERVING PATIENT ACCESS TO PHYSICIANS ACT

### HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mrs. JOHNSON of Connecticut. Mr. Speaker, on the first of this year, a 5.4 percent across-the-board Medicare payment cut went into effect for doctors caring for seniors. Under the present payment system, further deep cuts are in store for the future. In some areas of the country doctors are no longer accepting new Medicare patients because payments no longer fairly recognize the changing health care needs of today's seniors nor the increasingly complex and difficult environment doctors must work under.

With malpractice insurance skyrocketing, nursing costs rising, diagnostic and treatment options expanding rapidly, and paperwork burdens exploding, these cuts are unjustifiable and unfair! They result from an arbitrary formula that ignores the real costs of providing health care. According to the American Medical Association, Medicare payments to doctors have increased only 18.5 percent in the last 10 years, an average of 1.1 percent per year, which pales in comparison to the skyrocketing costs of providing health care.

To now cut payment rates 5 percent for four years will, without question, force early retirements among physicians who are primarily serving our seniors, or force physicians to limit the number of Medicare patients they serve. More seriously, in the long run under-reimbursing our doctors in yet another public health care program will discourage the top quality students medicine has traditionally attracted and erode the world famous quality of American medicine.

Today, I am introducing legislation that would implement the recommendations of the Medicare Payment Advisory Commission (MedPAC) and reform Medicare's doctor payment formula. The bill repeals the Sustainable Growth Rate (SGR) system that has resulted in unpredictable payment increases and cuts. If left in place, the present SGR system is projected to cut physician payments by more than 20 percent over the next several years. My bill increases payments to physicians by 2.5 percent in 2003 and ties future updates to an index similar to the Medicare Economic Index, making the system for adjusting physician payments similar to that for adjusting Medicare payments to other providers. While much work remains to be done to understand and manage the cost of this common-sense reform, rational payment rates are essential to maintaining the quality of Medicare.

I am committed to providing physicians with a more stable, predictable, and fair payment formula. Absent such reform, we will short-change our physicians and threaten both access to care and quality of care for our seniors.

### HONORING 2002 MEN AND WOMEN OF HEART GALA HONOREES

### HON. NICK LAMPSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. LAMPSON. Mr. Speaker, I rise today to honor the 2002 Men and Women of Heart Gala honorees. The honorees have dedicated themselves to their communities and to service. I am proud to represent them here in Washington. The recipients are: Anita Fogtman, Colin Fox, Norman Frede, Kathleen Harlan, Bette Johnson, Bill Lowes, Victor Maria, Floyd H. Myers, Charlotte Tetter, and Paula Orcutt Thomas.

These citizens were presented this award for their committed and caring service to their fellow Texans, and have helped make their communities better places for all.

### NEWLY RELEASED DOCUMENTS SHOW PERSECUTION OF BELIEVERS BY CHINESE GOVERNMENT

### HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. WOLF. Mr. Speaker, an organization called the Committee for Investigation on Persecution in China has compiled an unparalleled trove of documents concerning religious persecution by authorities of the People's Republic of China (PRC). The organization's

president, Li Shixiong, has compiled an extensive archive that documents some 22,000 testimonies about persecution of Christians in China. This archive also contains court transcripts, internal PRC government documents and photographs.

The work of the Committee for Investigation on Persecution in China provides a unique insight into how the PRC persecutes and imprisons people of faith, and restricts religious freedom throughout the country.

Attached for our colleagues is a copy of an article about the work of the Committee for Investigation on Persecution in China that appeared in the March 11, 2002, issue of the magazine *Christianity Today*.

[From *Christianity Today*, Mar. 11, 2002]

"NEW" CHINA: SAME OLD TRICKS

TOP COMMUNISTS, DESPITE THEIR DENIALS, ENDORSE ARREST AND TORTURE OF CHINESE CHRISTIANS BY THE THOUSANDS

(By Tony Carnes)

A Chinese Christian refugee in New York, working with Christians in China, has compiled an extensive new archive documenting brutal religious persecution that has caused more than 100 deaths and thousands of injuries.

Activist Li Shi-xiong, head of the New York City-based Committee for Investigation on Persecution of Religion in China, believes these documents establish that communist rulers at the highest levels take an active role in persecuting house-church Christians. In the past, top leaders in China have blamed repression on overzealous local officials.

The New York committee timed its unveiling of the archive to influence President Bush during his February trip to China.

The archive is a 10-foot-high stack of 22,000 testimonies about persecution of Chinese Christians. It includes court transcripts, internal government documents, and photographs. Experts call it the largest collection ever assembled on the persecuted church in China.

"The secret documents alone are extremely rare and incredibly important," says Carol Hamrin, a star China analyst who recently retired from the State Department. The mammoth collection, which Li calls a "truth bomb," includes 5,000 detailed testimonies of Chinese Christians describing their arrests, interrogations, and jailings. Many account include photographs of the persecuted believers, including injuries they suffered while in custody. Some case files include official arrest and court records. The largest number of testimonies comes from central Henan Province, where persecution has dramatically escalated since 1999. Li's group has also collected partial reports on 17,000 others, mostly Christians, persecuted for their religious beliefs.

Li is also documenting the cases of 117 religious people who have died while in official custody, 700 who have been put in labor camps, and 550 who are wanted by the police but are in hiding. He is also investigating 300 police officers accused of being especially abusive.

Freedom House's Nina Shea has written that Li's archive is a "tremendous work." Shea, a member of the U.S. Commission on International Religious Freedom, marvels at Li's "dedication to the cause of religious freedom and his amazing work in the documentation of so many thousands of cases of the persecution of China's Christians." Freedom House, an advocacy organization founded in 1941 by Eleanor Roosevelt, plans to make extensive use of the archive.

China scholar Brent Fulton, head of China Source in Los Angeles, is aware of the ar-

chive but has not examined its contents. He says the documents indicate the "degree of seriousness" with which China approaches unregistered religious groups. "They see the unregistered groups as a national security threat."

Li and the New York committee believe that going public with the archive will build international political pressure on China's leaders to end their repression of religion. Fulton foresees the government searching for those who leaked the documents. He also expects more crackdowns. But, he says, "The long-term response to the release of these papers will be good."

#### A SENSITIVE TIME

The revelation of the archive comes at a sensitive time for China. Political leaders say that the nation of 1.3 billion people faces wrenching changes related to its entrance into the World Trade Organization (WTO) last December. WTO membership will lower trade barriers, enabling China to compete for trade on a more level playing field. Certain parts of China's economy, such as high tech, are expected to do well. Others, such as the inefficient and subsidized industrial and agricultural sectors, may be pummeled. Millions of unskilled laborers could be thrown out of work.

Seeking to maintain its grip on society, the Chinese government since 1999 has been waging a campaign against "cults," such as the Falun Gong movement. (Falun Gong adherents use physical exercise as a spiritual discipline.) China's officials are trying now to eliminate what they consider undesirable movement, because WTO membership will bring additional international pressure on China to improve its poor record on human rights. "[China's] officials spell out that the anti-cult campaign is a preparation for the further opening of society because of China joining the World Trade Organization," Hamrin says. But, Fulton adds, "There are in fact a lot of cult groups that are doing bad things."

Says Eric Burklin, president of Colorado-based China Partner, "China wants to have a positive image with the rest of the world. The government can't really discern the cults from the non-cults because [China's top leaders] are atheistic."

The archive makes it clear that repression of religion is official state policy at the highest levels—not merely a local and sporadic phenomenon, as China usually claims. In the documents, officials say the cults are "soaking into" and weakening the foundations of state authority. Officials link rising religious influence to the increased influence of Western cultural values of democracy and equality.

In public, Chinese leaders are vague on what actually constitutes a cult. "Cults are not religions," Premier Zhu Rong Ji said in a December meeting on religion. Critics say this approach allows authorities to crack down on any groups they do not like—including many house churches. These churches typically do not register with the government-sponsored Three-Self Patriotic Movement.

While there is no consensus on the number of Christians in China, Operation World estimates the presence of 45 million people in house churches and another 40 million members and adherents in the official church. There are about 12 million Catholics in China, in both state and unofficial groups.

Hamrin, who favors improving trade relations with China, says that this latest government repression will worsen matters. "This massive campaign against millions of their people will exacerbate social tensions"

#### AGGRESSIVE ACTIONS

In a recent public pronouncement, China's government declared that religion has never

fares better. Ye Xiaowen, the head of the Religious Affairs Bureau, toured the United States last year. Ye claimed that the government had initiated a "golden time" for religion. China's president, Jiang Zemin, recently told a U.S. congressional delegation in Beijing, "I am looking forward to seeing a church on one side of every village and a mosque on the other side."

During the second week of December, top communist leaders gathered in Beijing to discuss religion policy. Jiang led off with a speech declaring, "The influence of religion on political and social lives in today's world should never be underestimated."

In lower-profile gatherings, however, the talk tilts toward intensive surveillance of religion, according to Li's archival materials. In a speech, a local public security official in charge of religion quoted Hu Jintao, likely to be the next leader of China, on the proper approach to a "cult": "Watch and follow its direction and deal with it by law at the proper time." As the orders filter down, local leaders often act aggressively. A provincial security chief says, "Talk less and smash the cult quietly."

Li's archive documents how the anti-cult campaign was quickly broadened to include many well-known Protestant groups. In just one example, on August 18, 2001, authorities raided three offices of the South China Church. They arrested 14 people, using fists and electric clubs to obtain accusations against the pastor.

"The central government is defining whole groups as targets of extreme measures," says Hamrin, who produced the U.S. State Department's first annual reports on religious freedom and persecution in China. For example, more than 300 Chinese associated with the Falun Gong movement have died while in China's custody.

Increasingly, groups are targeted not just for breaking civil laws on registration and holding unauthorized meetings, but for their beliefs and religious doctrine. The government, the archive shows, especially dislikes preaching about "the end of the world" or teaching that "the Lord can heal a person of disease."

According to the archive, the Ministry of Public Security spells out five characteristics of a cult, ranging from the clearly defined "deifying its top leader" to the grab bag of "stirring up and deceiving others." (See "What China's Secret Documents Reveals")

The documents show that officials are especially wary of unregistered church groups that attempt to link with other unregistered groups. In such cases, the archive shows, officials are returning to the fierce battles from the era of Mao Zedong, China's first communist ruler, from 50 years ago. This has led to tremendous abuses. In April 2000, officials put Peter Xu's Born Again Movement on their cult list. Officials set quotas for arrests, putting pressure on local police to obtain confessions. Police often beat, slap, and use electric shocks to obtain those confessions.

Leaders of the large South China Church organization also have been hit hard by recent arrests. A document from a police official in the provincial religion office hints that poorly trained police in Hebei Province are resorting to abusive interrogation methods instead of quiet information-gathering. The archive reveals several recent cases of local police trying to bribe the families of people they had killed under interrogation. Leaders of the South China Church report, "On July 20, 2001, we heard the news that Yu Zongju was tortured to death. The police did not inform her family until her body started to smell. They asked her family to meet them in a restaurant. They paid them \$8,000 and warned them to keep quiet."

## CHRISTIAN NETWORKS "MUTATE"

Last year, the Bush administration sponsored a resolution for the United Nations Commission on Human Rights that condemned Beijing's human rights record. Amnesty International reported in 2001 that China's use of torture was widespread and systematic.

China analysts such as Hamrin say that the Chinese government, wishing to improve its image internationally, probably will respond favorably to pressure to improve human rights.

"China has really developed and they have tasted too much freedom to go back," says Eric Burklin of China Partner. "There would be major bloodshed if they tried to go back to Maoist times."

But Li's archive shows that China's emerging strategy for dealing with the house-church movement is comprehensive and difficult for outsiders to counter. Officials gain access through informants, harass leaders, block communication, and strip churches of financial assets, including church buildings and homes.

The government notes in the documents that house-church Christians already have a means to resist these new efforts at repression. House-church leaders reportedly are creating networks that constantly mutate. Leaders communicate with wireless phones and hard-to-trace Web sites. In response, the government has begun building a national computer network known as the "Golden Shield" in order to conduct Internet surveillance and information-gathering.

Meanwhile, the impact of Li's archives promises to be seismic. "It's a bombshell," Shea says.

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 TRIBUTE TO ABELARDO "ARBIE"  
VILLARREAL

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 HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. BACA. Mr. Speaker, today I pay tribute to the memory of a man who was very special to me and to the entire Inland Empire community, Abelardo "Arbie" Villarreal, a longtime professor at San Bernardino Valley College.

Like a ray of sunshine, Arbie came to San Bernardino Valley College (SBVC) in 1971 to teach English, mainly to foreign students. A tall, thin, meticulously groomed man with sharp, angular features and a ready smile, Arbie was easily recognized on campus. He was the first ESL teacher at SBVC, and he was able to reach out to the community by establishing ties between the college and the area's rapidly growing Spanish-speaking population.

Arbie was a great asset to Valley College and was recognized as "Outstanding Professor." He was awarded a Fulbright Scholarship/Fellowship to teach abroad, which allowed him to live and teach in Switzerland for two years. His knowledge of foreign languages easily opened doors for him in Europe. He spoke Spanish and Italian fluently and managed in French and Portuguese.

Last summer, Arbie was awarded a faculty fellowship to spend six marvelous weeks in Washington, D.C. working at the US Department of Agriculture. He was surprised to reunite with several friends now settled in Washington who he met almost 40 years ago during a training program to join the new and exciting

Peace Corps. Arbie spent two unforgettable years in Columbia with the Peace Corps.

Arbie was born in Texas but raised in Albuquerque, New Mexico. His mother, Amelia, and his older brother, Gilbert, still live in New Mexico. Arbie's twin, Hilly, also moved to California like his brother to teach at Cal State Los Angeles. Arbie's youngest brother, Albert, followed his beautiful Texan bride back to Texas.

Arbie was exuberant, well-prepared, good-looking, fun to be with, and curious about the world. He was so curious, in fact, that in order to learn more about Italy, he married his Italian student Maria, his wife of 28 years. Together they enjoyed their friends, travels, romantic candlelight dinners in their patio, the theater, music, Victorian dances, and books that they read to each other.

Arbie was loved, admired and respected by his adoring students, the faculty and staff of Valley College, and by his countless friends spread across two continents. Arbie's illness and death hit the San Bernardino Valley College campus very hard. During his hospitalization in September 2001, students organized a blood drive in his honor. More than 50 people donated blood while some people had to be turned away because turnout was so high.

Arbie's widow, Maria said that her husband loved life and battled his disease courageously. While he was in Washington over the summer, he developed pain in his lower back. Initially, this was the only symptom, and as he was a healthy man, he thought it was just a strained muscle until he was diagnosed with kidney cancer.

Arbie passed away on Wednesday, February 27, 2001 surrounded by his loving family. The Villarreal family set up the Abelardo "Arbie" Villarreal Memorial Scholarship Fund for students at San Bernardino Valley College. Friday, March 8, 2001, the college will hold a memorial service in his honor.

And so Mr. Speaker, I submit this loving memorial to be included in the archives of the history our country. It is men like Arbie who make this nation great. Arbie leaves a legacy of lives filled with education and enrichment of knowledge for those whose lives he touched.

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 TRIBUTE TO THE COLORADO  
CHERRY CREEK DIVERSITY CON-  
FERENCE

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 HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. SCHAFFER. Mr. Speaker, it is an honor to rise today to congratulate the Colorado Cherry Creek Diversity Conference Executive Council. On February 2, 2002 students from 79 schools attended the conference that was held at Cherry Creek High School in Englewood, Colorado.

The Cherry Creek Diversity Conference was created as an opportunity for Colorado high school students to come together and discuss issues of diversity in their schools. Since the first year, when 18 schools participated, the conference has grown to include over 850 student representatives from 79 high schools and 150 adult volunteers. The conference gives an annual Human Rights Award to a Colorado organization that promotes diversity, as well as a scholarship to one attendee who has worked

in his or her school to foster a more harmonious school environment.

The event was almost entirely planned and coordinated by the executive council, which was co-chaired by Nicholas Ferguson of Elizabeth, Colorado, and Challona Coleman of Aurora, Colorado. To put together this year's conference, students from 22 schools met once a week to plan the one-day event that included motivational speaker Michael Simmons, small-group discussions and more than sixty workshops. Janet Sammons, a teacher at Cherry Creek High School helped guide the students into making this year's conference an overwhelming success.

I applaud the efforts of Colorado high school students to improve relations between all people no matter their race, religion, or creed. As stated in the Pledge of Allegiance, we are "one nation, under God, indivisible, with liberty and justice for all."

I ask the House to join me in thanking high school students from across Colorado who participated in the Colorado Cherry Creek Diversity Conference, and also the executive committee for their hard work and success.

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 PAYING TRIBUTE TO SANDRA  
WILKINS

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 HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to Sandra Wilkins and thank her for her extraordinary contributions in the Chaffee County Treasurer's Office. Her life-long dedication to both her job and the people of Chaffee County is matched only by the level of integrity and honesty with which she has conducted herself each and every day while at her post. She will always be remembered as an employee with the utmost dedication and talent, and will continue to be known as a leader in her community. As she celebrates her retirement, let it be known that I, along with each and every person with whom she has worked and the people of Chaffee County, are eternally grateful for all that she has accomplished in her more than 30 years of public service.

Sandra went to work in the Chaffee County Treasurer's Office in 1971, working for John Hughes. After Mr. Hughes retired in 1986, Sandra ran successfully for the post of county treasurer, and was subsequently re-elected three times. For over 30 years, Sandra has selflessly given her time, energy and unrelenting commitment to the people of Chaffee County, and although Chaffee County is no doubt sad to lose her services, everyone is happy that she will now have more time to travel, relax, and enjoy her well-deserved retirement.

Mr. Speaker, it is clear that Sandra Wilkins is a woman of unparalleled dedication and commitment to both her professional endeavors and the people of her community. It is her unrelenting passion for each and every thing she does, as well as her spirit of honesty and integrity with which she has always conducted herself, that I wish to bring before this body of Congress. She is a remarkable woman, who has achieved extraordinary things in her career and for her community. It is my privilege

to extend to her my congratulations on her retirement and wish her the best in her future endeavors.

CONGRESS BEARS THE RESPONSIBILITY TO ENSURE THE SOLVENCY OF SOCIAL SECURITY

**HON. ALCEE L. HASTINGS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to join with my colleagues in expressing my concern about the Administration's budget and how it jeopardizes the Social Security Trust Fund.

I would like to begin by reminding my friends that within the last year, the overall cumulative surplus has shrunk from \$5.6 trillion to about \$1.6 trillion; this is a difference of approximately \$4 trillion in one year. Also last month, the Administration expressed the need for legislation that would raise the statutory debt ceiling in order to prevent a national default. Add the proposal to raid the Social Security Trust Fund surplus into this mix, and we have got a situation that the Democrats have been warning about and objecting to for the last year.

Mr. Speaker, the war on terrorism and homeland security are very important, but so is the economic well being of this country. We will support the Administration in the war on terrorism, but we will oppose any legislation that disregards the economic well-being and future prosperity of our citizens. National security and homeland security can be achieved without penalizing, Social Security and Medicare.

According to a Social Security primer published in September 2001 by the Congressional Budget Office, over the next three decades, the number of people over 65 years of age will rise by 90 percent, whereas the number of people below 65 years of age will rise by only 15 percent. This is a major demographic shift that will stretch the Social Security program to its fullest.

In his budget for FY 2003, the President is seeking more than \$2 trillion in spending. This implies that for the rest of his term, the government will have to consistently dip into the Social Security Trust Fund surplus to fund its day to day operations. All this, despite the promises made by the Administration last year to leave the Social Security surplus untouched. It was in February 2001, in his address to the joint session of Congress, that the President stated that his budget will protect all \$2.6 trillion of the Social Security surplus. Other Republicans echoed the same promise. A promise that they are trying to break as we speak. With these facts blatantly staring us in the face, we should be ensuring Social Security benefits for the public and not dissolving them.

It is true that the American citizens are concerned about national and homeland security. But, they are also concerned about their Social Security and Medicare benefits. We cannot and should not accomplish one at the expense of the other. It is time to keep the promises we made to the American public and ensure that the Social Security surplus is intact for the benefit of the current and future workforce.

HONORING THE NEW FAITH CHURCH AND PASTOR T.R. WILLIAMS

**HON. KEN BENTSEN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. BENTSEN. Mr. Speaker, I rise to congratulate the New Faith Church located at 4315 West Fuqua Street, Houston, Texas, and the Reverend Theodore Roosevelt (T.R.) Williams, Sr., celebrating 25 years of service to the Houston community.

The New Faith Church was organized on February 27, 1977, as the New Faith Missionary Baptist Church. Under the leadership of its original and current pastor, the Reverend T.R. Williams Sr., and an initial body of fifty-two members, adopted the church motto which came from Nehemiah 4:6, . . . "for the people had a mind to work." Beginning in March 1977, services were held in Magnolia Lodge Masonic Hall at 2792 McGowen, and less than one year later on January 15, 1978, Pastor Williams and a membership of 142 entered New Faith's present church home on Fuqua.

From its inception, New Faith's priorities have been in accord with God's directives, and members served the church through participation in Bible Study, Deacons, Brotherhood, Junior and Senior Missions, Junior and Senior Usher Board, Adult, Youth and Sunshine Choir, and Boy and Girl Scouting programs. New Faith also has a tape ministry where quality cassette recordings of all worship services and special programs are made available at nominal cost. In addition, they have a premarital course to assist engaged couples in building a life together on a spiritual foundation and a leadership course to prepare men as spiritual leaders both at home and at church.

Under the leadership of Reverend Williams, the congregation has grown to more than 1,600 members with facilities on more than ten acres of property. Reverend Williams is assisted by Reverend Drew E. Marshall, Assistant Pastor; and the Minister of Music, Reverend Ronald J. Materre; Minister of Prison Care, Reverend Christopher Lumpkin; Minister of Pastoral Care, Reverend Rosetta Whitfield; Minister of Christian Education, Reverend Lekesha Barnett; Minister of Youth and Young Adults, Reverend Howard Earle; and Minister of Children, Sheryl Williams Edmonson. Additionally, a number of dedicated and talented individuals, both paid staff and volunteers, support the broader ministries and the demands of the church family through their day to day commitment and active involvement in church operations.

Mr. Speaker, I congratulate Pastor Williams on his 25 years of service to the New Faith Church and to all the members of New Faith Church as they look back on 25 years of service to their community. I wish them continued success as they build on the strong sense of community they have established in the city of Houston.

THE FUTURE OF SOCIAL SECURITY

**HON. CAROLYN MCCARTHY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mrs. MCCARTHY of New York. Mr. Speaker, I rise to discuss the future of Social Security.

Social Security is the basis of the American worker's retirement. Given the essential role it plays for every generation, regardless of gender, race, or socioeconomic status, I believe all my colleagues join me in support of this program.

Unfortunately, that is where our common ground ends.

We all know Social Security is in danger, and we all know something must be done. We just disagree as to how we can accomplish this difficult—yet necessary—task.

Each year, more Americans retire and begin collection of Social Security, but not enough people are joining the workforce to supplement the depleting funds. We must find a way to finance the Social Security Trust Fund without cutting guaranteed benefits.

I firmly believe investment is a critical part of the American worker's future, but I don't believe the government can promote investment at the expense of current retirees. Today, as my generation approaches retirement age, and we plan our finances for the future, I count on receiving Social Security benefits.

I don't recommend the American public rely solely on Social Security for their retirement. I want every generation to think constructively about their retirement by saving and investing money outside of Social Security. Since I want my constituents to retire in comfort, I want to make sure their money is secure. That is why I support pension reform legislation, why I believe each and every American worker should be actively involved in their finances, and why I know Social Security must be saved—not replaced by an alternative and faulty solution.

There is nothing to debate—if Congress doesn't do something to strengthen and finance Social Security, the trust fund will run out in 2038. My colleagues and I are good at waiting until the last minute to solve a problem . . . but this isn't one with which we should play political games.

THE EMERGENCY CONTRACEPTION EDUCATION ACT

**HON. LOUISE MCINTOSH SLAUGHTER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Ms. SLAUGHTER. Mr. Speaker, I am pleased to introduce today, along with my Senate colleague PATTY MURRAY, The Emergency Contraception Education Act. This bipartisan legislation will help educate women and health care providers across the nation about this important method of contraception. EC has often been called "the nation's best kept secret" because so few women in this country know that, in emergency situations, something is available that can prevent pregnancy after sexual intercourse.

It is estimated that almost 90 percent of women aged 18–44 have either never heard

of emergency contraception, or don't know the key facts critical to the use of emergency contraception. Only one percent of women aged 18–44 have used emergency contraception. Were information about this important contraceptive choice readily available, the incidence of abortion could be drastically reduced. Our legislation is an attempt to get this information to precisely the women and health care professionals who need it.

One of the reasons this bill is so necessary is because there is so much confusion surrounding emergency contraception. EC is not abortion; it is not RU-486; it is contraception. Regardless of one's position on abortion, we should all be able to support emergency contraception. EC will reduce unintended pregnancies, and therefore reduce abortions.

Proof of the effectiveness of EC's ability to reduce unwanted pregnancies is found in Senator MURRAY'S home state of Washington, where emergency contraception is available without a prescription at pharmacies. In Washington State, pharmacy access to emergency contraception has helped produce the largest declines in adolescent pregnancy and in abortion rates in the last 20 years.

This legislation has been endorsed by the American College of Obstetricians and Gynecologists (ACOG). I hope that my colleagues in both the House and Senate will join Senator MURRAY and me, as well as the health professionals of ACOG, in championing this important reproductive health option for women across the country.

TRIBUTE TO LAVINIA M.C.  
HARTFIELD

**HON. DALE E. KILDEE**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 2002*

Mr. KILDEE. Mr. Speaker, I rise today to offer congratulations to Mrs. Lavinia M.C. Hartfield upon her retirement from the International Free and Accepted Modern Masons and Order of the Eastern Star. Mrs. Hartfield will be honored at the National Midwest District Convention to be held in Grand Rapids, Michigan on March 9.

For the past 51 years Mrs. Hartfield has faithfully served this organization in a wide variety of positions. As one of the original founding members of the International Free and Accepted Modern Masons Mrs. Hartfield has remained a dynamic force in moving the organization forward. She is the first national district Grand Matron for the National Midwest District. The district consists of the states of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, and Wisconsin. She serves on the First Supreme Board of Directors, the Corporate Secretary, the Grand Matron of the Edith Sampson Grand Chapter Order of the Eastern Star for the State of Michigan for the past four years and Secretary of the Exalted Degree Department of the organization. She was elected Supreme Recording Secretary at the first International Masons and Order of the

Eastern Star Supreme Convention in Canton, Ohio and is still serving in that position.

Lavinia Hartfield has carried the principles of the International Free and Accepted Modern Masons of charity, benevolence and education into other areas of her life. As a member of the NAACP, The Urban League, and the Greater Flint Council of Churches she has worked to bring charitable service to everyone she meets. Honored by her peers, she was honored in 1975 by the Zeta Phi Beta Fraternal Sorority as the "Zeta Woman of the Year."

Rooted in the Bible and Christian doctrine, Mrs. Hartfield has returned her God-given musical talent to the Lord's service at Macedonia Missionary Baptist Church. Since her early childhood, Lavinia has provided musical inspiration to the congregation. Working tirelessly as the choir director, music coordinator, and gospel soloist she is presently carrying on the Lord's work as the assistant choir director.

Mr. Speaker, I ask the House of Representatives to join me in honoring Mrs. Lavinia Hartfield as she retires from active service with the International Free and Accepted Modern Masons and Order of the Eastern Star. Along with her husband of 47 years, Dr. Turner S. Hartfield, Lavinia Hartfield has served God, her community, her church and her family with zeal, compassion, and courage.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, March 7, 2002 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 8

9:30 a.m.  
Joint Economic Committee  
To hold hearings to examine the employment-unemployment situation for February 2002.

311, Cannon Building

10 a.m.  
Appropriations  
Energy and Water Development Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 2003 for the U. S. Army Corps of Engineers and the Bureau of Reclamation, Department of the Interior.

SD-138

MARCH 11

1:30 p.m.  
Governmental Affairs  
International Security, Proliferation and Federal Services Subcommittee  
To hold hearings to examine the Central Intelligence Agency national intelligence estimate of foreign missile development and the ballistic missile threat through 2015.

SD-342

MARCH 12

9:30 a.m.  
Environment and Public Works  
Superfund, Toxics, Risk, and Waste Management Subcommittee  
To hold hearings to examine environmental enforcement.

SD-406

10 a.m.  
Appropriations  
Commerce, Justice, State, and the Judiciary Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 2003 for the Department of State.

SD-138

Finance  
To hold hearings to examine welfare reform issues.

SD-215

Health, Education, Labor, and Pensions  
Public Health Subcommittee  
To hold hearings to examine solutions for uninsured patients.

SD-430

2:30 p.m.  
Armed Services  
Emerging Threats and Capabilities Subcommittee

To hold hearings on proposed legislation authorizing funds for fiscal year 2003 for the Department of Defense and the Future Years Defense Program, focusing on special operations military capabilities, operational requirements, and technology acquisition.

SR-222

Governmental Affairs  
International Security, Proliferation and Federal Services Subcommittee

To hold hearings on S.1800, to strengthen and improve the management of national security, encourage Government service in areas of critical national security, and to assist government agencies in addressing deficiencies in personnel possessing specialized skills important to national security and incorporating the goals and strategies for recruitment and retention for such skilled personnel into the strategic and performance management systems of Federal agencies.

SD-342

Environment and Public Works  
To hold hearings to examine the President's proposed budget request for fiscal year 2003 for the First Responder Initiative.

SD-406

MARCH 13

9:30 a.m.  
Armed Services  
Personnel Subcommittee  
To hold hearings on proposed legislation authorizing funds for fiscal year 2003 for the Department of Defense Health Program.

SR-232A

Environment and Public Works  
To hold hearings to examine the economic and environmental risks associated with increasing greenhouse gas emissions.

SD-406

Governmental Affairs  
To resume hearings to examine public health and natural resources, focusing on implementation of environmental laws.

SD-342

10 a.m.  
Appropriations  
Commerce, Justice, State, and the Judiciary Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 2003 for the Department of Commerce.

SD-116

Judiciary  
Technology, Terrorism, and Government Information Subcommittee  
To hold hearings to examine the worldwide connection between drugs and terrorism.

SD-226

Banking, Housing, and Urban Affairs  
To hold oversight hearings on the implementation of the Transportation Equity Act for the 21st Century (105-178).

SD-538

10:30 a.m.  
Appropriations  
Legislative Branch Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 2003 for the Library of Congress and the Congressional Research Service.

SD-124

2:30 p.m.  
Commerce, Science, and Transportation  
To hold hearings on the nominations of Robert Watson Cobb, of Maryland, to be Inspector General, and Major General Charles F. Bolden, Jr., United States Marine Corps, to be Deputy Administrator, both of the National Aeronautics and Space Administration.

SR-253

Intelligence  
To hold closed hearings to examine pending intelligence matters.

SH-219

MARCH 14

9:30 a.m.  
Armed Services  
To hold hearings on proposed legislation authorizing funds for fiscal year 2003 for the Department of Defense, focusing on the atomic energy defense activities of the Department of Energy.

SH-216

Commerce, Science, and Transportation  
To hold hearings to examine.

SR-253

Commerce, Science, and Transportation  
To hold hearings on the proposed National Defense Interstate Rail Act.

SR-253

10 a.m.  
Veterans' Affairs  
To hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentations of the Gold Star Wives of America, the Fleet Reserve Association, the Air Force Sergeants Association, and the Retired Enlisted Association.

345, Cannon Building

Judiciary  
To hold hearings to examine competition, innovation, and public policy concerning digital creative works.

SD-226

2 p.m.  
Veterans' Affairs  
To hold hearings on the nomination of Robert H. Roswell, of Florida, to be Under Secretary for Health, and the nomination of Daniel L. Cooper, of Pennsylvania, to be Under Secretary for Benefits, both of the Department of Veterans Affairs.

SR-418

Foreign Relations  
To hold hearings on the nomination of Richard Monroe Miles, of South Carolina, to be Ambassador to Georgia; the nomination of James W. Pardew, of Arkansas, to be Ambassador to the Republic of Bulgaria; and the nomination of Peter Terpeluk, Jr., of Pennsylvania, to be Ambassador to Luxembourg.

SD-419

MARCH 15

10 a.m.  
Appropriations  
Energy and Water Development Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 2003 for the Department of Energy.

SD-138

MARCH 19

9:30 a.m.  
Armed Services  
To hold hearings to examine the worldwide threat to United States interests (to be followed by closed hearings in SH-219).

SH-216

10 a.m.  
 Appropriations  
 Commerce, Justice, State, and the Judiciary Subcommittee  
 To hold hearings on proposed budget estimates for fiscal year 2003 for the National Oceanic and Atmospheric Administration and the Small Business Administration.

SD-138

MARCH 20

10 a.m.  
 Judiciary  
 Technology, Terrorism, and Government Information Subcommittee  
 To hold hearings to examine identity theft and information protection.

SD-226

2 p.m.  
 Veterans' Affairs  
 To hold joint hearings with the House Committee on Veterans' Affairs to ex-

amine the legislative presentations of American Ex-Prisoners of War, the Vietnam Veterans of America, the Retired Officers Association, the National Association of State Directors of Veterans Affairs, and AMVETS.  
 345, Cannon Building

MARCH 21

10 a.m.  
 Appropriations  
 Commerce, Justice, State, and the Judiciary Subcommittee  
 To hold hearings on proposed budget estimates for fiscal year 2003 for the Federal Bureau of Investigation, Immigration and Naturalization Service, and the Drug Enforcement Administration, all of the Department of Justice.

SD-116

APRIL 10

10:30 a.m.  
 Judiciary  
 Antitrust, Competition and Business and Consumer Rights Subcommittee  
 To hold hearings to examine cable competition, focusing on the ATT-Comcast merger.

SD-226

CANCELLATIONS

MARCH 19

9:30 a.m.  
 Armed Services  
 To hold hearings on worldwide threats to United States interests; to be followed by closed hearings (in Room SH-219).

SH-216