

SENATE—Wednesday, May 26, 1993

(Legislative day of Monday, April 19, 1993)

The Senate met at 8:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. BYRD].

The PRESIDENT pro tempore. The Senate will come to order.

Leading the Senate in his prayer to the Supreme Lawgiver, Creator of the universe, Creator of life and life eternal, is the Senate Chaplain, the Reverend Richard C. Halverson.

Dr. Halverson, please.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

**** in quietness and in confidence shall be your strength ***.*—Isaiah 30:15.

Gracious God our Father, as the Senate considers crucial issues with profound implications for the Nation and the world—in an atmosphere in which more and more people are expressing mistrust of the institution—help the Senators to realize there is One who understands them, loves them, and desires to lead them. In the milieu of crisis, controversy, conflict, compromise, and confusion, teach them the wisdom of moments of withdrawal, waiting upon God in quiet reflection and prayer. Help them understand that to be too busy for God is to be too busy. It is to deny one's self the availability of a Supreme Resource.

Dear Lord, convince the Senators of Your nearness, Your availability, Your relevance to whatever issues they face. May they find meaning in the words of Isaiah, *"*** in quietness and in confidence shall be your strength ***."*

In Jesus' name. Amen.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order there will now be a period for the transaction of morning business not to extend beyond the hour of 11 o'clock a.m., with Senators permitted to speak therein for not to exceed 5 minutes each.

The first hour of morning business will be under the control of the Sen-

ator from Oregon [Mr. PACKWOOD] or his designee.

Mr. PACKWOOD is recognized under the order.

Mr. PACKWOOD. I thank the Chair. Is it correct that that 5-minute limitation does not apply to the first hour?

The PRESIDENT pro tempore. It is not. The first hour is under the control of the Senator from Oregon [Mr. PACKWOOD].

Mr. PACKWOOD. I appreciate that. Thank you very much, Mr. President.

THE RECONCILIATION

Mr. PACKWOOD. Mr. President, we are going to be entering into serious debates now in the Congress, in the House and Senate, after the recess, on the so-called President's budget or, as we call it now in Congress, reconciliation. That is a fancy term, and anyone listening to me need not worry about that.

We are going to be voting on taxes and spending in a package that has been fashioned jointly, by and large, by the Democratic majority in the House, the Senate and the President. The Republicans, by and large, have opposed it.

I do not plan today to get into the arguments as to each and every item. But I do plan to get into the philosophy of what it is we are talking about and why the Republicans are so opposed.

First, I want to quote from what we call the 1978 Byrd amendment. This is not the Chair, but this is Harry Byrd, the Senator from Virginia.

In 1978 we passed the following amendment in Congress. "Beginning with fiscal year 1981, the total budget outlays of the Federal Government shall not exceed its receipts."

That is the law. That was the law. We passed it. And we said in 1978, "by 1981 we are going to have a balanced budget and the law compels it."

Interestingly, in what we call the conference report, when the House and the Senate pass slightly different bills on the same subject, you have to go to conference between the House and the Senate to reconcile the differences. We went to conference, we reconciled the differences. This provision remained in the law. But in the report that accompanies the conference, appears the following language:

The conferees note that this provision may be superseded by the actions of future Congresses.

This is clearly what has happened. In 1978 we said by 1981 we are going to balance the budget; but, oh, by the way, in case somebody else in conference does something different, next month or next year, this does not count.

Indeed, it has not counted. We have not come close to balancing the budget in 1979, 1981, 1982, or 1983, 1984 or onward. This is irrelevancy. What the Congress says it is going to do, balance the budget, does not mean this Congress or any future Congress is going to do it just because we put it in law.

If this Congress, this year, today, said we pass a law that says we are going to spend no more than \$1 trillion, signed into law, goes to the President, he signs it, next week we can pass a law that says no, we decided to spend \$1.1 trillion and, as we do not have the revenue, we are going to borrow the \$100 billion. That will supersede the law to spend \$1 trillion if it was balanced.

So, it is nice language, it is a nice thought. It is an irrelevancy based upon the past actions of this Congress—frankly, of all of the governments in the United States.

Mr. President, at this stage, although I want to refer to them a little later, I ask unanimous consent to have printed in the RECORD two charts that will have some budget figures on them. I would like to put them in at this place in my speech so that those who are following it will have the charts to look at.

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

FEDERAL, STATE/LOCAL, AND TOTAL GOVERNMENT TAXES AND SPENDING AS A PERCENTAGE OF GROSS DOMESTIC PRODUCT: 1950-92

(In percent)

Year	Federal		State/Local ¹		Total	
	Tax	Spend	Tax	Spend	Tax	Spend
1950	15	16	7	7	21	23
1955	17	18	7	7	24	25
1960	18	18	8	8	26	26
1965	17	18	9	9	26	26
1970	20	20	10	10	30	30
1975	19	22	11	10	29	32
1980	20	23	10	9	30	31
1985	19	24	11	9	29	33
1990	19	22	11	10	30	33
1991	19	24	11	11	30	34
1992	19	24	11	11	30	34

¹ This column does not include the receipt or spending of grants-in-aid from the Federal Government, which are counted as Federal expenditures. Note.—All figures rounded. Totals may not add due to rounding. Source: "Budget Baselines, Historical Data, and Alternatives for the Future," Office of Management and Budget, January 1993.

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

TOTAL GOVERNMENT TAXES AND SPENDING FOR SELECTED ORGANIZATION FOR ECONOMIC COOPERATION AND DEVELOPMENT (OECD) COUNTRIES AS A PERCENTAGE OF GROSS DOMESTIC PRODUCT, 1965-90

[In percent]

	1965		1970		1980		1985		1990	
	Tax	Spend								
Switzerland	23	20	27	21	33	29	34	31	34	31
Japan	20	20	21	19	28	33	31	32	35	32
United States	27	28	29	32	31	34	31	37	32	36
United Kingdom	33	36	40	39	40	45	42	46	40	42
Germany	36	37	38	39	45	48	46	48	43	46
Canada	28	29	34	35	36	41	39	47	42	47
France	38	38	39	39	46	46	48	52	47	50
Italy	30	34	30	34	33	42	38	51	42	53
Norway	37	34	44	41	54	51	55	46	56	55
Netherlands	37	39	42	44	53	58	54	60	50	56
Denmark	31	30	42	40	52	57	57	59	56	58
Sweden	40	36	47	43	57	62	60	65	64	61

¹ 1989 data.

Note.—All figures rounded. The percentages in this chart are compiled by the Organization for Economic Cooperation and Development, an association of the major industrialized countries of the world. The OECD uses a different method of calculating government expenditures and revenues than the standard budget accounting method the U.S. Government uses. Therefore, while the figures in this table give an accurate comparison of the spending and revenue trends of our major competitors, these figures should not be compared directly to other data.

Source: Prepared by Greg Esenwein of the Library of Congress from Organization for Economic Cooperation and Development data, January 1993.

Mr. PACKWOOD. Mr. President, the first chart is entitled "Federal, State/Local, and Total Government Taxes and Spending as a Percentage of Gross Domestic Product: 1950-1992." It is a complicated title. What it means is this: How much of the gross domestic product—for that term we will simply mean all of the income in the United States. It does not quite mean that, but for purposes of my discussion you can say it means that. How much of all of the income of the assets of the United States do governments tax and do they spend from 1950 onward?

In 1950, all of the governments of the United States, Federal Government, State governments, local governments—like counties and cities, school districts, water districts, fire districts, all of them—taxed 21 percent of the gross domestic product. So if the gross domestic product was \$100, all of the governments in the United States were taxing \$21.

In that same year, 1950, all of the governments of the United States were spending 23 percent. We had a deficit. We were spending more than we were taking in 40 years ago.

We were taxing 21 percent and spending 23 percent.

Now let us go up 42 years to 1992. Same governments. Whereas in 1950 they were taxing 21 percent of all the money in the United States, they are now taxing 30 percent of it, \$30 out of every \$100. Instead of spending \$23 out of \$100, we are now spending \$34. We still have a deficit. We collect \$30 and we spend \$34. We are taxing 30 percent of the gross domestic product, and we are spending 34 percent.

Have taxes gone up? You bet. They have gone up a total of 50 percent from where they were.

Has spending gone up? Gone up about 50 percent from where it was.

Every time we raise taxes, we spend the money. There is an interesting breakdown, however, if you compare the Federal Government to all local governments, collectively. On all of the State and local governments collectively, their taxes have gone up, their

spending has gone up, but interestingly, it balances. In 1950, all of the State and local governments were taxing 7 percent and spending 7 percent.

Forty-two years later, they are taxing 11 percent and they are spending 11 percent. I think the reason is, they have constitutional amendments that compel them to balance their budgets—all the States, cities, counties, and fire districts. So if they want to spend, they have to tax or they have to cut spending; but they have to make it come out even. The Federal Government does not. There is a significant difference in the column. You might say that is a shame. The United States will not remain competitive if we keep doing that.

So the second chart I will have placed in the RECORD does the same comparison of taxing and spending for our major industrial competitors. This was a chart prepared by the Organization for Economic Cooperation and Development. This is an organization headquartered in Paris, and all the industrial countries belong to it. It is basically a statistical gathering organization, and it does its analysis slightly different from the way we do ours, so the percentages are not quite the same. They are not very far off. The trend is the same in all events in every single country, what we might regard as industrialized competitors. Over the years, their taxes and spending have gone up. They start from a higher base than we did.

Let us take a couple of examples. Let us take Denmark. In 1965, they were taxing 31 percent of their gross domestic product; they were spending 30 percent. They actually had a slight surplus. Twenty-five years later, they are not taxing 31 percent; they are taxing 56 percent, and they are spending 58 percent. They have a deficit.

Let us take just one other: Sweden. In 1965, it was taxing 40 percent and spending 36 percent; in 1990, it was taxing 64 percent and spending 61 percent. So they all do the same thing we have done. If they have money, they spend it. If we have the money, we spend it.

We do not pay down the deficits. We do not reduce spending. Give us the taxes and we spend the money, and it is true in all countries.

That brings us to the issue at hand as to what is going to happen if we pass the so-called reconciliation bill. I am going to call it more or less the outlines of the President's budget that the Democratic majority has agreed to.

This bill allocates the taxes and spending for the next year, and when this bill passes—and it may or may not pass, because we are going to try to defeat it—it will lock in taxes and spending for the next year. The taxes are locked in for the entire 5-year period. All of the so-called spending cuts are not.

I am going to take just the first year of this bill, and there is no argument about the figures that I am giving you. The majority and minority all agree that these figures are accurate for the first year. If this bill passes, we are going to increase taxes, over 5 years, by about \$336 billion gross. We are going to give some people tax cuts of about \$64 billion. But the total increase in taxes, net, when you subtract from the gross the reductions, is a \$272 billion increase in taxes. We are going to lock into place, at the same time we pass this bill, if we do, spending cuts, net—and you have some increase and some decrease—spending cuts of \$55 billion. So you have about a 5-to-1 increase in taxes over spending cuts locked in.

Here is the promise: But, aha; this bill says that in the next 4 or 5 years, we are also to pass other spending cuts. We are not required to. It will take further actions of Congress to do it. It will take all the heart and might and soul of the authorizing committees and the Appropriations Committees, but the bill we pass—if we pass it—will not lock in those spending cuts in future years. We might do them; we might not.

The history of this country and the history of every industrialized country is that if they have the money, they spend it. Now, we pass this bill, and in

comes this \$272 billion in taxes. If we cut \$55 billion in spending, roughly \$215 billion is left over now, and the President says every penny of that is going to go to deficit reduction.

Where is the history that ever indicates that when we have extra money, it goes for deficit reduction? From the time these statistics started in 1950 to today, every time we have extra money, we spend it, not save it. That is why the Republicans are saying, Mr. President, to the Democratic majority in the House and the Senate: Before we pass this tax bill, let us write into law, irrevocably, spending cuts.

Remember, the President said, when he got inaugurated, his budget was going to be \$3 in spending cuts for \$1 in taxes. Then, finally, when we begin to see the budget, it was going to be 2 to 1. Then it was \$1 of taxes for \$1 of spending cuts. Now we have a bill that is \$5 of taxes for \$1 of spending cuts and a promise on the come of more spending cuts.

We have been suckered on that before, in 1982, when President Reagan was promised support on spending cuts. They said: Just support this tax increase, and you will get it. He reluctantly supported the tax increase and never got the spending cuts.

So I do not think it is unfair for the Republicans to say, Mr. President, to the Democratic majority: We will bargain with you.

We might or might not support a real deficit package. I think I would. I would like to see the deficit reduced. I want to see it reduced overwhelmingly by spending cuts, not tax increases. But, in any event, Mr. President, I am not going to buy into something that promises spending cuts later and puts taxes into effect now.

That is where we are, and that is why the Republicans are adamantly opposed, because time after time after time, it has been the same. As they say, "Fool me once, shame on you; fool me twice, shame on me." We are not going to buy into this again.

We have been fooled often enough with promises. What we want now, in the law, is spending cuts of significantly greater magnitude than will be in this bill, if it passes—not a promise, Mr. President, of possible spending cuts in 1994, 1995, 1996, or 1997, and the taxes now. Let us get the spending cuts now in law, and then we will talk about the taxes.

Mr. President, I reserve the remainder of my time.

Mr. ROTH addressed the Chair.

Mr. PACKWOOD. Mr. President, I yield 7 minutes to the Senator from Delaware.

The PRESIDENT pro tempore. The Senator from Delaware [Mr. ROTH] is recognized for 7 minutes.

CLINTON ECONOMIC PLAN FEEDS CONSUMER DOUBTS

Mr. ROTH. Mr. President, yesterday the Conference Board released its

monthly Consumer Confidence Index and the news is not good. Consumer confidence in the Nation's economy fell in May to its lowest level since last October. The No. 1 fear identified by participants in this survey is jobs.

Only 13 percent of those surveyed believe more jobs will be available in the coming months—the lowest level of confidence in job prospects in more than a year.

I believe this continuing drop in consumer confidence can be directly linked to the growing concern of the American people about the dramatic tax increases proposed in the Clinton economic plan. They recognize the plan is heavy on tax increases and light on spending cuts.

Americans are realizing that President Clinton's economic plan is not what it was promised to be.

During the campaign, candidate Clinton promised middle class tax relief. President Clinton's plan will increase taxes by as much as \$500 a year for the average middle-class family.

Last fall, candidate Clinton promised to cut the deficit in half in 4 years and significantly reduce the Federal debt. As President, he would increase the national debt by \$1.4 trillion in the next 4 years. At the end of his 5-year plan, annual deficits will still be in excess of \$200 billion and increasing in future years. This assumes that all of his tax increases will go toward cutting the deficit instead of being spent on new programs, as Congress has done in the past. In fact, since World War II, Congress has spent \$1.59 for every \$1 in tax increases.

Candidate Clinton promised to create hundreds of thousands of new jobs. But independent economic analysis shows his plan will cause an economic decline and serious loss of jobs.

The result of these broken promises is a loss of faith by the American people and American businesses that has produced a sharp drop in consumer confidence.

Mr. President, the reconciliation bill scheduled for action tomorrow by the House proposes \$288 billion in tax increases and user fees and only \$55 billion in spending cuts—that is \$5 in tax increases for every \$1 of spending cuts. That is a far cry from the \$2 in spending cuts to \$1 of tax increases that was advocated by OMB Director Leon Panetta when he testified before the Senate Governmental Affairs Committee during his confirmation hearings.

For the President to argue that these tax increases will go solely to reducing the deficit, while advocating at the same time a tremendous increase in so-called investment spending is contradictory. History proves that the liberal spending Congress will agree to this new spending.

I believe the American people want to give their President the benefit of the doubt. They want to believe Gov-

ernment spending will be cut and that the massive increase in taxes they are expected to pay go to reduce the Federal deficit. But frankly, they have heard these promises before and not so long ago.

The 1990 budget agreement was sold as the deal which would polish off the Federal budget deficit. Unfortunately, the only thing it polished off was the taxpayer's wallet.

In 1990, I argued raising taxes would slow economic growth and increase unemployment. Unfortunately, I was correct. The lessons of the 1990 agreement are simple: Higher taxes stifle economic growth, destroy jobs, and fuel more Government spending.

Who can blame Americans for being skeptical? Why should they believe enacting another unprecedented tax increase will bring the jobs and economic growth that the last one did not? I don't believe it and neither should the taxpayer.

Tax increases will not create jobs or encourage growth in the economy. As I have said on many occasions, you cannot tax America into prosperity.

Mr. President, I yield back the remainder of my time and yield the floor.

Mr. PACKWOOD. Mr. President, I yield 10 minutes to the Senator from New Mexico.

The PRESIDENT pro tempore. The Senator from New Mexico [Mr. DOMENICI] is recognized for 10 minutes.

Mr. DOMENICI. Thank you, Mr. President.

I thank my friend, Senator PACKWOOD, for yielding.

Mr. President, the House of Representatives is scheduled to vote on its 1993 omnibus reconciliation bill tomorrow. As of this time, it appears that the House will proceed with that vote with many nervous Members.

There is good reason for those Members to be nervous.

If they would take the time to truly study the 1,500-page bill they are about to vote on, I think their anxiety would only be further confirmed.

This may be the reason why the President and the Democratic leadership in the House wants to quickly vote on the bill. The more time people have to really study and analyze it the more questionable will be their support.

I would like to take a few minutes to just review the facts—what is in the House reconciliation bill as I have analyzed it.

DEFICIT REDUCTION

First, for the American public—and indeed for many Members of the Congress—this budget process is confusing.

Back on April Fools Day, the Congress adopted a budget resolution that assumed we would pass various kinds of legislation that over 5 years would reduce the deficit about \$440 billion. The majority insists on saying that deficit reduction in that package would

total \$500 billion, but I am using the official CBO numbers.

One of those pieces of legislation that had to pass to achieve the savings in the resolution was a tax and spending bill—a reconciliation bill.

But that reconciliation bill makes up only a portion of the assumed deficit reduction in the budget adopted in the spring—\$337 billion—the remainder \$103 billion comes from future cuts in appropriation bills—almost entirely cuts in defense spending—and assumed reductions in interest payments on our national debt.

So let me be clear, the House will be voting not on a \$500 billion deficit reduction package, not a \$440 billion package, but a \$337 billion package, that just also happens to raise the debt limit to \$4.9 trillion, with no expiration date. And that bill is what I have analyzed here today.

MIX OF TAXES AND SPENDING CUTS

The House reconciliation bill raises gross taxes \$327 billion over the next 5 years—\$44 billion next year alone.

The major tax raisers include:

- Increased individual income taxes, \$115 billion;
- A broad-based Btu tax, \$72 billion;
- A tax on Social Security recipients, \$32 billion; and
- Repeal of the HI wage base cap, \$29 billion;

The House bill also reduces some taxes—\$53.8 billion over the next 5 years—\$11 billion next year alone.

The major tax reducers include:

- R&E tax credit, \$10 billion;
- Small business expensing, \$8 billion;
- Modification of AMT depreciation schedules, \$9 billion;
- Empowerment zones, \$5.3 billion; and
- Passive loss relief, \$2.7 billion.

On net then, the House bill increases taxes a total of \$275.5 billion over the next 5 years—\$32.7 billion next year alone.

Without getting into all the specific policies that back up these huge tax increases at this time, the American public and the Congress needs to understand that the total spending cuts and user fees defined as spending cuts—netting out the spending increases in the bill, which I will discuss later—total only \$61.4 billion in this bill.

User fees in the reconciliation bill total nearly \$16 billion.

As a result, real spending cuts in the bill total \$45.8 billion.

Therefore, the House reconciliation bill if adopted will raise \$6.35 in taxes and user fees for every \$1 of spending cuts.

What is even more disturbing, the taxes come early in the 5 year reconciliation period and the spending cuts in the bill come later. So taxes and user fees will go up \$35 billion next year, while spending cuts in the bill are only \$1.7 billion. That is a ratio of

\$20.68 in taxes/user fees to only \$1 in spending cuts.

TAXES

Everyone is aware that the House reconciliation bill assumes a new energy tax—the Btu tax. I will not discuss the concerns I have about that tax at this time. My position is well known already.

But just for the record, I wonder how well it is known that the House reconciliation bill reintroduces bracket creep. Indexing is postponed for 1 year for the top two individual income tax brackets. The tax threshold levels for the new and higher 36- and 39.6-percent tax brackets stay where they are in 1994, rather than being indexed.

I wonder how well it is generally known that the bill's income tax increases, both corporate and individual, are retroactive to January 1, 1993.

I wonder how well it is understood that the bill once again places new paperwork mandates and reporting requirements on businesses: requirements for employers to notify their employees of EITC availability, and numerous new reporting requirements and statements for other business organizations.

Rather than simplifying the Tax Code, the House bill continues to add to its complexities. New regulations and definitions to keep the tax lawyers in business abound.

The House bill requires the Secretary of the Treasury to issue regulations for at least 15 new provisions, three related to a minimal enterprise zone proposal.

The 400 pages of legislative language contain over 160 new definitions for taxpayers to contend and comply with. And the favorite of a reconciliation bill—at least eight new studies are mandated in the tax title alone.

SPENDING CUTS AND INCREASES

On the spending side the bill is scored as cutting spending over the next 5 years a total of \$45.8 billion. But this masks the almost equivalent amount of new spending increases also found in this bill.

I will insert a table into the RECORD that presents the new spending found in this supposedly deficit reduction bill.

Including new authorizations in this bill, over the next 5 years a total of \$42.6 billion in new spending would be created. Looking only at the new entitlement spending including expansion of existing entitlement programs, the bill will increase spending \$38.8 billion over the next 5 years.

At a time when we are all concerned about controlling entitlement spending, this bill will actually create two new entitlement programs: a childhood immunization entitlement and a health care for illegal immigrants entitle-

ment. While I may not be against the objectives of these programs, I certainly am opposed to creating another uncontrollable spending program.

In addition to these new entitlements, the food stamp program is greatly expanded, and new Medicare and Medicaid expansions are included in the bill.

Where there are scorable spending cuts, I think it is interesting to know that a number of these so-called cuts Congress has done before. Of the nearly \$61.4 billion in spending cuts well over half—54 percent—come from nothing more than an extension of current law spending cuts that expire over the next 5 years.

As an example, the House bill rejected the President's proposal to permanently increase the part B premiums for Medicare beneficiaries. Instead the bill simply extends the current 25 percent premium for 2 more years. The House Ways and Means Committee has claimed savings from this provision seven times since 1982.

I ask unanimous consent that several tables pertaining to reconciliation be printed in the RECORD.

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

RECONCILIATION BY HOUSE COMMITTEE

(In billions of dollars)

Committee	Instructions	1994-98 submitted	Difference
Agriculture ¹	+4.3	+4.2	-0.1
Armed Services	-2.4	-2.3	+1
Banking, Finance, and Urban Affairs	-3.1	-3.1	
Education and Labor	-5.8	-5.8	
Energy and Commerce	-64.5	-65.8	-1.3
Foreign Affairs			
Judiciary	-3	-3	
Merchant Marine and Fisheries	-2	-2	
Natural Resources	-2.0	-2.1	-1
Post Office and Civil Service	-10.6	-10.8	-1
Public Works and Transportation	-3	-3	
Veterans' Affairs	-2.6	-2.6	
Ways and Means:			
Spending	NA	-25.0	NA
Revenues ²	NA	-275.2	NA
Total	-299.8	-300.2	-4
Total reconciliation	-335.8	-336.8	-1
Revenues ³	NA	-275.5	NA
Spending	NA	-61.4	NA

¹ Includes food stamps authorization.
² Revenue increase shown as negative because it reduces the deficit.
³ Includes revenue provisions from committees other than Ways and Means.

RECONCILIATION RATIOS

(House-reported bill, in billions of dollars)

	1994	1995	1996	1997	1998	1994-98
Spending reductions	-1.7	-4.5	-9.1	-14.0	-16.6	-45.8
User fees	2.3	2.6	3.9	3.3	3.4	15.5
Revenue increases	32.7	41.6	54.8	73.8	72.6	275.5
Ratio of taxes and user fees to spending cuts	(1)	(2)	(3)	(4)	(5)	(6)

¹ \$20.68 to 1.
² \$9.77 to 1.
³ \$6.47 to 1.
⁴ \$5.52 to 1.
⁵ \$4.58 to 1.
⁶ \$6.35 to 1.

Note.—Based on CBO/JCT estimates.

NEW SPENDING IN HOUSE RECONCILIATION BILL
[Deficit impact in billions of dollars]

Committee provision	1994	1995	1996	1997	1998	1994-98
DIRECT SPENDING						
AG: Food stamps	0.567	1.529	1.623	1.673	1.750	7.142
EC: Medicare expansions	.004	.006	.007	.009	.011	.037
EC: Emergency medical asst. for undocumented aliens	.300					.300
EC: Universal access to childhood immunizations	.315	.356	.347	.327	.322	1.667
EC: Other medicaid expansions	.073	.075	.086	.098	.111	.443
WM: Medicare part A expansions	.318	.162	.165	.029	.011	.685
WM: Medicare part B expansions	.050	.053	.057	.063	.054	.277
WM: Medicare parts A & B	.037	.049	.076	.094	.102	.358
WM: OASDI expansion	.004	.008	.008	.003	.001	.024
WM: FSLIC double dip	.136	.014	.029	.095	.109	.355
WM: EITC expansion	.339	3.735	6.895	7.191	7.518	25.678
WM: Child welfare services	.174	.132	.232	.367	.575	1.480
WM: Unemployment insurance	.165	.108	.020	.020	.020	.333
Subtotal direct spending	2.482	6.199	9.545	9.969	10.584	38.779
AUTHORIZATIONS						
AG: Rural telephone loans	.001	.005	.008	.011	.013	.038
EC: Grants for state registries	.026	.065	.105	.095	.060	.351
EC: Year 2000 health objectives	.202	.462	.612	.668	.692	6.36
EC: Healthy Start	.025	.057	.077	.084	.088	.331
EC: Maternal and child health	.010	.017	.019	.019	.019	.084
EC: Miscellaneous health	.003	.003	.003	.004	.004	.017
PO: Payment to USPS retiring revenue forgone debt	.029	.029	.029	.029	.029	.145
WM: Medicare (subject to appns)	.061	.057	.030	.030		.178
Subtotal authorizations	.037	.695	.883	.940	.905	3.780
Total new spending	2.839	6.894	10.428	10.909	11.489	42.559

Source: CBO/JCT cost estimates.

USER FEES IN HOUSE RECONCILIATION BILL
[Deficit reduction in billions of dollars]

Committee provision	1994	1995	1996	1997	1998	1994-98
NEW FEES						
AG: Recreation user fees ¹	-0.006	-0.009	-0.009	-0.010	-0.010	-0.044
BK: GNMA REMICs fee	-.146	-.146	-.146	-.146	-.146	-.730
EC: FCC spectrum auction	-1.700	-1.800	-1.700	-1.000	-1.000	-7.200
NR: Irrigation water surcharge	-.010	-.011	-.011	-.017	-.018	-.067
NR: Recreation user fees ¹	-.040	-.061	-.072	-.076	-.078	-.327
PW: Aviation services fees	-.041	-.042	-.042	-.044	-.045	-.214
PW: COE recreation fees	-.013	-.018	-.018	-.018	-.018	-.085
WM: SSI administration fee	-.050	-.110	-.180	-.180	-.190	-.710
WM: BATF user fees	-.005	-.005	-.005	-.005	-.005	-.025
Subtotal new fees ²	-2.005	-2.193	-2.174	-1.486	-1.500	-9.358
CURRENT LAW EXTENSIONS						
EC: NRC fees			-.378	-.389	-.402	-1.169
JD: Patent and trademark fees			-.111	-.115	-.119	-.345
MM: Tonnage fees			-.067	-.068	-.070	-.205
NR: Hardrock mining fees	-.041	-.041	-.041	-.041	-.041	-.205
NR: Net receipt sharing	-.035	-.039	-.041	-.042	-.044	-.201
VA: VA medical care reimburs	-.076	-.199	-.216	-.232	-.251	-.974
VA: VA home loan fees	-.143	-.118	-.122	-.126	-.124	-.633
WM: Customs user fees			-.750	-.820	-.850	-2.420
Subtotal extensions	-.295	-.397	-1.726	-1.833	-1.901	-6.152
Total user fees ²	-2.300	-2.590	-3.900	-3.319	-3.401	-15.510

¹ Joint jurisdiction.

² Adjusted to exclude double-counting of joint jurisdiction items.

Source: CBO/JCT cost estimates.

CURRENT LAW EXTENSIONS IN HOUSE RECONCILIATION BILL
[Deficit reduction in billions of dollars]

Committee provision	1994	1995	1996	1997	1998	1994-98
DIRECT SPENDING						
AG: CCC, Triple base	-0.185	-0.394	-0.447	-0.452	-0.452	-1.960
AG: CCC, Crop assessments	-.016	-.030	-.014	-.008	-.008	-.076
EC: NRC user fees			-.378	-.389	-.402	-1.169
EC: Medicare: Outpatient			-.565	-.661	-.767	-1.993
JD: Patent & Trademark fees			-.111	-.115	-.119	-.345
MM: Tonnage fees			-.067	-.068	-.070	-.205
NR: Hardrock mining fees	-.041	-.041	-.041	-.041	-.041	-.205
NR: Net receipt sharing	-.035	-.039	-.041	-.042	-.044	-.201
PO: FEHB postal liabilities		-.116	-.116	-.116		-.348
PO: CSRS postal liabilities		-.231	-.231	-.231		-.693
PO: CSRS/FS lump sum	-.041	-.107	-2.130	-3.132	-3.400	-8.810
PO: FEHB proxy premium						
VA: VA pensions/medicaid dfts					-.531	-.531
VA: VA pension inc. IRS match					-.136	-.136
VA: VA medical care reimburs	-.076	-.199	-.216	-.232	-.251	-.974
VA: VA drug copayment					-.079	-.079
VA: VA home loan fees	-.143	-.118	-.122	-.126	-.124	-.633
VA: VA FCL resale losses	-.007	-.006	-.006	-.006	-.007	-.032
WM: Medicare premiums			-.1212	-3.127	-3.739	-8.078
WM: Medicare: 2d payor			-.1.005	-1.524	-1.746	-4.275
WM: Customs user fees			-.750	-.820	-.850	-2.420
Subtotal spending	-.544	-1.281	-7.452	-11.090	-12.796	-33.163
REVENUES						
WM: Individual income taxes			-1.700	-4.900	-6.200	-12.800

CURRENT LAW EXTENSIONS IN HOUSE RECONCILIATION BILL—Continued

(Deficit reduction in billions of dollars)

Committee provision	1994	1995	1996	1997	1998	1994-98
WM: Gas tax			-2,595	-2,670	-2,651	-7,916
WM: Corporate estimated tax				-4,300	-900	-5,200
WM: Estate tax	-475	-512	-553	-598	-647	-2,785
WM: Vaccine excise tax	-147	-154	-154	-139	-133	-727
WM: FUTA surtax				-881	-1,208	-2,089
Subtotal revenues	-522	-666	-5,002	-13,488	-11,739	-31,517
Total	-1,166	-1,947	-12,454	-24,578	-24,535	-64,080

Source: CBO/ICT cost estimates.

Mr. DOMENICI. Mr. President, I conclude by simply stating the House of Representatives is about to take an important vote on the fiscal future of this country.

The House reconciliation bill when really analyzed is truly a tax bill. Front end loaded on taxes and back end loaded with spending cuts that are made up primarily of extending current law.

The House would do the country a service by defeating that bill and beginning again with a real deficit reduction package focusing on real spending cuts.

Mr. President, I rise to urge that the President of the United States abandon this plan and start over and seek to get bipartisan support so that together we can address the real issue of deficits and, that is, the towering growth of entitlements and mandatory spending.

We spend so much time around here talking about getting the deficit under control by controlling appropriated accounts when, as a matter of fact, there is no way that short of getting rid of all of them, all of the appropriated accounts, everything from the National Institutes of Health, to water and sewer grants, to education. Unless you got rid of it all, you could not get the budget under control.

Having said that—for there are Members of the U.S. House of Representatives who feel a little bit uneasy about the reconciliation bill that passed before the committee and is going before them—let me urge that they not only continue that uneasiness but they look at this bill.

Mr. President, it is 1,500 pages in length. I do not believe it has been filed of record—at least, it had not been the day before yesterday, and frankly it is very difficult to find out what is in it. But we have tried our best and we have found some rather startling things.

I hope every Member of the House has someone to help them look at it in depth, because I do not really believe the American people would sit by and watch this bill pass without sending an ultimatum to their Members if the American people knew what was in this bill.

Let me just use the chart first and say to every Senator here, as I see budget matters, all of the deficit reductions that we are going to get, except for defense cuts, some of which may be spent on other appropriated accounts,

almost all the deficit reductions we are going to get are in this bill.

This year, reconciliation is synonymous with deficit reduction. Anyone who wants to come and argue about how much more we are going to get in savings, we will have that argument in due course, and I am certain the American people will understand that there is little or no chance that there is going to be any deficit reduction besides this huge bill consisting of 1,500 pages.

If that is the case, and I believe it is, because there are no mandatory controls over the other expenditures of this Government, except for 2 years, and they are the old mandatory controls of the 1990 agreement, they are not of this President or this Congress.

Now, here is what we find in this bill, I say to my friend, Senator PACKWOOD. Senator PACKWOOD and Senator ROTH and their committee are going to do most of this. The ratio of taxes and user fees to spending cuts in this big bill is \$35 billion in the first year in taxes, most of which are retroactive—and you see this almost invisible little red line, \$1.7 billion in real cuts in this year, spending cuts. That ratio is \$20.68 in taxes in the first year for \$1 in spending cuts.

Let us just quickly go right along. And here we have in the second year the result of this bill if it is totally carried out, not changed, \$44 billion in taxes and user fees and \$4.5 billion in cuts. That ratio is \$9.77 to \$1.

And let us just continue right along—and it does not get any better, Mr. President.

When you add it all up, there is \$291 billion in taxes and user fees in this bill and there is the astronomical net cut in Federal spending of \$45.8 billion.

I gave Senator NICKLES a wrong ratio yesterday. When we finished analyzing and subtracting and adding it, it is even worse than I told him. It is \$6.35 in taxes for every \$1 in spending cuts.

Frankly, unless someone is sitting around hoping against hope that we are going to find another way after this arduous ordeal, we are going to find another way to cut spending, it is going to be a whole new ball game to cut some more spending, I do not believe it. I believe this is the end of it. This is all we are going to get, and, if anything, the pressure for domestic spending after the 2-year freeze will push up the appropriated accounts because

there is enormous pressure within them. And even if defense spending is coming down—and to put that in perspective—that is not going to greatly affect this ratio, but everybody knew spending in defense was coming down. That was not arduous or difficult for this President or those who want to cut spending.

So this is it, friends. When we are finished with this great exercise in deficit reduction, I believe it is fair for some of us who have worked on deficit reduction day in and day out—if people think Senator DOMENICI went along with everything Ronald Reagan wanted and President Bush; I mean, I actually had serious, serious reservations and departures with President Reagan, the same with President Bush, on deficit matters and I believe that entitles me to have differences with this President.

But the most important thing is he ought to start over. He ought to sit down and say the Republicans, through their leadership, want to meet and do something about mandatory and entitlements together, Democrats and Republicans. You cannot do it any other way.

Once you have locked these taxes in, \$291 billion in net taxes, you are not going to take them off the books.

And, frankly, I believe the American people ought to be very skeptical about what is next because, as I said, there will not be another big deficit package, but I tell you there will be another huge tax package to pay for the health care program. I do not see any other way. Everywhere I look, the health care package is going to be a second round of taxes.

So, if there is a second round, it will not be cuts. It will not be reducing Federal expenditures, I say to Senator PACKWOOD. It will be some significant new tax on the American people to pay for the health care program.

So where are we? For anybody who thinks we are exaggerating when we say this is a tax-and-spend program, let me wrap this part up and move to five or six basic facts, and then I will sit down.

If you take these taxes as I have described them here and consider their retroactivity, consider the little tiny bits of cuts that come with it, how could you get the budget under control? You do not.

And I will give you one new fact. In the next 5 years, the spending side of

the American budget in an era of restraint, in a budget deficit package that really was working, the domestic programs of this country in their totality go up, I say to Senator PACKWOOD, \$572 billion in 5 years; slightly over \$100 billion a year, most of which, seeing the occupant of the Chair, I must say, with real, real affirmation, is not the appropriated accounts of this country but rather the uncontrolled, unreformed mandatory entitlement programs of this land.

Now, having said that, friends in the House, you should know the following. I wonder if you know, and if we know in the Senate, that bracket creep is put back into the Tax Code.

Did Senator PACKWOOD know that?

Mr. PACKWOOD. I did not know that.

Mr. DOMENICI. For the two highest brackets, the two new high brackets we have just put back in the old law that actually ruined the taxpayers of this country and produced a fake tax divided for the American Government to spend by saying you do not stay at the same percentage, if inflation goes up 4 percent, you do not change, you do not change the level of taxation. So that means in a few years, if it went up 10 percent, you would add 10 percent and say that is the new amount of tax on top of 39 or 40 whatever it is.

The PRESIDENT pro tempore. The time of the Senator has expired.

Mr. DOMENICI. Could I have 2 more minutes?

Mr. PACKWOOD. Does Senator DANFORTH wish to speak?

Mr. DANFORTH. Yes.

Mr. PACKWOOD. I have Senator DANFORTH and Senators GREGG, NICKLES and, I think, one other is coming, and we have to be done in 25 minutes.

Mr. DOMENICI. Could I just give you one more?

Mr. PACKWOOD. In 30 seconds?

Mr. DOMENICI. In 30 seconds.

How many people know that in this bill the income tax increases, both corporate and individual, are retroactive to January 1, 1993?

Mr. PACKWOOD. Very few people know that.

I would yield, as I indicated, 8 minutes to the Senator from New Hampshire. If there is any chance he could cut it, I would appreciate it.

I yield 8 minutes to the Senator from New Hampshire.

The PRESIDENT pro tempore. The Senator from New Hampshire is recognized for 8 minutes.

Mr. GREGG. I thank the Senator from Oregon. I intend to conclude my remarks in less time than that.

I thank the Senator from New Mexico for his remarks and for his always precise and rather devastating statement of what this reconciliation bill means in terms of new taxes: \$6.35 of new taxes for every \$1 of spending cuts. That is really an outrageous number.

What I want to talk about today is who is going to pay those new taxes. We are hearing about it is going to be the wealthy who are going to pay this tax burden of \$6.35 of new taxes for every \$1 of spending cuts. Well, it is not. It is going to be small business that is going to pay it.

Why is that important? Well, it is important because we are talking about the economic revitalization of this country. And what is the engine of economic revitalization? It is small business.

From the period 1980 to the period 1990, 4.1 million jobs were created in this country by small business. What happened with businesses with over 500 employees? They actually lost jobs. They lost 500,000 jobs.

There are 20 million small business people in this country today, representing 56 percent of the private work force. And of those 20 million small businesses, 80 percent of them are unincorporated or are partnerships.

Why is that important? Well, it is important because it goes to who is going to pay this tax. Because under this tax proposal, subchapter S corporations and partnerships end up getting a disproportionate share of the tax burden that is going to have to be borne here.

Why is that? Because they are treated as individuals. They are not treated as corporations. And they are hit with basically five major new events in their fiscal life which are going to penalize their economic prosperity and their capacity to be competitive.

First, the tax rate of a small business will go up from 31 percent to 36 percent, if they are subchapter S corporations and they have a level of income that qualifies.

Second, the wage on which their tax is calculated for the purposes of FICA and the hospital insurance portion of FICA will go up, and the cap will be taken off.

Third, if they have more than \$250,000 of income, they will be hit with a 50-percent surtax.

People say, "Well, if they have \$250,000 of income, they ought to pay the 10-percent surtax."

Let me remind you, we are dealing with small businesses. A small business can generate \$250,000 of income simply by rolling over its income from one year to the next.

Let us take a dress shop. For example, a dress shop has \$250,000 worth of income. The owner of the dress shop, the mom and pop dress shop, happens to make \$250,000 in salary. If they roll this over into inventory next year under a subchapter S corporation, they are going to end up paying the surtax penalty under this proposal.

In addition, we have changed this law—not "we," because I certainly am not going to support it—have changed the calculation of the AMT, the alter-

native minimum tax, raising that rate from 24 to 26 percent, and for people under \$75,000 to 28 percent. And as you tend to compress those differences between the AMT and the corporate rate and the individual rate, you end up with more people having to file, more people having to file an alternative minimum tax calculation. And anyone who has filed an alternative minimum tax calculation knows it is a nightmare. There is no small business person in the country who can fill it out without going to their accountant. That is an additional AMT cost. It can be expensive to a small business person.

In addition, we put a limitation on itemized deductions—"we" do not, the President does. The limitation on itemized deductions is extended, and that is going to cost small businesses money. And you have the other things, like the Btu tax, extending the gas tax, eliminating the meals. All those hit small business.

What does it total up for the small business persons in this country that they are going to have to pay in new taxes?

Well, it totals a tremendous amount. Quite honestly, if you take the rate increase, if you take off the cap on Medicare, if you take the surtax, you are talking about a 42.5-percent increase—42.5-percent increase—in the amount of taxes which many small business people in this country are going to have to pay as a result of this bill.

So when we hear all this political babble about how it is going to be the rich and the wealthy who are going to pay this tax, let us remember that it is really going to be the small business people of this country who are going to pay this tax.

And that, in some instances, some small business people are going to be put out of business, and instead of creating jobs in the private sector through the engine of small business, this bill is going to significantly contract the capacity of small business to expand and be the engine of job creation today in this country.

It is just foolish to have targeted the real core of entrepreneurship in this country for the major burden of taxation in order to pay for this largess which this program proposes.

Really, what we should be doing is encouraging small business to expand, encouraging small businesses to create opportunity and to generate jobs. And the way you do that, of course, is by cutting the deficit the same way small business people have to deal with managing their businesses and that is controlling the spending side of the ledger. Limiting the amount of spending that is going on at the Federal Government is the way a small business would have to address the deficit if it had one, and it is the way we should be addressing the deficit.

There have been a number of very substantive and effective ideas put on the table by a number of people, including the Senator from Missouri, who is going to be speaking here in a minute, about how to go about limiting spending. Yet the President turns a deaf ear to this and, instead, has stepped off on this road of a massive tax increase, a large majority of which, as I have just mention, is going to fall on the backs of the small business people of this country, who are the engines for economic growth in this Nation—and that is a mistake.

I yield the remainder of my time.

Mr. PACKWOOD. Mr. President, I yield 6 minutes to the Senator from Oklahoma.

The PRESIDENT pro tempore. The Senator from Oklahoma [Mr. NICKLES] is recognized for 6 minutes.

RECONCILIATION

Mr. NICKLES. Mr. President, I compliment my friend from New Hampshire for an excellent statement, as well as Senator DOMENICI, from New Mexico. I hope, even though the hour is early this morning, the American people will have a chance to listen and find out what is in the bill Congress is getting ready to vote on this week, the so-called reconciliation package. Most people do not know what reconciliation means.

Basically, reconciliation is a set of instructions to Congress to report out a bill that will reduce the deficit. I hope the media will pay a little attention to what I am saying because I read in the New York Times this morning that President Clinton's package is balanced, that it has about as much spending cuts as it does tax increases.

That is not the fact. That is not the case. It is not the truth. Senator DOMENICI pointed out the House reconciliation bill, now reported, supposedly will reduce the deficit by \$337 billion over the next 5 years; \$291 billion of that is in tax increases and fee increases, \$46 billion of that is in spending cuts. That is a ratio of \$6.35 in taxes for every \$1 of spending cuts.

I might mention most of those spending cuts do not happen until the fourth or fifth year, until after the next Presidential election. So there are almost no spending cuts in this bill. The tax increases are retroactive, as the Senator from New Hampshire mentioned, for persons and corporations, going back to 1991. They are going to be putting people out of business. Citizens are going to be getting notices next year that they owe a lot of money, money they did not expect to owe, money that was not withheld. Congratulations, Congress.

What about deficit reduction? Many of us would like deficit reduction, but we would like to see some balance and we would also like to see some truth in

budgeting. We are bothered because we continue to see the media reporting that the President's budget is balanced because it has \$1 in taxes for \$1 in spending. The reconciliation bill, which the House will be voting on tomorrow and which we will be voting on soon in the Senate, is really front end loaded heavily toward taxes, tax increases that are five or six times as large any spending cuts. The American people need to know that. If you go to the American people and ask, "Do you favor deficit reduction?" they all say, "Yes." If you ask, "Do you favor deficit reduction by cutting spending or do you favor deficit reduction by increasing taxes 5 to 1 over spending cuts?" and you will find a resounding, "No." People will be upset about it.

Why is the President doing it? Why is Congress going along? In the Washington Post on May 14, the President stated he is very pleased the House Ways and Means Committee passed his tax plan. In his interview in the Washington Post he said, referring to his economic plan, "I think it will help the economy, bring in more revenues, and permit us to spend more."

Those are the President's words. Those are not words from DON NICKLES. Those came from President Bill Clinton. He wants to spend more.

I might mention I have a list of some of President Clinton's so-called investment proposals: \$165 billion of new spending over and above the baseline, over and above inflation, for which President Clinton has asked Congress for more money: Earned income tax credits \$16 billion. Head Start, \$13.8 billion; health and AIDS initiatives, \$12.4 billion; food stamps, \$12 billion; national service—I would call it national servitude—\$9.4 billion. I could go on and on. I will include it in the RECORD. This is \$165 billion of additional spending that President Clinton is seeking over and above the baseline.

He also wants a lot more taxes to pay for this spending. He wants a Btu tax, he wants a tax on Social Security income, he wants to raise corporate tax rates, he wants to raise personal income tax rates. He wants to raise taxes, really, on all Americans, all income brackets, so he can have more money to spend.

Again, I want to clarify that the President's budget package is not balanced. The only way people can say his tax cuts equal his spending cuts is if they call Social Security tax increases a spending cut. I happen to have a father-in-law who says when you raise Social Security taxes 50 to 85 percent, that is a tax increase. The Government is going to take an extra \$100 a month out of his check, out of his retirement income.

People who are using those funny numbers are also counting user fees as a spending cut. It is not a spending cut, it is a tax increase. They also forgot to

count \$54 billion of new spending. In other words, they talk about spending cuts but they forget to include spending increases over the same period of time. Then they give themselves credit for \$59 or \$60 billion of interest expense and call that a spending cut, therefore getting close to a 1-to-1 margin of taxes to spending cuts.

The facts are as presented by Senator DOMENICI, that the reconciliation bill the House is going to be voting on Thursday and we will be voting on soon in the Senate has \$291 billion of new taxes and user fees, and \$46 billion of spending cuts. That is a ratio of \$6.35 in taxes for every \$1 of spending cuts. That is not balanced. That is not equal. That is not fair. It will jeopardize this economy. It will put people out of work in West Virginia, Oklahoma and the rest of the Nation. It will raise costs for agriculture and the transportation industry. I do not think it is balanced, and I hope my colleagues will defeat it.

Mr. President, I yield the remainder of my time to the Senator from Oregon. I ask unanimous consent to have printed in the RECORD the tables that I referred to.

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

President Clinton's Investment Program
(Outlays in billions above baseline levels)

New spending:

	<i>Fiscal years</i> 1994-98
Earned Income Tax Credit (Outlays)	16.072
Head Start	13.846
Health & AIDS Initiatives	12.433
Food Stamps	12.000
National Service	9.430
Education Reform	9.235
Federal Aid Highway Program	7.018
Dislocated Worker Assistance ..	6.598
Clean Water Act Funds	4.366
WIC	3.634
National Science Foundation ...	3.397
Government Automation	3.384
VA Medical Care	3.336
Crime Initiative	3.216
Low Income Home Energy Assistance	2.945
JTPA Summer Youth	2.662
Extended Unemployment Compensation	2.400
Safe Drinking Water Act Funds ..	2.168
National Institute of Standards ..	2.111
Mass Transit	2.073
Environmental Protection	2.069
CDBG430
Subtotal, major provisions	124.823
Other provisions	40.232
Total new spending ¹	165.055

¹Total New Spending on President Clinton's investment program taken from the appendix of President Clinton's fiscal year 1994 budget request. Individual program totals taken from "A Vision of Change for America."

RATIO OF TAXES TO SPENDING CUTS—WHO'S RIGHT?

	Republicans	Add interest	Move user fees	Reclassify social security taxes	Don't count new spending	Democrats
Gross taxes	\$336			\$-32		\$304
User fees	18		\$-18			0
Tax cuts	(64)					(64)
Net taxes and fees	291					240
Spending increase	(54)				+54	0
Spending cuts	156	+\$59	+18	+32		265
Net spending cuts	102					265
Ratio: Taxes/cuts	3					1

Note.—Items which increase the deficit are shown in (parenthesis).

5 TO 1, TAXES TO SPENDING CUTS

	Budget reconciliation, 1994-98	Budget resolution	House reported
Gross new taxes	\$336	\$329	\$329
Tax cuts	(64)	(54)	(54)
User fees	16	16	16
Net new taxes and fees	288	291	291
Total spending cuts	55	46	46
Total new taxes, fees and spending cuts	343	337	337
Ratio of taxes to spending cuts	5.24	6.35	6.35

Note.—Based on Senate Budget Committee minority analysis.

Mr. PACKWOOD. I yield 6 minutes to the junior Senator from Missouri.

The PRESIDENT pro tempore. The junior Senator from Missouri [Mr. BOND] is recognized for 6 minutes.

READY, FIRE, AIM SAGA AT THE WHITE HOUSE

Mr. BOND. Mr. President, my sincere thanks to the Senator from Oregon. I want to address the ready, fire, aim saga we have been witnessing at the White House.

As I trust all of us know by now, last Wednesday, seven long-time travel office employees were notified by White House staff they should clear out their desks and be gone by noon. The travel office handles both the charters and advance work for the press corps, advance particularly in foreign travel, as well as the basic travel agency work needed for any White House staff travel. One week ago, White House official David Watkins called five employees in for a 10 o'clock meeting and informed them they were going to be "revamped and reorganized" out of existence. The two missing employees were overseas in one case, and the other was on vacation. They left quietly and with no inkling of what was to come.

Yet later that same day, press Secretary Dee Dee Myers said "gross mismanagement" and "shoddy accounting procedures" were the reasons behind the dismissals and did not allege "personal misconduct," although, she said, the FBI had been called in. This was the first time the fired staff had heard about criminal conduct, allegations or FBI checks.

The Clinton campaign's travel agency, Worldwide Travel of Little Rock, was tapped to handle—they say on an interim basis—the staff travel, reservations, and other responsibilities.

They were to have an office in the EEOB staffed by their people, and this contract was not competitively bid.

Catherine Cornelius, the 25-year-old cousin of the President, was named to take over the White House travel office. Two other political employees will also be assigned to the office, according to a record in the May 20 Washington Post, and they will handle the press charter portion of the work.

The administration claims this was done to ensure competitive bidding for these charters, but reports make it clear that the President's long-time friend and supporter, Hollywood producer Harry Thomason, who has an office in the Executive Office Building for his own use—which also raises some questions—had complained that charter companies he was aware of were not getting any business.

Now it has become clear that he has a financial stake in a charter company who may want in on the business. And now we find that the president of Air Advantage, a charter used by the Clinton campaign, has volunteered to work in the travel office to help solicit and take bids for charters.

I have also heard quite a bit about the supposed Peat Marwick audit of May 14 and 16, but I am still waiting for a response I sent last week which asked for the report plus answers about the choice of the Little Rock travel agency. Now questions have arisen as to the Peat Marwick audit team. Was it headed by someone already on board in the White House as part of the Vice President's review of the Government team. Was this audit initiated as a result of a request for proposal, a standard procedure for instituting outside work of an accounting office or auditing agency to assist the Government.

David Watkins, who actually did the firing, initially said that the Worldwide Travel choice was interim and that it would be competitively bid soon, although no mention of when.

Now it turns out that he was affiliated with Worldwide Travel, and given that he is the one who will decide on any future bids, certainly there are questions as to whether he was likely to change his mind once they got in and got started.

Perhaps the White House finally figured this out, as now Worldwide Travel has been dropped, to avoid the appearance of impropriety, is the White

House line. But even more questions have come up now, not the least of which is using Air Advantage to help choose who will get the bids, an inappropriate use of an outside contractor.

But we ought to spend a minute or two thinking about the memo. This was the President's cousin's memo of February 14 to David Watkins. Mr. Watkins now said while he received it, he never read it. Well, perhaps. But it is passing strange that the basic memo said: Fire the staff, put me in charge of charters, and then get Worldwide Travel out of Little Rock to handle the rest. This way we can better coordinate with the Democratic National Committee and we will not be so pro-press.

What happened? Well, the travel staff was fired with the twist of adding charges of gross financial mismanagement, the President's cousin was put in charge, and Worldwide Travel was chosen. So there we have it. Harry Thomason is happy; the President's cousin is happy; Worldwide Travel is happy.

But that is not the end of the story. In fact, it is just the beginning. For now we find that the Attorney General was out of the loop when the FBI was called in. Worldwide Travel has been taken out of the loop and that five of those who were charged with gross financial mismanagement were not really fired at all. They were just told by the White House that the administrative leave has been extended. They were not told they were being put on administrative leave. The White House did not say when it was to expire or when it had been extended to, only that, contrary to their earlier statements for the past week, the folks were not really fired at all.

So what is really going on? Who is in charge? Mr. President, I think when we talk about reinventing Government, we should not be reinventing it to return to patronage statehouse politics.

The PRESIDENT pro tempore. The time of the Senator has expired.

Mr. BOND. Mr. President, I ask my colleague if I could have 2 minutes.

Mr. PACKWOOD. I cannot. We are up against a deadline. Senator DANFORTH has to comment on the budget.

Mr. BOND. Mr. President, then I ask unanimous consent to print in the RECORD several questions which I would like to have answered before we act on the appropriations for the White House.

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

QUESTIONS

Why was the FBI asked to change their statement?

Why wasn't Attorney General Reno informed of the use of the FBI?

Why did the White House release the FBI's statement rather than let the FBI release it?

Why were the employees fired without any opportunity to know about the potential charges—much less defend against them?

What kind of financial arrangement was there between Worldwide Travel and the travel office? Were any contracts signed? For what duration?

Is Worldwide Travel owed any money from the campaign?

If another outside travel agency is brought in, will they be on call 24 hours a day as the current office? Will FBI checks be needed for any employees for security purposes?

What is the current status of the five employees called by the White House and told that their administrative leave had been extended? Will they be given an opportunity to review charges against them? Are any charges pending against them?

When will the internal review be completed? And how can a decisionmaker in the process be expected to conduct an independent review?

If no misconduct is found, will the White House make an effort to clear the employees and either reinstate them or help them relocate?

And most important of all, why didn't anyone in the White House question the impropriety of the entire affair—before it happened?

Mr. PACKWOOD. Mr. President, I yield the remainder of the time we have to Senator DANFORTH.

The PRESIDENT pro tempore. The remainder of the time being 9 minutes, the Senator from Missouri [Mr. DANFORTH] is recognized for 9 minutes.

DEFICIT REDUCTION PROGRAM

Mr. DANFORTH. Mr. President, last week Senator BOREN, Senator JOHNSTON, Senator COHEN, and I offered our suggestion for the best way to go about dealing with the terrible problem of the budget deficit. I would like to describe for the Senate the reasoning that went into the program that we announced last week.

The first principle that was agreed on by the Senators who were part of this effort was that we should propose a deficit reduction program which was at least as good in total deficit reduction as the President's program and as the budget resolution that has been adopted. We met that target. In fact, we exceeded that target by some \$46 billion.

Then the second premise was that in addition to at least matching the target that had already been set for deficit reduction, the ratio of spending cuts to tax increases should be dramatically changed from the program that was before us. We have heard speeches already this morning describing what the ratio, in fact, is. There

are various analyses of that ratio. Most everybody agrees that it is somewhat less than \$1 of spending cuts for \$1 of tax increases. Some say it is 2 or 3 or 4 to 1 in tax increases over spending cuts. We believed that the figure given by Leon Panetta, now the Director of the Office of Management and Budget, during his confirmation hearings should be the target that we shot for; that is, we thought the best program, as far as the economy was concerned, was to have at least \$2 of spending cuts for every \$1 of tax increases.

The third general principle that we agreed to was that entitlement programs must be controlled. It was our view that it was not possible to come up with the necessary numbers for spending cut reduction without controlling the growth of the entitlement programs, the automatic programs in the budget that do not require appropriations.

These entitlement programs have been the fastest growing part of the Federal budget. They have grown from about 30 percent of the budget in the 1960's to about 50 percent of the budget today. And in 10 years, on the present growth pattern, the entitlement programs will constitute just short of 70 percent of the Federal budget.

Under the budget resolution that has been adopted, nothing of significance is done to control the growth of the entitlements. And, as a matter of fact, under the budget resolution over a 5-year period of time, the entitlement programs will grow by 25 percent.

It was our position that as difficult as it is to take on the entitlement programs, they are uncontrollable today, they are growing at an enormous rate and that the entitlement programs have to be reined in.

We have some further points of agreement. We agreed that we should reduce the tax burden in the President's program, and we agreed on how we should do it. There were two specific points that I think deserve special attention this morning.

The first is that the so-called Btu tax, the energy tax, should be deleted from the program. A lot of newspaper commentary on this proposal of ours said, well, two of the Senators are from oil-producing States, so that is obviously the reason that the Btu tax was deleted in this program. That is really not correct. Two Senators were from oil-producing States, but my State of Missouri is not an oil-producing State and the State of Maine, which is represented by Senator COHEN, is not an oil-producing State.

We believe that the Btu tax should be deleted not because we are from oil-producing States, but rather because we think the Btu tax is bad for our economy.

It is a very regressive tax, and beyond that it is a tax on the production of goods manufactured in the United

States. It is a tax which is particularly injurious to America's competitive position. That was really an easy decision for all four Senators. The Btu tax must go.

The second easy decision, but it has received a lot of comment on the press, was that we should delete the repeal of the cap on the payroll tax for health insurance that was proposed by the President.

Now, the way that has been written up by the editorial writers was, well, this was a desire on the part of the four Senators to provide a tax break for the rich. That is why they wanted to delete that idea of doing away with the repeal of the cap on the payroll tax.

Mr. President, if we wanted to help the rich, we would have reduced the tax rates. We would not have done this. The reason we did this, the reason we made this suggestion was not to help the well-to-do but to help the small businesses of this country, because the problem with doing away with the cap on the payroll tax is that the effect is to tax 100 percent of the earnings of unincorporated businesses. So that individual proprietorships and partnerships would have all of their earnings subjected to the HI tax under the program that has been suggested by the President.

We thought that small business is the big growth area in this country, this is the job-producing part of our economy, and this was just too hard a hit on the small businesses, on the unincorporated businesses, and that that part of the President's program should be abandoned.

There were also some similarly held views among all the four participating Senators in the area of the entitlements. The first had to do with the annuity programs, including Social Security, the so-called third rail of American politics. And we said that the first \$600 a month should get the full adjustment for inflation, but after the \$600 a month it should be the Consumer Price Index minus 2 percent.

For the average Social Security beneficiary, that means \$1 per month. Now, people say, well, we should not touch them at all. This should just be totally off limits. That is the conventional political position. It is a justified position. As a matter of fact, Social Security does stand on its own merits. It is a separate trust fund.

Why did we make this proposal, Mr. President? We made it simply because we have a national crisis, and we believe that when the question is really put to the senior citizens of this country, they, too, would be willing to make a modest contribution for the sake of their grandchildren. That is really what the question is.

The PRESIDENT pro tempore. The time of the Senator has expired.

Mr. DANFORTH. Mr. President, I ask unanimous consent that I be given 1 more minute.

the PRESIDENT pro tempore. Is there objection? The Chair hears no objection. The Senator is recognized.

Mr. DANFORTH. Mr. President, on the other point relating to the control of the entitlement growth, also there was no real difficulty in reaching conclusions among the four Senators. But let me conclude by making just two additional very short points.

We agreed among the four Senators that whatever is done about the budget deficit has to be bipartisan. The gridlock in this country is not just caused by Republicans, and it is not just caused by Democrats. It is caused by people who are afraid of the next election. And we believe that Republicans and Democrats absolutely have to get together in a common approach in order to deal effectively with the budget deficit. Ours is the first effort in a bipartisan approach.

The second point we thought about was that there are really only three alternatives which are now before the country: We can either raise taxes, or we can control entitlements, or we can simply forget about the budget deficit and let the country get weaker and weaker and weaker.

We believe that controlling entitlements and some increase in taxes is the best approach for America.

The PRESIDENT pro tempore. All time under the control of Mr. PACKWOOD has expired.

ORDER OF PROCEDURE

The PRESIDENT pro tempore. Under the previous order, there will now be 45 minutes under the control of the Senator from South Dakota [Mr. DASHLE] or his designee.

Mrs. BOXER addressed the Chair.

The PRESIDENT pro tempore. The Senator from California.

Mrs. BOXER. I ask unanimous consent that I be Senator DASCHLE'S designee for this time.

The PRESIDENT pro tempore. The Senator will be so recognized.

BUDGET RECONCILIATION

Mrs. BOXER. Mr. President, I have listened very carefully to my Republican colleagues this morning, and I will say they are certainly filled with spirit. They are angry. They are spirited. But, with the exception of one of the Senators, they have offered nothing to lead us out of the fiscal mess in which we find ourselves.

Yes, they have launched a very spirited attack against the President's economic plan, and they are quite worked up about it, Mr. President, as you can see. I respect my Republican friends, and I respect their opinions. I respect their right to speak out in a spirited way against this plan. But I have to ask a few questions.

Where was this spirit, Mr. President, when you led the fight for a jobs bill

for our people? Where was this spirit for our people and their families? Where was the spirit for America's children, who would have been so much better off if we had passed the jobs bill? And I would have to ask, Mr. President, Where was this spirit as Presidents Reagan and Bush borrowed and spent our deficit from \$50 billion in 1980 to \$300 billion at its peak? Where was this spirit, Mr. President, when the national debt went from \$1 to \$4 trillion?

It was not there, Mr. President, I served in the other body, in the House, for 10 years, and somehow I did not see this anger as that deficit rose. I did not see this anger as our children went into poverty. I did not see this anger as our families saw their incomes level off and drop.

I did not see this anger from my Republican friends because they were happy with the way things were going. The wealthiest among us saw their incomes rise 115 percent in that decade of neglect. Republicans liked that just fine. And that is when I find that my Republican friends are at their happiest, when the wealthiest Americans see their incomes rise. And, average incomes did rise during the Reagan-Bush years. They went up from \$314,000 in 1977 an average to \$675,000 in 1992.

So, yes, there will be changes. The American people voted for change. The American people said enough is enough. CEO's, Mr. President, getting million-dollar bonuses. Enough is enough. Feathers are being ruffled, and suddenly we see spirit on the other side of the aisle which we have not seen in a long time.

But, for the most part, we have heard nothing but criticism. Yes, we heard the Senator from New Mexico, who is a real leader in deficit reduction, offer to sit down with the President. But I believe the time for sitting down has passed and the time for action is now.

This reconciliation bill should and must be passed. We all know this economy is in trouble. It is easy to point fingers and blame, but we know now that we need to reduce this deficit and make sound investments in our people.

We do know this is going to mean some very, very tough choices—choices that I do not like, Mr. President; choices that you do not like, I am sure; choices that many of us hate to make. But I think there is one choice we cannot make, and that is we cannot do nothing. If we continue on the present course, it is clear we would see deficits in 10 years in excess of \$600 billion and ruination for our country.

We have a President who has brought that home to Americans. That is the irony of all this. He has brought it home to Americans, and yet he is criticized by the other side of the aisle for not doing enough about the deficit when they, over all those years, never got excited or angry about the kind of increases we saw in the deficit.

We have just come out of a decade of neglect. We saw the people in the middle getting squeezed and the rich getting richer and the poor getting poorer. We just came out of a decade of politics of greed and divisiveness. And the people watch the deficit and the interest on the debt rise, and they see now a very weak economy, and, yes, consumer confidence is down. Of course it is down. When we bicker here, when the forces of delay and filibuster rear their heads again on this floor, of course consumer confidence is going to be down.

This is not a time to be proud of, but we can turn it around. We can move this country forward. We need to revive this economy. We need to take bold steps, and President Clinton has presented us with a plan to do that. It is the most ambitious deficit reduction plan in history. I believe, Mr. President, it has been distorted on this Senate floor. People say 6 to 1 taxes over spending cuts. Those are not the numbers that I have been given. The point is we know we cannot tip the scale too far in any one direction. If we put too much on the tax side, we will hurt the middle class. If we put too much on the spending cut side, we will lose more jobs and sink into a deep recession. It is a very delicate economic balance, Mr. President. It is like a puzzle. The pieces must be kept intact.

So when we talk about the President's plan, we need to talk about it as a whole. And, again, I must say, I would write it differently. Other Members of the Senate would write it differently. But we have one President, and his plan deserves a chance. Ronald Reagan's plan got a chance. George Bush's plan got a chance. I did not see Democrats stopping their plan. We criticized it. We said it would lead to deficits. We said it was too generous to the wealthiest among us, those earning over \$300,000. We said that, Mr. President. I think we were right. But those Presidents got their chance. People liked what President Reagan did and they reelected him. They did not like what President Bush did, and they turned to President Clinton.

We can look at the polls, and polls will go up and down. But, Mr. President, polls are not what leadership is about. Leadership is really about making choices. It is about standing up when the going gets tough. It is about not tearing things down without offering something in its place. We have a chance to show that kind of leadership, as tough as it may be. If we continue this debate and this tearing down, my own State of California will see its unemployment rate stick at an unacceptable 9 percent. That is too much suffering, Mr. President. We cannot afford to continue to see this economy faltering. We would have failed the people we were sent here to represent.

President Clinton said it over and over again. If you have a better idea,

put it on the table. We did have a group of five—some Democrats, some Republicans—put an idea on the table. That is fine. But if you really look at it, that plan hurts the poor. That plan hurts the middle class. That plan hurts the elderly through cuts in Medicare. When we compare it to President Clinton's plan, it does not match up.

We know that we are going to have to look at Medicare. When Congress considers health reform, we will look at Medicare. But let us not do it in a vacuum. Let us look at Medicare and Medicaid in the context of a comprehensive health care reform package. That debate is coming soon.

Now it is time to focus on the comprehensive plan that is before us. We need to focus on the only plan that meets this Nation's challenges head on. It is the only plan that really acknowledges new priorities. Yes, we can criticize the plan and debate it, but let us move on with it, Mr. President.

The President's plan will reduce the deficit by almost \$500 billion over 5 years. It will do so with a delicate combination of spending cuts and tax increases. You will hear squawking and complaining that there will be tax increases and you will hear squawking and complaining that some spending priorities are taking a lower peg on the ladder. You will even hear those on the other side of the aisle defend the mohair subsidy. Many of those who defend it are those who say we have to cut more spending, but not in my backyard, not the mohair subsidy. As I have heard Senators say that my Texas goat ranchers would not like to lose their subsidy. The mohair subsidy goes back to the war years, Mr. President, when we needed wool for the uniforms of our fighting men. This subsidy is out of date. We hear a lot of people say we have to do away with the sacred cows. I say do away with the sacred goats while we are at it. Yet even with these other subsidies, you will hear those on the other side of the aisle who keep complaining that this President does not cut enough spending. They keep speaking out for these kinds of subsidies for their own backyards. It is time to put all that aside. We tried that strategy in the eighties. It did not work.

President Clinton proposes to cut spending by \$175 billion. Roughly \$60 billion of these cuts are in entitlement programs, and those cuts are not easy. These are tough choices, and President Clinton has made them.

And the taxes. I want to talk about the taxes. Not one Senator or one Member of Congress wants to raise taxes. It is not pleasant. It is not happy. You do not get rewarded for it. It hurts you. But once in a while you have to do something tough.

Again, during the last decade, wealthy Americans saw their average income skyrocket from \$314,000 in 1977

to \$675,000 in 1992, a 115-percent increase in their incomes. I ask you who paid the price for that? I say the middle class. The middle class was hit by taxes, and they found themselves working harder and making less.

But this time, as we look at these sorry deficits, we must look at fairness. And this President has done so. Yes, he says it is time that the wealthiest among us pay their fair share of the burden. Mr. President, I know people in my State who did very well in this last decade, and they want to help.

I am not saying they are going to sit down and write a check on their own to lower the deficit, but they are ready and willing to see their tax rates go up a little. And I know that my friends on the other side of the aisle get very upset at this thought. They like the trickle-down theory. They believe that if you give to the wealthiest, then, hopefully, the crumbs will eventually wind their way on down to everybody else. They think that with trickle-down economics we will all become richer and better, and the deficit will go down. They think that spending us into prosperity is the answer.

But what did the wealthy Americans do with all the money they made in the 1980's? Many of them used it to buy up companies and then break them apart, costing many Americans their jobs.

So it is time that we see a fair tax bill. And, it is time that those who benefited the most in the 1980's pay their fair share. I think that is what you will see in this President's tax program. Seventy-five percent of President Clinton's proposed tax increases fall on those who can afford to pay more. And, these Americans will feel better when they see our children doing better; they will feel better when they see our families doing better; they will feel better about this country when every one is brought along.

Mr. President, that is what America is about—bringing everyone along. We do not guarantee things for people we do not guarantee certain results, or guarantee money. But we should guarantee people a chance, an opportunity. To do that, we need to make investments in the American people, and that is what the President does.

The President has even offered to set up a deficit reduction trust fund so that we are sure that increased taxes will go toward deficit reduction.

Yes, the President must raise some taxes. Yes, he increases some spending. But, we need to increase spending in some cases in order to invest in our people. In order to invest in our industries, so that we will have prosperity in the future. With President Clinton's economic plan, the deficit will come down from 5 percent of GDP to 2.5 percent of GDP. That is what is important, the percentage the deficit is of the gross domestic product. It must

come down in order for Americans to be competitive.

So, let us resist the easy answer of tearing everything down, Mr. President. The time is past for that. Let us resist the answer of hitting our elderly, as the so-called bipartisan compromise does. Let us adopt the basic concepts in the President's plan. It is going to go through committee; it is going to change. But we must begin to move forward with the President's plan. I believe the plan is a blueprint for fiscal responsibility and sound investment. I think it will bring us closer to reversing a decade of neglect of our people, and our children, and to reversing a decade of fiscal irresponsibility.

Mr. President, I yield the remainder of the time to the Senator from South Dakota.

The PRESIDENT pro tempore. The Senator from South Dakota [Mr. DASCHLE] has 27 minutes 18 seconds.

Mr. DASCHLE. Thank you, Mr. President.

Mrs. BOXER. Mr. President, before the Senator begins, I wanted to mention one thing to him. First, I want to thank him for organizing this morning.

I wanted to mention that one of our colleagues was deriding the reconciliation bill, saying it was more than 1,000 pages, as if this was something unusual. So we did a little research and found out that in 1987, the Ronald Reagan reconciliation bill was 1,100 pages; and the George Bush reconciliation bill was 2,000 pages; and in 1990, it was 1,100 pages. I thought it was important to put that on the record.

THE PRESIDENT'S ECONOMIC STRATEGY

Mr. DASCHLE. Mr. President, that is important, and I thank the distinguished Senator from California. She is an articulate advocate for her State and, once again, has enlightened us with her description of the reconciliation package and the need for it. I appreciate very much her willingness to come to the floor this morning, as she has, and as she does so often, to represent not only the interests of her people, but the interests of this country, as she articulates what so many of us have also attempted to describe as an important part of the President's economic strategy.

Mr. President, I, too, come to the floor this morning to talk about this reconciliation package, and I begin by reading the following list: The Advance Screw Products Corp.; Acme Manufacturing Co.; the American Lawn Mower Co.; Chicago Flame Hardening Co.; Clark Grave Vault Co.; Embalmers Supply Co.; the National Association of Band Instrument Manufacturers; Phillips Petroleum; the Salt Institute; and perhaps my personal favorite, Republican Engineered Steels. That is right, Republican Engineered Steels, Inc. Ten

companies and ten more reasons that America has a \$4 trillion national debt.

Each of those companies has just signed on as a member of the Affordable Energy Alliance, which boasts that it has 823 members, all opposed to the Clinton economic plan because they do not like the Btu tax. So the list represents not just 10, but 823 more reasons that we have a \$4 trillion debt.

Then there are a few thousand millionaires. They hate Clinton's tax on millionaires, so that is a few thousand more reasons why we have a \$4 trillion debt. Add some city people who do not like the President's cut in city programs, and military people who do not like the cuts in defense spending, and you get the point.

Nobody likes to have their programs cut, their taxes increased. There is just one problem—after all of the complaining, after all of the reasons stated by so many of our colleagues and so many of these companies about why we cannot do this, why we cannot do that, why we can never do anything to govern effectively, or deal with what people tell us is a serious problem in this country, getting worse and worse and worse—everyone has just one reason why this or that plan is unfair, ineffective, and not worthy of our support. And the bottom line is that, today, we have a \$4 trillion debt.

That is up from \$1 trillion just 12 years ago, as now everybody knows. It is a disaster of the first order. We all know that, too. We all know that it does not matter who is the President or what the deficit reduction plan is. Nobody is going to like it. Pain does not have a constituency. There is no constituency out there for taking programs away, or for adding taxes. But it is time to get real. If we want to cut that \$4 trillion deficit, then all of us are going to have to take a little pain. There is no plan in the world that is not going to be attacked by the affordable energy alliances of the world. But we ought to at least be honest about the price we pay if we toss the President's package into the dumpster. If his plan is defeated, it will add almost \$4,000 to the average family's share of our national debt over the next 5 years; to avoid that \$4,000 debt burden would cost the same average family about \$488 in additional taxes over the next 5 years. That is \$488 in taxes to save \$4,000 in new debt.

That is the difference. That is our choice. We can add 4,000 dollars' worth of debt, or an average family over the next 5 years may have to absorb \$488 in taxes. That is less than \$10 a month. Sometimes I wonder if the facts about any deficit reduction plan really matter. Are the facts persuasive to anybody? Does anybody look at that and say, oh, and the light goes on and somebody comes to the realization that maybe it is worth some kind of an investment, a \$488 investment, at the end

of 5 years for a \$4,000 per family deficit reduction plan?

Two facts really do matter, whether or not that argument is persuasive. The first is, as I said, that it is only going to get worse. That \$4 trillion debt is expected to be \$7.5 trillion by the year 2003 if we do nothing—\$7.5 trillion if we do nothing. Everybody can come up with their plan to do something. The President has provided his. That means that without a change in the Federal Government's current policies, the amount of publicly held debt every man, woman and child owes will more than double from \$12,941 in 1993 to \$26,595 in the year 2003.

So that \$4,000 figure I used for the next 5 years is nothing compared to what it will be in the next 10—\$26,595; that is the price tag. That is what we could have to look forward to.

The amount a family of four owes on publicly held debt will more than double, from \$51,000 to \$106,000, in the year 2003, nearly the level of the average home mortgage in 1992—\$106,000. I do not know about West Virginia, which the Presiding Officer so ably represents, or California, but I do know this: In South Dakota, you can still buy a pretty nice home for \$106,000. By the year 2003, your choice may be buying that home or coming to grips with the fact that we now have a debt that is larger than the value of most homes in my State. That could be the choice in 10 years if we do nothing now.

Publicly held debt as a percentage of GDP will increase from 53 percent in 1993 to 77 percent in the year 2003.

I have heard the President pro tempore talk about putting the debt in concrete terms, and I think that is the only way we can fully appreciate our situation. I am told that a \$7.5 trillion debt means that, in \$1 bills placed end to end, it would stretch 697.5 million miles, from the Earth to the Sun and back, 3½ times. And paid off at the rate of \$1 million a minute, it would take 14 years and 3 months to pay off this debt. To pay off the debt at a rate of \$1 million a minute, it would take 14 years and 3 months. That is of our fiscal situation.

So, if we do nothing, we are talking about a debt—just so everybody understands, that, placed end to end, would take us to the Sun and back 3½ times. That is what this debt is all about. That is why this plan is so important.

Sure, we can find ways to tear it apart. Sure, we can come up with our own ways to make it better. But that is what leads me to the second fact.

The second fact is that we have just one President. He has been in office now for 4 months. He is the first President in a long time who has had the courage to bite the deficit reduction bullet.

So if we allow Republican Engineered Steel, and all the thousands of other special interests that do not like this

plan, to kill it, believe me, it is going to be a very long time before this President, this Congress, or anyone else sticks their necks out on a budget deficit plan the way this President has done.

We can make a lot of easy political points today, but when we finish, remember these two facts: The deficit is not going to go away; it is only going to get worse. And no other plan will be easier to pass than the one the only President we have presented to us and has proposed. Those are the facts.

We can sit here and do nothing. But doing nothing has consequences beyond those I believe most people have considered today. Unless we change current fiscal policies, in 10 years the net interest payment on the Federal debt held by the public will go from \$198 billion in 1993 to \$437 billion in the year 2003, becoming far and away the single biggest part of the Federal budget. That means that we will have increased the debt as a percent of GDP to 4.5 percent. It will be, as I said, the costliest Government program of all. We will see it go from 13.6 percent in total spending in 1993 to 17 percent of total spending in the year 2003.

Mr. President, we really have to look at the consequences here. These are very difficult times, but if we choose to do nothing, they can only get worse, can only become more complicated, can only become far more onerous to us in the future.

Obviously, it is important that, as we attack this problem, we try to work in a bipartisan spirit. I am told that there are those on the other side who would support revenue increases of some kind if they were tied directly to the deficit. It is important to emphasize, as I think has been emphasized over and over again, that every dollar in revenue increases in this plan, every single dollar, goes to deficit reduction. Over the next 5 years, there is \$1.21 in spending cuts for every dollar of tax increases in the budget resolution. In 1994, the budget resolution has 97 cents in spending cuts for every dollar of tax increases. In 1995, the budget resolution has \$1.07 in spending cuts for every dollar in tax increases. In 1996, the budget resolution has \$1.10 in spending cuts for each dollar of tax increases. In 1997, the budget resolution has \$1.18 in spending cuts for each dollar of tax increases. In 1998, the budget resolution has \$1.54 in spending cuts for each dollar of tax increases.

Let me emphasize that: \$1.21 in spending cuts for every dollar of tax increases. And that ratio could become even more dramatic as we continue to negotiate with active participants in this reconciliation process.

I want to see more cuts. I want to see ways in which to reduce the deficit even faster. I want to find a way in which to reach a consensus with liberal and conservative Members alike in this

Chamber. That is the only way we are going to get it passed. And if it takes more cuts to do so, let us do it. Let us find a way to do it.

But to say categorically we are not going to be a part of it—which some of our colleagues on the other side of the aisle have said—to say categorically there is no way they are going to participate in this process that we have all talked about as being the most important thing we can do in Government today seems awfully disingenuous.

So I think we have a responsibility here to act constructively, to act in a nonpartisan fashion, to find a way to deal more effectively with the problem that we have before us.

Many have articulated concerns along with this Senator of the impact that this plan has on agriculture. Frankly, I wish the administration would be more forthcoming as they attempt to describe the impact of this plan on various areas, especially that area of the country, the Midwest, where so much of our agriculture is such a big part of the economy, both nationally and regionally.

I think the Department of the Treasury's analysis of the economic impact of the administration's plan on agriculture is a very relevant and very important part of this whole effort to educate and to consider carefully the ramifications of reconciliation. The Department of the Treasury has released recently a very thorough report on the impact that this plan has on agriculture, and I ask unanimous consent to print that report in the RECORD.

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

ECONOMIC IMPACT OF THE ADMINISTRATION'S PLAN ON AGRICULTURE

EXAMPLE OF AN UPPER MID-WESTERN FARMER

This example illustrates the economic impact of the President's economic plan on an upper mid-western farm family. The example is that of a farm family with two children, and with income of \$17,600. They have \$107,000 of debt and a net worth of \$500,000 (close to the regional average), and invest \$15,000 in new or used equipment. The farm consists of 1,250 acres, producing four crops: 610 acres of wheat, 180 acres of barley, 50 acres of oats, and 160 acres of sunflowers, with 250 acres fallow.

This farm family will benefit under the President's economic plan, as currently modified by the Congress. Family income will increase an estimated \$1,718 as a result of lower interest rates, more generous investment incentives, and extension of the health insurance deduction for self-employed workers. (These increases could be realized this year or next.) The farmer will lose \$1,644 from reductions in farm program benefits, the proposed energy tax, and the increase in the inland waterways fuel tax when these provisions are fully phased-in (not generally until 1996 or 1997). For the facts assumed in the example, the net result will be an increase in the farm family's income of \$74 (a gain of 0.4 percent) under the President's economic plan, as shown below. If it is assumed the status of the two children enable

the family to reap the benefits of the expanded earned income tax credit (EITC), the example shows that the farm family's income will increase by \$1,035 (a gain of 5.9 percent).

Economic Impact

Benefits in 1994:

	Amount
Equipment expensing (first year's saving)	\$643
Reduced interest rates	963
Extended self-employed health insurance deduction	112
Subtotal benefits	1,718
Expanded EITC	961
Total benefits	2,679

Cost when fully phased-in:

BTU energy tax in 1997	382
Increased inland waterways fuel tax in 1997	223
Cuts in farm programs in 1996	1,039
Total costs	1,644

Department of the Treasury, May 20, 1993.

COSTS AND BENEFITS OF THE ADMINISTRATION'S PLAN ON FARMING

The Administration's economic plan seeks to accomplish the combined national goals of reducing the federal budget deficit, increasing investment, and restoring long term economic growth. Increased growth helps people and businesses by increasing our standards of living.

The plan requires a shared contribution from all Americans to achieve its goals, but on balance, all Americans, including farmers, will benefit. They will receive new incentives to invest in more productive equipment. Lower interest rates, resulting from deficit reduction, will lighten existing debt burdens and will spur rural economic growth. The nation will see a reform proposal designed to control the rising cost of health care. The Administration's plan will also assist low-income earners by expanding the earned income tax credit. This will ensure that all families with two children earning at least the minimum wage will not live in poverty.

Increased expensing

As modified by the House Ways and Means Committee, the plan will encourage Americans to investment in new equipment, commencing in 1993. Specifically, it increases the level of capital investments allowed to be expensed from \$10,000 to \$25,000. These investments would, in general, otherwise have to be depreciated over 7 years. In any year, about one-third of the farmers in the region in the example do not invest in equipment, but the two-thirds who do tend to invest an average of \$15,000. The increased reduction in tax liability (at a 15 percent tax rate) attributable to the increased expensing allowed, in the year this average investment is made, is \$643.

Reduced interest rates

Financial markets view the Administration's program very favorably, calling it the first true deficit reduction program in twelve years. As a result, interest rates have declined significantly since the November election. These lower rates should stimulate new investment, and overtime should allow existing debtors to refinance their high interest rate debt at more favorable levels, as is assumed in the example (which is based on a decline of 90 basis points in interest rates).

Extending small-issue agricultural bonds

Some farmers receive low-cost interest loans from state, county, or local govern-

ments. These governments are able to raise lower-cost funds through small-issue agricultural bonds, since the bondholders' interest is exempted from federal tax. The government requires that at least 95 percent of gross proceeds must be used to purchase agricultural land or equipment, and the size of an issuance cannot exceed \$1 million. The Administration's plan proposes to extend the rights of state and local governments to issue these agricultural bonds.

Extension of the health insurance deduction

Farmers need comprehensive affordable health insurance, yet many can no longer afford it. The Administration is addressing this issue in two ways. First, the plan extends the 25 percent deduction for health insurance costs of self-employed workers and their families through at least December 31, 1993. Second, the Administration initiated a task force to examine ways to reform the health care industry. The health care task force seeks to control exploding costs and to expand coverage to ensure all Americans receive some form of coverage.

The example shows the tax savings generated from extending the 25 percent deduction for self-employed health insurance, based on an assumed premium of \$3,000 (which is anticipated to be about the typical 1994 cost of such family policy) and a 15 percent tax rate.

Expansion of the EITC

The Administration is committed to "making work pay." The President's plan would expand the earned income tax credit to allow a credit of up to 39.7 percent of income for families with two or more children. Depending on a farmer's income level, a family with two children can receive up to \$1,482 in additional annual assistance. The increased benefit is reduced for families earning more than \$11,000 (as is the case in the example), and is fully phased-out for two-child families earning more than \$28,000. Increased benefits of up to \$282 are available to a family with one child, and up to \$306 to taxpayers with no children.

Phased-in Btu energy tax

To reduce the budget deficit, encourage greater energy conservation, and stimulate development of less environmentally damaging processes, the Administration proposes to impose an excise tax on fossil fuels, as well as hydro- and nuclear-generated electricity. Petroleum-based fuels would generally be taxed at a higher rate. The Ways and Means Committee, however, exempted diesel fuel and gasoline used on farms from the higher rate. This tax is expected to increase average farm production costs by about 0.4 percent in 1997, when the tax is fully phased in.

In the example, the increased production costs for the farm specified are anticipated to be \$288; adding an additional \$94 for the family's household energy consumption accounts for the \$382 cost noted. Farmers are likely to adjust both their crop mix and farming practices, as they have done in the past in response to higher oil prices, and this will reduce the costs. A 3-year phase-in period will provide farmers time to shift to more energy conserving practices. During this period, farmers will benefit from the lower interest rates and investment incentives that are associated with the plan.

Inland waterways fuel tax increase

Farmers will experience a small increase in freight costs for their crops due to the proposed increase in inland waterways fuel taxes (as modified by the Ways and Means

Committee) of \$0.50 per gallon when fully phased in. These waterways are currently the most heavily subsidized mode of transportation in the United States and the only Army Corp of Engineers program that is still dependent on federal operating funds. The Administration plans to move this system of intercoastal waterways towards self-sufficiency by increasing the tax on diesel fuel for barges. The increased cost is expected to depend upon the amount of grain and oilseeds shipped by barge, and competing rail freight costs are assumed to also increase somewhat. These increased transportation costs are expected to lead to some reduction in the prices received by the farmer, but increased deficiency payments are expected to help offset the lower prices. In the example, the net effect after taking these effects into account, is estimated to be \$223.

Farm program cuts

The Administration's economic plan calls for a reduction in some farm programs over the next four years (although the overall reductions have been modified by the Budget resolution). The example includes the effects of the estimated reduction in deficiency payments for wheat and barley for the farm specified.

Mr. DASCHLE. The bottom line is they take an average farm of about 1250 acres, producing four crops: 600 acres of wheat, 100 acres of barley, 50 acres of oats, 160 acres of sunflowers, and 250 acres fallow.

Considering together all of the costs, when fully phased in, and all the benefits, according to the Department of the Treasury, there would be a complete gain of about \$1,035 for that 1250-acre farm; a \$1,035 gain for a typical family farm, according to the Treasury Department's analysis. That means a Btu tax, a partial barge tax, cuts in farm programs, all on the cost side; but a dramatic increase in equipment expensing, from \$10,000 to \$425,000 on the benefit side; reduced interest rates, already being realized by farmers; extended self-employed health insurance deduction; and expanded EITC or earned income tax credit. Those are all considered.

In addition to that, we have added now a reduction in the Btu tax for farmers, or off-road exemption. And our negotiations with the administration continue. I feel very encouraged by the response that they have given us with regard to the impact of the Btu tax and their willingness to negotiate further with regard to its impact on agriculture.

So clearly, we have an effort on the part of this administration to respond to the concerns raised by people in rural America about the effects of the Btu tax and a determination to ensure that it is fair.

Small business, too, is affected in a very favorable way by this plan. Interest rates have declined substantially since the President's election. Increased expensing for farmers will also be included for small businesses.

The package contains a capital gains provision to directly encourage investment in small business. A 50-percent

exclusion for companies that paid in capital of less than \$50 million will provide a significant differential for qualified capital gains. A health insurance deduction of 25 percent for those who are self-employed; tax-exempt bonds; an exemption for small businesses from the corporate rate increase; permanent extension of incentives like the R&D tax credit; targeted jobs tax credit; the exclusion of employer provided educational assistance, among others. Individual estimated tax simplification is also included in this package.

So, Mr. President, there are very significant proposals for small business—some of which we have called for for a long time—wrapped into this reconciliation package, in spite of the fact that we reduce the deficit by \$500 billion over the next 5 years.

Shared sacrifice is really the key here for small business, for people in rural America, for people of all categories in our economy. Throughout this process our overriding goals must be to ensure fundamental fairness, and to reach that \$500 billion target.

Is it fair? Are we reaching that target? Those two questions, Mr. President, are critical to our successful completion of this effort.

I do not think anyone can deny the progressivity in this plan. It is something we have not seen for 12 years. So it does not surprise me that those who are most detrimentally affected by higher revenues would be out there in such vehement opposition to the plan. They have not had to face this kind of progressivity for the last 12 years.

Indeed, at long last we are putting some progressivity into the tax plan that has not been there for a long time. So, obviously, when you weigh the cuts that affect those who do not pay a lot of tax against the taxes for those who pay taxes but do not really see themselves affected by cuts, you have the balance that makes this the kind of plan that I feel very comfortable with.

Obviously, we still have work to do, and, obviously, the negotiations are going to continue. But let us all come to the table, let us all come to the realization that to do nothing will have consequences for the American family, for the American taxpayer, for the American businessman, for the American politician, the likes of which we have never seen in recent American history. That is what this is all about, Mr. President.

So we can come to the floor and we can lament this or that. We can listen to all of those groups who are not lining up in opposition because their special interest is detrimentally affected. Or we can do what is right. We can muster the courage. We can recognize that we have no choice, that we only have one President, and that we must negotiate in good faith with this President, with the House and the Senate, in coming to grips with this prob-

lem that has gotten too big and has gone on too long to ignore.

We owe it to the American people. We recognize the importance of change. We recognize the importance of fairness. And, most of all, we recognize the importance of our ability to govern.

Mr. President, I yield the floor.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The absence of a quorum having been suggested, the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDENT pro tempore. Without objection, it is so ordered. The Senator from Tennessee [Mr. SASSER] is recognized for 5 minutes.

Mr. SASSER. Mr. President, I ask unanimous consent that I be allowed to proceed this morning for 10 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered. The Senator from Tennessee is recognized for 10 minutes.

DEFICIT REDUCTION

Mr. SASSER. Mr. President, I listened with interest this morning, as I always do, to my colleagues on the other side of the aisle, and I must say that I heard nothing new, absolutely nothing new. The same tired, old echoes of Reaganomics and taxophobia that gave us the greatest fiscal crisis in our Nation's history I heard more of this morning emanating from our friends on the other side.

I want to remind all of our colleagues, and all who may be listening, one more time that many of the voices we are hearing this morning, now in shrill opposition to the Clinton deficit reduction program, are the very same voices that gave us the disastrous 1981 Reagan tax cut and its subsequent problems. The same Senators who were on this floor this morning demanding more cuts, more deficit reduction are the same Senators who dutifully defended the hallow fiscal leadership of the 1980's.

The Reagan-Bush Presidencies that generated—now, they did not inherit it—the Reagan-Bush Presidencies generated \$3 trillion in new national debt. It is no exaggeration to say, Mr. President, that the 12 years of Reagan-Bush, and particularly the 10 years of Reagan-Bush, will go down in history, when economic historians write the history of the 20th century, as the most mismanaged and irresponsible period of governmental fiscal policy in the history of the United States, and I say not just in the 20th century, but perhaps in the history of our country.

Listeners with any historic perspective will not miss the rich ironies that

are on this floor this morning. I am happy to say that we have a chance now to do more than measure present rhetoric against past actions. We are going to be able to measure this rhetoric against present actions.

Last week—and this is what I am talking about—last week Senators DANFORTH and BOREN put together a deficit reduction package that actually attempts to do what those on the other side of the aisle are calling for. It cut the mandatory programs in specific ways. It cuts the entitlements.

Let me say immediately that the Boren-Danforth plan does contain a substantial block of new taxes, \$150 billion in net tax increases, using the figures that Senators BOREN and DANFORTH have themselves offered. It includes every dime of President Clinton's increases in the personal income tax which are aimed at the wealthier in our society. It includes every dime of his increases in the tax on Social Security benefits that go to those of the more affluent who draw Social Security benefits.

It includes every dime of President Clinton's corporate tax increases. And I would suggest that right there the so-called bipartisan plan has lost probably two-thirds of those on the other side of the aisle.

The Boren-Danforth plan then goes on to supplement the tax increases with all of President Clinton's \$224 billion in outlay cuts, including his defense cuts, with some \$160 billion in additional cuts.

Now, that is what they say they want on the other side of the aisle. They want additional cuts, they want more spending cuts, and they want fewer tax increases.

Well, how do we go about getting those cuts? Boren-Danforth plan tells us how. Virtually every cut that Senator BOREN and Senator DANFORTH make is in three programs: Medicare for our older citizens, Medicaid for those who are so poor they cannot afford to pay for medical care, and Social Security for our elderly, along with some tradeoffs that reduce the earned income tax credits, and reduce food stamps in exchange for maintaining the hospital insurance cap at \$130,000, that indexes capital gains to benefit the wealthy, and they also eliminate the energy tax. But when you are talking about more cuts, the lion's share of them are coming out of Medicare, Medicaid, and Social Security.

Now, I think the Boren-Danforth plan is an ill-advised plan. I think it is both inequitable and simplistic, and I think it is guided largely by an abstract formula that demands \$12 in outlay cuts for every dollar in tax increases. That is what some on the other side of the aisle think we have to have. Of course, blended into that are some special regional interests. Some of the authors of this Boren-Danforth

plan are opposed to energy taxes because of the area of the country from which they come. But I think at bottom the Boren-Danforth plan is bad policy.

But as bad as the Boren-Danforth plan is in this Senator's judgment, it conforms to the principles that have been established by the speakers we have heard from the minority side of the aisle now from over the last month. They have been saying we have to have more cuts and fewer tax increases. That is what the Boren-Danforth has.

Now, let us see how many of them on the other side of the aisle are going to march up and support it. I submit, Mr. President, that almost none of them will. David Stockman, the Director of Office of Management and Budget under President Reagan, who presided early on in the Reagan administration over the disastrous tax cuts that came about, said that "The full-throated"—and I quote him in an article that appeared just a few weeks ago. He said, "The full-throated antitax war cries emanating from the GOP since February the 17th amount to no more than deceptive gibberish."

He goes on to state in this article that raising revenues is what is needed and that raising taxes is a business for grown-ups and the GOP should stand aside and let the grown-ups get the job done.

The Boren-Danforth proposal, as I indicated earlier, conforms to the principles to which our colleagues on the other side of the aisle say it should conform. It contains more cuts. It contains fewer taxes. The ratio is the same ratio that they have asked for; there is \$2 in spending cuts for every dollar in tax increases.

I wish to see how many of our colleagues on the other side of the aisle will stand up and support that. That is what they say they want. But I will predict, Mr. President, that if the roll is called on the Danforth-Boren plan on the floor of the Senate, it will not get any more than 20 votes.

Why? Because they want to talk about more spending cuts, but they do not have the gumption to come out and vote for those spending cuts because they know they are going to come out of Social Security, they know they have to come out of Medicare, they know they have to come out of Medicaid, and they know that the State governments and the Governors across this country will rebel if Medicaid is cut any more.

The American people reject this kind of nonsense where people are saying, well, we are for deficit reduction, but we are not for this particular deficit reduction plan because it just does not do precisely what we want. And the American people do not want a freeze on Social Security cost-of-living adjustments.

The PRESIDENT pro tempore. The time of the Senator has expired.

Mr. SASSER. I ask unanimous consent that I have an additional 5 minutes.

The PRESIDENT pro tempore. Without objection, the Senator will be recognized for 5 more minutes.

Mr. SASSER. The American people do not want \$114 billion in cuts in Medicare and Medicaid. That is what is in the Boren-Danforth plan. They do not want the tax credit for working American families to be reduced so that we can maintain a cap on Medicare that protects people with incomes of over \$130,000 a year.

The CNN television network did a poll on this whole question. They asked Americans if they wanted to see the so-called Btu tax eliminated, just eliminate the Btu tax and substitute in lieu thereof the cuts in Medicare, Medicaid, and Social Security.

Guess what the American people said? Twenty-two percent of the American people told the pollster, yes, we want to see the Btu tax eliminated, and we want to put in its place additional cuts, and those cuts will be in Medicare, Medicaid, and Social Security.

But 72 percent of the American people, by almost a 4-to-1 margin, said emphatically, no, they do not want to see the Btu tax eliminated and in lieu thereof Social Security cut, Medicaid cut, and Medicaid cut. The American people know that is a miserable trade-off.

If this plan were subjected to the kind of scrutiny—I am talking about the Boren-Danforth plan—that the Clinton deficit reduction plan has undergone—and I will tell you they have had experts for weeks looking it over trying to accentuate the negative in this whole Clinton program.

If the Boren-Danforth plan had been subjected to just a minimum amount of scrutiny, it would not have the support of 10 percent of the population. But again I want to say, Mr. President, the Boren-Danforth plan coincides precisely with the guidelines established by the minority in their public statements. It has \$2 of spending cuts for every \$1 of tax increases. Let us see how many of them on the other side of the aisle will vote for that. Let us see how many of them will vote to cut Social Security, how many will vote to cut Medicare, and how many will vote to cut Medicaid. You can count them on the fingers of your hands, in my judgment. How many of these Senators who just spoke denouncing the Clinton program will support the Boren-Danforth proposal, which meets their criteria? It is going to be interesting to find out.

Mr. President, it is my view that none of them will support the Boren-Danforth plan. Indeed, some who spoke this morning have already announced their opposition to it, even though it has the \$2 in spending cuts formula for

every \$1 in tax increases they say they want.

Mr. SARBANES. Mr. President, will the Senator yield?

Mr. SASSER. I am pleased to yield to my friend from Maryland.

Mr. SARBANES. When people get out here on the floor and talk about cutting entitlements, what happens is, they use that as a handy label. They talk about cutting entitlements, but what you really have to do is go beneath that label and find out exactly what the programs are on which these cuts are going to have an impact.

There are proposals out here, for example, that, if carried through, would severely impact the senior citizen population of this country—and not the senior citizens who are better off, but the people absolutely dependent on Social Security for their income in order to make it from month to month and the people who are dependent on Medicare in order to meet their medical bills.

It seems to me at least it must be understood that this glib throwing around of the word "entitlements" does not begin to address the real situation. The real situation is what is actually going to happen to people if these entitlements are cut. What you have is people coming in and saying, well, we do not want to do the work needed to reduce the deficit. We do not want to have a tax on someone who is better off. In fact, we want to reduce that tax. But then they put forward these proposals which are going to impose the pain and the burden on people who are less well off, who are dependent on the cost-of-living adjustment and Social Security in order to make ends meet or dependent on Medicare in order to meet their medical bills. Is not that correct, I ask the Senator?

Mr. SASSER. I ask unanimous consent that we be allowed to proceed for an additional 10 minutes.

The PRESIDENT pro tempore. Without objection, the Senator from Tennessee is recognized for an additional 10 minutes.

Mr. SASSER. The Senator from Maryland is precisely correct. When they are talking about cutting entitlements, as the distinguished chairman of the Finance Committee, Senator MOYNIHAN, said on one of the national programs Sunday, when they are talking about cutting entitlements, that is really a code word for cutting Social Security.

Well, it is a code word for cutting Social Security, but it is a code word for cutting even more. It is a code word for cutting Medicare. It is also a code word for cutting other entitlements.

Some of the same Senators who have come on this floor and railed against entitlements, saying they ought to be cut, are the same Senators who will privately say, well, we cannot cut agriculture. You know, many of the agri-

culture programs, as my friend from Maryland knows, are also entitlements. Civil service retirement programs are also entitlements. There are a whole host of programs that are entitlements. But principally the entitlement programs are Social Security; they are Medicaid, Medicare. Ninety-five percent of the growth in entitlements is in three programs: Medicare, Social Security, and Medicaid. So when you are talking about cutting entitlements or putting caps on entitlements, you are really talking about reducing the benefits in those programs or beneficiaries of those programs.

Mr. SARBANES. I appreciate the answer. Let me ask the Senator this: Does that not really mean, instead of talking vaguely about cutting entitlements, what you really have to do is talk about whether you want to cut specific programs and what the consequences will be of cutting the particular program to which you are making reference?

In the 1980's the Social Security trust fund was in difficulty financially. We have committed revenues that go into the trust fund from the payroll tax, and we pay the benefits out of that. The trust fund was getting into difficulty. We looked at that situation, and as part of correcting the problem of the Social Security trust fund, we did cut back on some benefits. We also increased some taxes in order to get the trust fund into a balanced position. Not only did we get into a balanced position, the Social Security trust fund, is now running a very significant surplus as a consequence of doing this.

In effect, it is not the Social Security program that is contributing to the deficit. In fact, if anything, the Social Security trust fund, the positive balance, is an offset in an accounting sense to this very large deficit figure.

So, really, people have to ask themselves the question: Do we want to hit the senior citizens even more heavily as opposed to reducing the deficit in some other way? Some people on the other side are upset because President Clinton is proposing to raise taxes on the very wealthy. In fact, 75 percent of the revenues which the President's program calls for, the increase in revenues to the Government, come from the top 6 percent of the income scale—75 percent. There are people on the other side who do not want that burden put on the very wealthy. They say, no, no, we should not do that tax; we should cut entitlements, which means let us cut the ordinary Social Security recipient before we ask the very wealthy to make some contribution toward reducing the deficit. That does not seem equitable to this Senator.

Mr. SASSER. I think the Senator from Maryland is quite right, and particularly in view of the fact that the Social Security old-age and survivors trust fund that pays out the Social Se-

curity benefits will run a surplus this year of about \$70 billion.

Mr. SARBANES. Seventy billion dollars?

Mr. SASSER. That is correct. Why should we be reducing benefits for those who are the beneficiaries of a program when that program is running a surplus? The Social Security Program is not the problem. What they are seeking to do is to use the funds collected to go into the Social Security trust fund to reduce the outlay of those so they will not have to raise taxes on the upper 6 percent of the wealthiest people in the country.

Let me just say to my friend from Maryland something that I read that I think he will find of great interest. He will recall when David Stockman was Director of the Office of Management and Budget during the early days of the Reagan administration, that is when we really got ourselves into such serious trouble with the very large tax cut at that time. Here is what David Stockman just wrote about this whole problem. I would like to quote him. I think my friend from Maryland will find this interesting. David Stockman said:

There is no way out of the elephantine budget deficits that have plagued the Nation since 1981 without major tax increases.

That is what David Stockman wrote just a few weeks ago. Continuing on in this regard, Mr. Stockman said:

In this regard, the full-throated antitax war cries emanating from the GOP since February 17 amount to no more than deceptive gibberish.

That is what David Stockman says. Then Mr. Stockman continues on—

Mr. SARBANES. This is the David Stockman who was the Director of the Office of Management and Budget for Ronald Reagan in his first term?

Mr. SASSER. That is correct. Continuing on, Mr. Stockman, who was Reagan's Director of OMB, says:

The root problem goes back to the July 1981 frenzy of excessive and imprudent tax cutting that shattered the Nation's fiscal stability.

A noisy faction of Republicans have willfully denied this giant mistake of fiscal governance, and their own culpability in it, ever since.

He continues on, I say to my friend from Maryland, and this is a direct quote, talking about these Republicans:

Instead, they have incessantly poisoned the political debate with a mindless stream of antitax venom, while pretending that economic growth and spending cuts alone could cure the deficit.

That is what David Stockman said.

Mr. SARBANES. President Clinton, to his credit, has proposed a balanced program. The President has proposed very significant cuts in spending, but he recognizes that that alone will not fully address the deficit reduction problem with which we are confronted. He, therefore, is proposing increases in revenue as well.

The deficit reduction he is proposing far exceeds the additional revenues from taxes, so it can legitimately be stated that every penny in additional taxes will go for deficit reduction; I ask my friend, is that not correct? And in addition, a very significantly amount will go for deficit reduction from the spending cuts.

So what the President is doing is seeking to reduce the deficit through a combination of spending cuts and revenue increases, and the deficit reduction, which runs at about \$500 billion, is almost twice the additional revenues from revenue increases. So every penny will go for deficit reduction and a significant additional amount will come from spending cuts; is that not correct?

Mr. SASSER. The Senator from Maryland is absolutely correct. I find it ironic that the same group that gave us these enormous deficits, the same party that gave us this \$3 trillion increase in the national debt during the 1980's, are the same people here that are saying "no" to the Clinton plan. The Clinton plan is the largest deficit reduction program in the history of this country.

Let me just quote one more statement of David Stockman. I think this is really illuminating to hear the views of Mr. Stockman, who served, as I said earlier, as the Director of the Office of Management and Budget in the early days of the Reagan administration. Here is a quote from the same article:

On the vast expense of the domestic budget, "overspending" is an absolute myth. Our post-1981 megadeficits are not attributable to it.

Mr. Stockman is saying that these large deficits are not attributable to spending.

He continues on and says:

And the GOP has neither a coherent program nor the political courage to attack anything but the most microscopic spending marginalia.

I think that is a very illuminating statement. It says an awful lot to be coming from him.

Mr. President, I simply conclude by saying this to our friends on the other side of the aisle: The Clinton program is the largest deficit reduction plan in the history of this country that will reduce the deficit by one-half over the next 5 years. For our friends on the other side of the aisle who say, well, we cannot support it because it has too much by way of tax increases and it does not have enough spending cuts, let me recommend to them the Danforth-Boren proposal.

I am not going to vote for it because I am not willing to cut Social Security; that is not part of the problem. Why should Social Security beneficiaries be cut when Social Security is running a surplus every year? I am not going to vote for the Danforth-Boren proposal because I am not willing to cut Medicare to the extent that they are. I am

not going to vote for it because I am not willing to cut Medicaid to the extent that Danforth-Boren does.

Mr. SARBANES. If the Senator will yield on that, people have to understand that when you say cut entitlements, you mean cut Medicare, cut Medicaid, cut Social Security. If you cut them, what you are saying is that people who desperately need health care are not going to get it. It amounts to that exactly, and that must be understood.

Let us get away from this sort of vague language that says we will cut entitlements. What do you mean? We will cut Medicare and Medicaid. What do you mean? What that means is that people without financial means, who need health care, are not going to be able to get health care. That is what it means.

Mr. SASSER. The Senator from Maryland is quite right. If those on the other side of the aisle want more cuts, if they want fewer tax increases, then let them vote for Boren-Danforth and cut Social Security and reduce the Social Security benefits, reduce the Medicare benefits, and reduce the amount of taxes that have to be paid, if that is what they want to do. It meets their formula of 2 dollars' worth of spending cuts for every \$1 in tax increases.

But I submit, Mr. President, that when the time comes to answer the rollcall, two-thirds to 80 percent of our friends on the other side of the aisle who say they want more cuts will not vote for them.

Before yielding to my friend from Montana, Mr. President, I ask unanimous consent that this article by Mr. David Stockman be printed in the RECORD in its entirety. I think it ought to be required reading for all of our colleagues on both sides of the aisle.

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

AMERICA IS NOT OVERSPENDING

David A. Stockman Director of the Office of Management and Budget from 1981 to 1985, during the first years of the "Reagan Revolution." David Stockman left office amid the lingering controversy caused by his revelations in the Atlantic magazine about the internal Administration politics which, Stockman said, would result in untenable deficits. (Stockman's memoirs of those years are entitled *A Triumph of Politics: How the Reagan Revolution Failed*. He is currently a General Partner at the Blackstone Group, a New York investment house.)

President Clinton's economic plan deserves heavy-duty criticism—particularly the \$190 billion worth of new boondoggles through FY1998 that are euphemistically labelled "stimulus" and "investment" programs. But on one thing he has told the unvarnished truth. There is no way out of the elephantine budget deficits which have plagued the nation since 1981 without major tax increases.

In this regard, the full-throated anti-tax war cries emanating from the GOP since February 17 amount to no more than deceptive gibberish. Indeed, if Congressman Newt Gingrich and his playmates had the parental

supervision they deserve, they would be sent to the nearest corner wherein to lodge their Pinocchio-sized noses until this adult task of raising taxes is finished.

The fact is, we have no other viable choice. According to the Congressional Budget Office (CBO) forecast, by FY1998 we will have practical full employment and, also, nearly a \$400 billion budget deficit if nothing is done. The projected red ink would amount to five percent of GNP, and would mean continuing Treasury absorption of most of our meager net national savings through the end of the century. This is hardly a formula for sustaining a competitive and growing economy.

The root problem goes back to the July 1981 frenzy of excessive and imprudent tax-cutting that shattered the nation's fiscal stability. A noisy faction of Republicans have willfully denied this giant mistake of fiscal governance, and their own culpability in it, ever since. Instead, they have incessantly poisoned the political debate with a mindless stream of anti-tax venom, while pretending that economic growth and spending cuts alone could cure the deficit.

It ought to be obvious by now that we can't grow our way out. If we should happen to realize CBO's economic forecast by 1998, wouldn't a nearly \$400 billion deficit in a full employment economy 17 years after the event finally constitute the smoking gun?

To be sure, aversion to higher taxes is usually a necessary, healthy impulse in a political democracy. But when the alternative becomes as self-evidently threadbare and groundless as has the "growth" argument, we are no longer dealing with legitimate skepticism but with what amounts to a demagogic fetish.

Unfortunately, as a matter of hard-core political realism, the ritualized spending cut mantra of the GOP anti-taxers is equally vapid. Again, the historical facts are overwhelming.

Ronald Reagan's original across-the-board income tax cut would have permanently reduced the federal revenue base by three percent of GNP. At a time when defense spending was being rapidly pumped up, and in a context in which the then "conservative" congressional majority had already decided to leave 90 percent of domestic spending untouched, the Reagan tax cut alone would have strained the nation's fiscal equation beyond the breaking point. But no one blew the whistle. Instead, both parties succumbed to a shameless tax-bidding war that ended up doubling the tax cut to six percent of GNP—or slashing by nearly one-third the permanent revenue base of the United States government.

While delayed effective dates and phase-ins postponed the full day of reckoning until the late 1980s, there is no gainsaying the fiscal carnage. As of August, 1981, Uncle Sam had been left to finance a 1980s-sized domestic welfare state and defense build-up from a general revenue base that was now smaller relative to GNP than at any time since 1940!

In subsequent years, several "mini" tax increase bills did slowly restore the Federal revenue base to nearly its post-war average share of GNP. The \$2.5 trillion in cumulative deficits since 1981, however, is not a product of "over-spending" in any meaningful sense of the term. In fact, we have had a rolling legislative referendum for 12 years on "appropriate" Federal spending in today's society—and by now the overwhelming bipartisan consensus is crystal clear.

Cash benefits for Social Security recipients, government retirees and veterans will cost about \$500 billion in 1998—or six percent

of prospective GNP. The fact is they also cost six percent of GNP when Jimmy Carter came to town in 1977, as they did when Ronald Reagan arrived in 1981, Bush in 1989 and Clinton in 1993.

The explanation for this remarkable 25 years of actual and prospective fiscal cost stability is simple. Since the mid-1970s there has been no legislative action to increase benefits, while a deep political consensus has steadily congealed on not cutting them, either. Ronald Reagan pledged not to touch Social Security in his 1984 debate with Mondale; on this issue Bush never did move his lips; and Rep. Gingrich can readily wax as eloquently on the "sanctity" of the nation's social contract with the old folks as the late Senator Claude Pepper ever did.

The political and policy fundamentals of the \$375 billion prospective 1998 cost of Medicare and Medicaid are exactly the same. If every amendment relating to these medical entitlements which increased or decreased eligibility and benefit coverage since Jimmy Carter's inauguration were laid end-to-end, the net impact by 1998 would hardly amount to one to two percent of currently projected costs.

Thus, in the case of the big medical entitlements, there has been no legislatively driven "overspending" surge in the last two decades. And since 1981, no elected Republican has even dared think out loud about the kind of big changes in beneficiary premium costs and co-payments that could actually save meaningful budget dollars.

To be sure, budget costs of the medical entitlements have skyrocketed—but that is because our underlying health delivery system is ridden with inflationary growth. Perhaps Hillary will fix this huge, systemic economic problem. But until that silver bullet is discovered, there is no way to save meaningful budget dollars in these programs except to impose higher participation costs on middle and upper income beneficiaries—a move for which the GOP has absolutely no stomach.

Likewise, the "safety net" for the poor and price and credit supports for rural America cost the same in real terms—about \$100 billion—as they did in January, 1981. That is because Republicans and Democrats have gone to the well year after year only to add nickels, subtract pennies, and, in effect, validate over and over the same "appropriate" level of spending.

On the vast expanse of the domestic budget, then, "overspending" is an absolute myth. Our post-1981 mega-deficits are not attributable to it; and the GOP has neither a coherent program nor the political courage to attack anything but the most microscopic spending marginalia.

It is unfortunate that having summoned the courage to face the tax issue squarely, President Clinton has clouded the debate with an excess of bashing the wealthy and an utterly unnecessary grab-bag of new tax and spending giveaways. But that can be corrected in the legislative process—and it in no way lets the Republicans off the hook. They led the Congress into a giant fiscal mistake 12 years ago, and they now have the responsibility to work with a President who is at least brave enough to attempt to correct it.

EXTENSION OF MORNING BUSINESS

Mr. BAUCUS. Mr. President, I ask unanimous consent that morning business be extended and that I may speak for 15 minutes.

The PRESIDING OFFICER (Mr. DORGAN). Without objection, it is so ordered.

The Senator from Montana is recognized for 15 minutes.

MINING LAW REFORM

Mr. BAUCUS. Mr. President, I would like to speak on reform of the Hardrock Mining Act of 1872. Last night, the Senate passed mining reform legislation introduced by Senator CRAIG.

Mining has always been important to Montana. To a large degree, mining was the economic foundation upon which Montana was built. Mining gave rise to the present day towns of Butte, Helena, and Anaconda, as well as the long forgotten boom then bust towns of Bannack, Diamond City, Gold Creek, and Garnet.

The first gold discovery in Montana seems to have been made by John Owen in 1853, when he panned in his dairy, "Gold hunting. Found some." In the early 1860's, gold discoveries in Bannack, Virginia City, and Helena brought nearly 30,000 prospectors to the Montana frontier, and by 1866 the Montana Territory ranked second only to California in gold production. But by 1870, the boom had fallen into a bust, and the Montana Territory fell on a decade of hard times, until copper revived the economy and Butte emerged as the greatest mining camp in the West.

And while mining is no longer as dominant as it once was, it continues to be an important segment of Montana's economy. According to a report recently prepared by the Center for National Policy, mining and derivative economic activities contribute an estimated 11 percent of the State's earned income. And mining and mining related activities employ 8.3 percent of our State's work force.

Because mining is of such obvious importance to States like Montana, I take a great interest in any legislation which this body considers that affects mining. For example, the President's budget package included a provision that required a 12.5-percent gross royalty on hardrock mining on Federal lands. Simply put, this proposal was a killer for hardrock mining throughout the West.

Together with a group of my western Democratic colleagues, I talked to the President about this provision. As a result of these discussions, and thanks to President Clinton's understanding of our concerns, a 12.5-percent royalty is no long part of the budget reconciliation package.

But this does not mean that the larger issue of mining reform should not be addressed. Indeed, Senator JOHNSTON has shown decisive leadership in moving a mining law bill out of the Energy Committee and through the Senate—I

welcome this development. It is time for change, and I have long argued that good, balanced mining reform is needed. A 121-year-old law is just not up to the challenge of regulating the modern mining industry.

There are presently two Senate measures—S. 157, introduced by Senator BUMPERS; and S. 775, introduced by Senator CRAIG, the measure that passed last night—that attempt to deal with reform of the Hardrock Mining Act. In my mind, neither adequately represents the type of reform legislation that is needed on this issue.

Senator CRAIG'S measure, passed last night by unanimous consent, is a start. But the bill does very little beyond reaffirming the status quo. That is plainly unacceptable. On the other hand, Senator BUMPERS' measure is reformed oriented, but, unfortunately, it contains specific provisions that will cripple domestic hardrock mining. The answer to acceptable mining reform lies somewhere in the middle. Today, I intend to spell out what I believe to be fair, balanced reform.

Mining reform can be broken into four distinct categories: First, patenting; second, reclamation; third, unsuitability; and fourth, royalties. I believe fair and balanced reform must move beyond the status quo in each category.

The first issue concerns patenting of Federal lands for mineral entry and development. Under the 1872 mining law's patenting provision, mine claimants may obtain fee title to public lands for a filing fee of either \$2.50 or \$5 per acre. While this often involves a great deal of work and investment on the part of the claimant, few would dispute that the American taxpayer should receive fair market value on the sale of Federal lands—\$2.50 per acre is a far cry from fair market value.

I also take issue with a law that encourages transferring public lands into private ownership. While the incentive of cheap public lands for sale was once necessary to attract people to the West, times have changed.

Be it coal mining, oil and gas leasing, or timber extraction, we do not otherwise practice a policy of transferring ownership of lands to encourage development of the resource. Nor do we need to give away land to encourage hardrock mineral development.

I support revising the patenting system so that the public retains ultimate ownership of the public resource. An acceptable patenting system would allow individuals to make mineral claims on public lands, and would secure that right to develop the mineral resource in exchange for an escalating yearly fee.

For example, the holder of a claim would pay \$1 per acre for the first 5 years of the claim; \$2.50 for the next 5; \$5 for the next 5; and so on, until the claim enters into commercial produc-

tion. And, once mining ceases, the prospector would be obligated to return the land to the Federal Government in the best possible condition.

Second, I would like to talk about the need to develop Federal reclamation guidelines for hardrock mining. The 1872 mining law is not an environmental law, nor was it ever intended to be. And while I am well aware that modern mining projects must comply with a multitude of Federal and State environmental laws, I nevertheless believe that solid mining reform must address relevant environmental concerns.

I support reform that includes strong Federal reclamation standards. These standards should address hydrologic balance, waste disposal, soil contamination, erosion, revegetation, and other pertinent concerns relating to mineral activities. While it is certainly in the public interest to have a healthy domestic mining industry, it is also very much in the public interest to ensure that mining is conducted in an environmentally responsible manner.

While I believe it is necessary to develop Federal standards, I remain firmly committed to the notion that the States are best situated to regulate the mining industry. As such, Federal standards must not be so inflexible that the States are unable to craft reclamation laws given a region's particular topographic, geologic, and climatic conditions.

A good example would be the Federal hole reclamation statute where there are Federal mines, or where States are allowed in. In fact, my State of Montana has passed State reclamation laws which are more stringent than the Federal.

The third issue concerns unsuitability. Put simply, an unsuitability review is a determination whether mining is compatible with other values and uses that exist in a particular area. Under the terms of the 1872 Mining Act, mining is automatically considered the highest and best use of our public lands. Land managers are not given the discretion of saying no to mining even when that activity can be shown to irreparably impair other legitimate uses of the public resource. Our public lands should be managed for multiple use, with no single use predominate over all others in all circumstances.

I will support a suitability provision so long as it is applied at the beginning of the permitting process so as to be fair to the individual who might otherwise invest considerable time and money on a specific claim. Most importantly, this provision must be narrowly tailored so that mining interests are not unfairly burdened by a process that quickly becomes a legal nightmare. In short, it must be as fair to the mineral resource as it is to other resources.

The final and most controversial issue centers around imposing a roy-

alty for hardrock mining on Federal lands. I believe a royalty is justified for hardrock mining on Federal lands. We currently impose a royalty on coal and on oil and gas taken from Federal lands. States impose royalties on hardrock minerals, as do private landowners who lease their lands for mineral development.

As the Senate Energy Committee's hearing 2 weeks ago on the royalty issue demonstrated, however, the manner in which this royalty is assessed is critically important. Plainly, a 12.5-percent gross royalty would have dire implications for this country's mining industry. I suspect the same could be said for even an 8-percent gross royalty. On the other hand, CBO indicated that the 2-percent net royalty proposed in Senator CRAIG's bill will fail to generate 1 red cent of revenue.

The goal in imposing a royalty should be twofold. First, a portion of the money collected should go to the States so that their mining regulation programs are adequately funded and staffed. Federal mining reform should vest in the State the responsibility for implementing and enforcing reclamation standards, and it is our duty to ensure that the States have the financial support to carry out this responsibility.

Second, the bulk of the money collected must go to address the environmental problems created by inactive and abandoned mines. Montana's Abandoned Mine Reclamation Bureau estimated that there are over 3,000 abandoned mine sites in my State that pose either an environmental or safety hazard—a very real problem for which not enough is being done because of the magnitude of the costs involved. It is estimated that over \$1 billion is required to remedy the problems caused by inactive and abandoned mines in Montana alone. Many other States are in the same boat.

I therefore, believe that the royalty imposed must be based on profits generated—that is, a net royalty. And I do not think that an 8-percent net royalty is unreasonable. Preliminary estimates suggest that an 8-percent net royalty will generate \$96 million in revenue over the next 5 years. Unfortunately, I realize that \$96 million does not approach the kind of revenue the administration has indicated they would like to see generated, nor would it totally satisfy the objectives that I have mentioned must be served by a royalty.

I would strongly suggest that the Congress think seriously about imposing a modest fee on all hardrock mineral development—mining that occurs on Federal, State, and private land—and use the profits generated to adequately address the inactive and abandoned mine problem that currently exists. Such a fee will serve to generate needed revenue and is spread evenhanded across the entire industry so

that no one particular segment of the industry is responsible for the burden that should be borne by the entire industry.

The challenge facing both sides of the mining reform debate is to step up and recognize that this issue needs to be resolved in a fair, balanced, and permanent fashion. Industry must recognize that the status quo no longer serves the public interest. The public rightly demands fiscal and environmental accountability whenever the public domain is used, and industry should be willing to meet that demand. On the other hand, staunch advocates of reform need to be aware that we are talking about the livelihood of ordinary citizens and the sustenance of many a small community. Punitive reform is not rational reform.

I believe that the suggestions which I have offered today serve as the basis for balancing these competing interests and strikes a fair compromise on a difficult and divisive issue. Let us proceed with reform and be thorough about it so that we can finally put the issue to rest. But above all else, let us not forget the human element of the debate, and act with fairness and compassion.

Mr. President, I yield the floor.

TRIBUTE TO JAMES LYON

Mr. DECONCINI. Mr. President, George Bush once said that "the definition of a successful life must include serving others." Jim Lyon, who I can say with a great deal of pride was related to me, met President Bush's definition of service.

When he died recently at the age of 85, Jim had earned the reputation of a successful businessman and a successful inventor. Over his lifetime he held numerous patents for inventions which made their mark in agricultural science, in education and defense. One of Jim's inventions, widely hailed as a major breakthrough in the poultry industry, permitted chickens to feed in a natural setting without injury to one another.

But it was his commitment to young people and his belief in our system of education for which I will most remember Jim Lyon. Like Ben Franklin, he recognized the critical importance of education. "If a man empties his purse into his head," Franklin said, "No man can take it away from him. An investment in knowledge always pays the best interest." Jim knew that our children's confidence and ability and skills for the future often begin in school. He knew that our walk on the moon and the cure for cancer start in our schools. And so year after year, Jim encouraged science education in schools by providing basic electricity and science kits for classrooms. It is fitting that in his memory his family is planning an annual scholarship award to encourage the development of innovative devices

that will solve problems for those with special needs.

As a youngster, my family often spent summers in San Diego with the Lyons. Jim taught me how to fish, how to row a boat, and start a campfire. But he also taught me about the love of learning and the power of education in shaping the future. I will miss him.

A SPECIAL TEACHER—SCOTT SPENCER

Mr. BUMPERS. Mr. President, nothing is more precious to us than our children, and this is what makes their education so very important to us, not to mention to the future of our country. Yet we too seldom recognize the great importance this places on those to whom we entrust our children's education. More seldom still do we recognize those qualities in special teachers who turn what too often is the chore of teaching into an exciting experience, one that stays with the child long after the class is completed.

I would like to share with my colleagues the sad news that the country lost a special teacher in late March, one who brought a special magic to the classroom that influenced every child fortunate enough to have him for a teacher. Scott Spencer was an elementary school teacher extraordinaire. He cared about his students, went the extra mile for them, broke rules when necessary to make the learning experience an exciting one, something they would not only remember but take with them in the years to come.

Scott Spencer had a special knack for knowing what would be appealing, memorable, and fun for his kids, which made the job of learning much more exciting for them. If it took using an aardvark as his mascot, or wearing Groucho Marx glasses, or dressing up in costumes, Scott did it.

Sadly Scott Spencer was not able to complete his teaching career. Diagnosed with cancer last summer, Scott fought his disease valiantly. But when it was clear to him and his doctors that the cancer would win, Scott reacted in typical fashion: Don't give up, travel. Cheerful to the end, he made a final whirlwind set of trips, visiting close friends in California and Florida, even as his strength was ebbing away. From Florida he flew to the Washington, DC, area, where he spent 8 days with a member of my staff. He returned to his home in suburban Cincinnati just when the big March snowstorm hit. Fifteen days later he died.

Mr. President, the teaching profession has lost one of its finest in Scott Spencer. But his legacy is an army of former students and colleagues who were influenced by his special brand of teaching. To Scott's family, friends, former students, and colleagues I extend my sincere condolences.

I ask unanimous consent that an inspirational article about Scott Spencer

and his teaching methods, "A Man and His Aardvark," and an editorial comment, "Thank You, Mr. Spencer," from the Hamilton County, OH, EastWord be printed in the RECORD following my remarks.

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

[From the Hamilton County (OH) EastWord, May 1993]

A MAN AND HIS AARDVARK (By Douglas E. Sandhage)

(Editor's Note: Ever since I decided to be a writer, I've had but two key objectives: (1) to learn; and (2) to make a difference. Making a difference is what the following story is all about. Scott Spencer didn't need a media outlet, a political constituency, or a soapbox to leave his mark. He just needed a good old elementary school and the freedom to practice—sometimes outside the rules—common sense education. He did so, at the same school, for 25 consecutive years. The proof of his impact was probably most expressed in the messages that were read aloud at Scott's funeral in late March. The voices were loud and clear: "Mr. Spencer, thanks! We love you!")

I never met Scott Spencer. And up until last month, all I ever really knew about the man was that he was known as a good teacher, and that he adopted the aardvark as sort of a personal mascot.

Scott died in March, age 47, an untimely victim of cancer.

Some say he had no family. His mother and father died years before, the last of his kinfolk. He lived alone in his house in Amelia, a single man his entire life.

Others say he had family like you wouldn't believe. His home was Maddux Elementary School in Anderson Township; his students were his sons and daughters; his fellow teachers were his brothers and sisters; those he met during his worldwide travels were his best friends.

Scott's last words were that he loved everyone. He was buried in Spring Grove Cemetery, next to his mom.

WHO WAS THIS GUY, SCOTT SPENCER?

From what I can tell, Scott Spencer, in many ways was a regular Joe. He joined a few civic organizations, he kept a home, he bowled, he hiked, he enjoyed photography. Nothing in particular anything but what his closest friends would remember.

But outside of such normalness—when he was in school—was a different man.

Scott Spencer was born and raised in Hyde Park and like most in his day, chose the University of Cincinnati to get his degree. Nobody remembers what brought him to Anderson Township's Maddux Elementary, but it is clear a long-ago principal believed enough in him to offer an open classroom for a few thousand dollars in annual salary. Perhaps it was the adventure of coming to an area that then was still largely untouched, rolling farmland. Most years he taught the fifth grade.

Immediately Mr. Spencer began to make a difference. He accepted numerous additional duties, including after school activities like drama, Spanish and computer clubs, directing the Yearbook, as well as teaching calligraphy classes.

But all teachers claim extra-curricular activities so this alone did not set Scott Spencer apart.

It was the time he began spending with his students. It was the techniques he employed

to hold their attention, to help them not just to memorize the correct answers, but, more importantly, know how to ask good questions and where to find the answers.

It was his annual overseas trips to Russia, Australia, Africa, China, Mongolia, the Arctic Circle, his climb to the top of Mt. Killimanjaro. It was his ability to capture on film, and his notes, the cultures of the world and to share them with his students.

It was his own Scott Spencer "Saturday Field Trips"—as many as half a dozen each year—that expanded the horizons of his students. They would go on cave trips, museum tours, to a Cyclones game, and to outdoor dramas.

It was his pervasive sense of humor. It was an annual event for Mr. Spencer to pose with his students, all of them in the nose glasses with the large, black mustache and eyebrows.

Parents would beg—in writing, on the telephone, in person—to have their child placed in "Mr. Spencer's class." I was among them (though I asked politely and was told that parental influence would have no impact on teacher assignments). This proved to be true.

WHAT THE TEACHERS SAID

Over the years Mr. Spencer grew close to the faculty who shared his Maddux home with him. So close that five of them unofficially adopted him as his sisters.

A week after the funeral, I met with three of the five—Sue Stebbins, Nancy Manley and Jan Jackson—and with the current principal of Maddux, Diane Method.

Some of the things they said:

"Scott was always looking for a humorous way to teach a concept to his students," one of them said. "He would start every day with a joke, which not only got the attention of his students, but also helped with staff morale."

"He never did anything small. He was very well organized, knew every detail. On the way back from an all-day field trip, when we were all tired, he got the kids to get out their paper pads and have a cow drawing contest. He never quit."

"He used everything he did in life to motivate his kids. Once, he used his friendship with a well-known California race car driver to develop a pen-pal relationship between the driver and one of his troubled students, who, Scott discovered, had a keen interest in the driver."

"His shoes will be hard to fill. As the faculty advisor for the school Yearbook, he let the kid staff do it all—from layout, to the writing, to the photography. He believed in them."

"He always had former students return to see him, to touch base. He had a lasting influence."

"On his trips, he took lots of photos, especially of animals and children. He captured the specialness of life."

"Before Scott would leave on his summer expeditions, he would ask for the names and addresses of the students who would be in his class upon his return. He sent a personalized post card to each student, saying where he was and that he would be looking forward to meeting them in a few weeks. And on the first day of school, each student would find on his desk some small item he purchased on his trip, such as a Mongolian doll."

"After his death, we received lots of calls and letters. Everybody claimed to have been his best friend."

"Scott celebrated life, he loved life. He enjoyed the world."

WHAT THE STUDENTS SAID

Ms. Method asked former students of Mr. Spencer to meet with me. Luke, Kurt, Me-

lissa, Jill and Tori talked with spirit and enthusiasm about this special teacher. Their eyes were filled not with sadness, but with a sense of happiness that they had had the opportunity to have known Scott Spencer.

They all remembered the daily corny jokes ("What did the acorn say when he was born? Geometry (Gee-I'm-A-Tree)"); his slide shows of his trips ("lions eating a zebra"); the simulation games (dramatizing an historical event); his blowing a horn to indicate recess was over; his selection of hats, including a Viking headdress; his bonks ("If you got 100% on a test, he would come by and bonk you on the head with a pencil. Bonks got extra bonus points, needed to qualify for extra recess or to go on the Saturday field trips"); some of his test questions ("Do you like cookies?").

"We couldn't wait to go to class. We wanted to come to school," they echoed each other. "He made everything fun."

WHAT ABOUT THE AARDVARK?

Just for fun, when I ended the conversation with the students, I said I understood Mr. Spencer's mascot was the groundhog. With unison, and loudly, they fired back: "Aardvark!"

Invariably, no matter who you talk to you about Mr. Spencer; the aardvark will come up.

What significance was the aardvark to Mr. Spencer? Anywhere he left his mark, he usually included a rubber stamp impression of an aardvark.

An aardvark is an unusual looking animal, sort of a cross between a pig, a donkey and an anteater. It lives underground, comes out only at night, and is native to Africa. There is particularly nothing that ties Mr. Spencer and the aardvark together.

The teachers and the students offered no conclusions.

And perhaps there is no deep meaning. Mr. Spencer probably chose the aardvark just to be different.

Mr. Spencer was a different sort of a guy who made a difference.

FIVE THINGS THAT MADE MR. SPENCER A SPECIAL TEACHER SATURDAY FIELD TRIPS

Most students in most public elementary schools are lucky to take one or two field trips a year. Scott Spencer planned up to a half-dozen Saturday field trips each year. But his students had to earn the right to go. Earning rights meant doing homework on time, and participating in class activities.

AROUND THE WORLD WITH SCOTT SPENCER

Mr. Spencer carefully planned each of his summer expeditions. Students and teachers knew six months before departure his exact itinerary and his mission. While away, Mr. Spencer would send each student a personal postcard saying he was looking forward to being their teacher. And on the day school started, he would have on each student's desk an item he purchased on his trip. Throughout the year, he would share his slides and his thoughts on the people he met and the cultures he shared. Every inch of space in his classroom was plastered with posters from around the world as well as artifacts he purchased.

LET THE STUDENTS DO IT

As the student advisor to the annual Yearbook, Mr. Spencer had an attitude that he was simply the facilitator. The students designed, wrote and photographed the material. It was "their" yearbook.

TIME WITH STUDENTS

Nobody accused Scott Spencer of ever shirking his duties. He took whatever time

was necessary—including un-told hours before and after school—to help his students achieve. He was more interested in getting his students to ask good questions and having the knowledge of how to find the answers, rather than memorizing facts.

HUMOR

Scott Spencer began each day with a joke or two. While not every punchline was a hit, the students anticipated the daily laughter or groan. Spencer's homespun humor was also a hit with his fellow teachers, who saw it as a welcome relief from the sometimes daily grind.

TESTIMONIALS

Selected excerpts from letters written to Mr. Spencer before his death:

FROM A PARENT

"I'm writing to thank you for something you may not even know you had a part in. My daughter had hopes of being a student in the 'Spencer/Stebbins' team. Of course her plans did not contemplate your absence and I must say that without even knowing you well, she has missed you quite a lot. She has, however, been privileged to 'soak up' the riches of the environment of your classroom. It's quite a spectacular place! And, too, she benefits from the high standards of excellence that you've always set for Maddux students. She's been blessed by wonderful anecdotes and stories that endear you to the children. Through all of these things, you have become quite an important person in her life. . . . My son told a neighborhood friend (who said he was sure that men couldn't be teachers because all teachers at his school were 'girls') that not only could men be teachers, but only the 'coolest' men could, like Mr. Spencer! That's a compliment. And my compliments to you, now and always for your part in my children's lives! God bless."

FROM A PARENT

"Thank you for making 5th grade a special experience at Maddux. You brought something wonderful to my daughter last year, because of you she was exposed to an enthusiasm of learning few teachers harbor after so many years in the classroom. You made it exciting and fun. You should be proud to know how much of an impact you have had on those students who have sat in your midst, exposed to your travels. Know that whatever reward seeing your students blossom has been for you, if there is a God in heaven, there is a greater one awaiting."

FROM A STUDENT

"... Now I will try my best to give you courage in your final days. I have prayed many times telling God to help you. Just remember, don't think of this as the end, think of it as a beginning. You have a better life ahead of you. I never met you, but I don't need to. Stories of your teaching career will be told for decades, and you will always have a special place in the students' hearts. Oh, and say hello to Einstein for me!"

THANK YOU, MR. SPENCER

We all remember at least one teacher who made a difference in our life. But how many of us have taken the time—after so many years—to get back in touch with this special person and say "thanks."

The cover story in this issue of EastWord is about one of those special teachers. Fortunately, he received the accolades due him. Unfortunately, much of the applause came during his dying days.

I never met Scott Spencer, this so special of a teacher. I heard of him oftentimes as I dropped my sons off at school. I overheard

parents saying they wanted their kids to get Mr. Spencer (as their teacher). I heard that his mascot was an aardvark, something that struck me as unusual, but of no significance.

The day he died, the other teachers wept only. A week after his funeral, during an interview I had with several teachers, they remained in a somber state.

But then, in a round-table discussion with five of his former students, it hit me. The kids were not somber, they smiled during most of our discussion. They laughed as they recalled his "corny jokes." They fondly remembered his Saturday field trips, his annual slide shows showing the people/places he visited in foreign countries during his summer-off months, the personal letters they each received while he was away, his "letting us do it" attitude on putting together the school yearbook, his praise for right answers and for asking good questions.

The look in these kid's eyes was that they were better off for having known Mr. Spencer. And while he was now gone, he was simply on another adventure.

If only they could see his slides this time

The following are a few excerpts from a letter the school principal received from a former student of Mr. Spencer:

"I just got off the phone with my mom and felt I had to write to you. She told me that Mr. Spencer died on Monday. . . ."

The funny thing is that I was just talking about him in my Educational Psychology class today. You see, he used games and learning activities and positive reinforcement in a way similar to how I want to use them some day in my classroom. I remember being scared as a 5th grader of how difficult he would be. I was so incredibly lucky though. I learned so much. I visited lands I may never visit through his slides, pictures and stories. I learned those things which I could never learn in books through his simulation games. Teaching to Mr. Spencer was more than the basics from the curriculum guide, but from our own experiences, and his own experiences in life. He gave me confidence and raised my self-esteem. I remember his end-of-the-year awards and that everyone received one! When it came to "prettiest girls," it didn't go to the most popular girl, but to someone who didn't feel beautiful as an awkward 5th grader—me. His sense of humor was corny, but made school more fun. I remember when my sister Stephanie was convinced that Mr. Spencer could grow a pencil in a flower pot. She didn't understand that he would just pull the pencil up a little each day. His love for aardvarks . . . I'll never understand. But to this day, every time I see an aardvark, I think of him.

I guess my mom is right. He is in less pain now. He is better off now. Well, I am better off now too. I had Mr. Spencer for two years. I learned a lot in those two years. Not only did I learn my math and social studies, but I learned how to be a better teacher one day in the not so far off future. I am indeed lucky to have had that gift."

PAIGE DURKEE

I had four teachers who particularly influenced my life. I've thanked two of them—my parents—and now it is time to thank the other two.

DOUGLAS E. SANDHAGE,
Publisher.

REGARDING THE RETIREMENT OF CHARLES SCALA

Mr. MITCHELL. Mr. President, at the end of this month the Senate will

say farewell to a long-time member of the engineering staff, Charles Lawson Scala.

Charlie came to the Senate long before most Members of this institution. He began work here in 1965 after serving 4 years in the Navy's electronics division.

While Charlie is known for his easy smile and positive outlook on life, it is his devotion to the history of this beautiful building and the institution of Congress—and his desire to share that with others—that sets him apart.

Charlie's pride in the U.S. Capitol is infectious. While he has no formal training in this area, he has carefully studied the architecture and history of this building for many years. He delights in sharing this knowledge with anyone with an interest in the Congress. Describing the design, construction, and renovation of the building, Charlie makes history come alive.

For the past decade, Charlie has been on a one-man quest to find the original cornerstone of the U.S. Capitol. He has approached his search with tenacity and enthusiasm, researching masonry techniques, consulting with architects, and exploring the depths of the Capitol.

Regardless of whether the original cornerstone is ever found, Charlie Scala has given the Senate a wonderful gift. He has shared with all of us his love for the Capitol Building and the institution that it houses. For that, we are forever grateful.

On behalf of all Senators, I would like to thank Charlie for his many years of service to the Senate. We congratulate him on his retirement and wish him well wherever his future endeavors may lead him.

IRRESPONSIBLE CONGRESS? HERE IS TODAY'S BOXSCORE

Mr. HELMS. Mr. President, the Federal debt stood at \$4,289,248,864,590.92 as of the close of business on Monday, May 24. Averaged out, every man, woman, and child in America owes a part of this massive debt, and that per capital share is \$16,701.76.

SENATOR PAUL SIMON IS A PERSON OF ABSOLUTE INTEGRITY

Ms. MOSELEY-BRAUN. Mr. President, the controversy surrounding the nomination of Judge Thomas to the Supreme Court is in the public eye again because of a new book entitled "The Real Anita Hill: The Untold Story," by David Brock. This book has attracted a lot of attention, and not just in the book review sections of our Nation's newspapers. A number of political columnists have also devoted space to the book and the arguments it makes about the Thomas nomination, and Anita Hill's role in the nomination battle.

I think there was a lot wrong with the way the Senate handled Judge

Thomas' nomination generally. I was particularly disappointed and disturbed by the way the Senate addressed Prof. Anita Hill's allegations. In fact, as the residents of my State already know very well, this nomination, the hearings before the Judiciary Committee, and the substantive and process controversies that were involved were among the most important factors leading to my decision to run for the U.S. Senate.

Having said that, however, I must take strong issue with the charge made by Mr. Brock that my distinguished senior colleague from Illinois, Senator PAUL SIMON, is responsible for "Leaking" Prof. Anita Hill's charges regarding Judge Thomas to the press.

PAUL SIMON is a man of absolute integrity. His word is the best—the hardest—currency there is. His word is not gold-plated; it is solid through and through. PAUL SIMON has a long-standing reputation in Illinois as a person of decency and honesty; it is a reputation that is richly deserved.

I have known PAUL for a long time, as has the public. In all of his years in public life, he has consistently comforted himself with dignity and rectitude.

Senator PAUL SIMON has stated without any equivocation at all that he was not the person who leaked Professor Hill's allegations to the press. And if that is what he says, there is no question in my mind that is what the truth is.

A recent article in the New Yorker, entitled "The Surreal Anita Hill," by Jane Mayer and Jill Abramson, sheds some light on Mr. Brock's theories, and I commend it to my colleagues' attention. The article points out that, contrary to Mr. Brock's assertion, Senator SIMON did not "refuse to be interviewed" by the special counsel investigating the leak; in fact, Senator SIMON was interviewed for more than an hour.

And it is worth noting that the special counsel, after an extensive investigation, cleared Senator SIMON, along with many others, of being the source of the leak.

Mr. President, I think it is important not to confuse speculation with fact. Mr. Brock's book speculates; Senator SIMON's denial is fact—a fact on which anyone can rely without any qualification whatsoever.

Mr. President, I ask unanimous consent that the New Yorker article to which I referred be included at this point in the RECORD.

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

THE SURREAL ANITA HILL

(By Jane Mayer and Jill Abramson)

Nineteen months have passed since Anita Hill and Clarence Thomas exchanged their televised charges and denials in what became one of the most politically and sexually po-

larized confrontations in recent history, and still the American public is divided about whether a justice now sitting on the country's highest court lied to get the job. The extraordinary showdown between the judge and his accuser has already affected politics on almost every level, from the personal to the Presidential; but the mystery of who really was telling the truth has endured. So it is a matter of national interest that a man named David Brock has come forward with a book that purports to settle the question.

With a tone of authority and thirty-five pages of footnotes, his book, "The Real Anita Hill: The Untold Story" (Free Press; \$24.95), is presented as a powerful work of investigative reporting. Published by a division of the reputable Macmillan publishing house, it is packaged as an unbiased, revisionist look at the explosive hearings, which the author claims to have approached as an agnostic, willing to go wherever the facts led him.

Having pored over hearing transcripts, F.B.I. interviews, previously unreleased affidavits, and the report of the special counsel assigned by the Senate to determine who leaked Hill's accusation to the media, Brock flatly accuses Anita Hill of fabricating her charge even though "she must have known that Clarence Thomas was not the guilty party in this case." At first, he proposes, Hill simply failed to correct a friend's false impression that Thomas was the man whom she had once accused of sexually harassing her. But later, Brock suggests, Hill actively embellished the story, with the help of overzealous Senate aides and of feminist law professors determined to score an ideological hit on a conservative nominee. At their extreme, her radical feminist mentors were indifferent to the truth, he concludes, because in their eyes "all men are seen as rapists . . . [so] it does not matter whether Hill proved her case against Thomas or not." The hearings, Brock warns darkly, were but one foray in a "broader ideological movement to redefine the legal and social relations between the sexes" now under way in this country.

In the course of making his case, Brock transforms the prim former Reagan Administration official, who is now a tenured professor of commercial law at the University of Oklahoma, into an emotionally unstable, "full-fledged campus radical" with a long list of political and personal reasons for wanting to do Clarence Thomas in. And that's not all. According to an anonymous source quoted by Brock, she seems to enjoy watching pornographic films and making lunchtime chitchat about "the size of men's penises" and "firm butts," and is "obsessed with oral sex."

Unsurprisingly, "The real Anita Hill" has been heralded as the long-suppressed truth by prominent conservatives, among them Rush Limbaugh, Thomas Sowell, and George F. Will—who devoted his Newsweek column to the book, declaring it "persuasive to minds not sealed by the caulking of ideology." But it has also, surprisingly, received respectful reviews from the Times, the Washington Post, and Newsday, where the historian David J. Garrow, whose biography of Martin Luther King, Jr., was awarded a Pulitzer Prize, called the book "highly plausible," and suggested that "in time [it] may well prove to be far closer to the mark than many present-day pundits would like to believe."

An essentially uncritical acceptance of the facts in a nonfiction book—as distinct from the author's interpretations of those facts—is a convention of book reviewing, and nor-

mally an unavoidable one. In the case of "The Real Anita Hill," this convention threatens to do a serious disservice to history. For more than a year, we have been reaching a political history of the Thomas confirmation battle, interviewing many of the same people Brock has talked to, and many to whom, evidently, he hasn't. He is skilled at lining up facts to fit his agenda, and it's clear that a familiarity with the larger record, and a willingness to do independent reporting, is required in order fully to evaluate—and to correct—his account. So, before this important piece of American history is abandoned to the ideologues, a closer look should be taken at both Brock and his "Real Anita Hill."

The book's jacket describes Brock as "an investigative journalist." The term suggests—as does Brock's foreword—that he is a man without a bias. "Like most Americans," the first sentence of the foreword reads, "I tuned into the Thomas-Hill hearings with an open mind." But what is left vague to readers trying to evaluate the perspective he brings to the subject is his extensive bona fides in the conservative movement. He is not an unbiased journalist, as he represents himself; he is a polemicist who writes. Through early 1991, he was a fellow of the Heritage Foundation, the staunchly conservative Washington think tank that supplied both intellectual energy and personnel to the Reagan revolution. His first "investigative" work on Professor Hill, a long article describing her as "a bit nutty, and a bit slutty" (the mudslinging language has been cleaned up for this more high-toned effort), appeared in March of 1992 in the lively and tentatively conservative journal of opinion *The American Spectator*—a publication funded by several conservative foundations, one of which, the Bradley Foundation, donated a hundred thousand dollars last year partly to pay for "investigative" pieces like Brock's. Both the Bradley Foundation and the equally conservative John M. Olin Foundation have also helped to bankroll this book—as Brock acknowledges in an author's note. But the note, though it suggests full disclosure, fails to mention that the Olin Foundation is headed by William Simon, who served as finance chair of the Citizens' Committee to Confirm Clarence Thomas.

Of course, the fact that an author has a strong ideological predisposition is not an automatic indication that what he writes will be untrue or without merit. Much of the best nonfiction has come from impassioned, opinionated partisans. What is so troubling about Brock is that he pretends to be neutral when he is not. He does a skillful job of identifying numerous inconsistencies in the public and private record of the Hill-Thomas dispute, highlighting contradictions and questioning motives. But when it suits his agenda he will take a small inconsistency, read into it a major and unproved thesis, and, with each subsequent reference, treat his own speculation increasingly as accepted fact, as if repetition made it so. The technique will be recognizable to anyone who has watched a slick trial lawyer. But, unlike a court of law, the book provides no opportunity to face the accuser, since much of Brock's most damning material is in the form of quotes from anonymous sources. Now is there a representation for the accused. Had Brock been interested in balance, he might have applied his "investigative journalism" to Justice Thomas as well. Instead, he gives Thomas a totally clean bill of health at the outset, declaring, without qualification, that "nothing was discovered

to contradict his sworn testimony." One wonders how hard he looked.

Brock's central thesis is that Hill left the false impression, in a telephone conversation with a girlfriend, that Thomas had harassed her, and, for unknown reasons, failed subsequently to clear up the misunderstanding. Instead, Hill decided to stick with the misrepresentation, to repeat it to the F.B.I., to fly to Washington so that she could repeat it publicly in front of a national television audience (and her assembled family), and then to subject herself and the detailed story she was fabricating to three days of intense grilling by the members of the Senate Judiciary Committee—all under threat of perjury.

The proof offered for this extraordinary case of mistaken identity is that the girlfriend in question, Susan Hoerchner, who was a Yale Law School classmate of Hill's and is now a workers' compensation judge in Norwalk, California, told authorities that she recalled that it was in the spring of 1981 that Hill had first mentioned being harassed—and the spring of 1981 was several months before Hill first stated working for Thomas, at the Department of Education. Therefore, Brock concludes, Hill must have been referring to an earlier harasser at an earlier job, whom Hoerchner later confused with Thomas was recalling a conversation that had taken place a decade earlier she got the date of the conversation wrong by a few months is not explored. Brock did not interview Hoerchner or her attorney, Ron Allen; if he had, he would have learned that when she was first contacted and interviewed by the F.B.I. Hoerchner characterized the date of her phone conversation as "a wild guess," and was therefore reluctant to supply it. In her later sworn testimony, she said three times that she simply could not pin down the date of the conversation with any certainty—a statement that Brock interprets as reflecting a belated realization that the pieces of her story weren't adding up. What she was certain about, however, and what she swore to under oath, in testimony not included in this book, was that Hill "had gone to work for Clarence Thomas in the Department of Education before she mentioned any problems with harassment."

On the fragile foundation of a shaky date a mighty fortress of intrigue is built. The plot gets so much more convoluted before Brock's version of Anita Hill's "untold story" is over that the book produces a kind of absurdist effect, giving us more the surreal Anita Hill than the real one. Probably the most egregious, and certainly the most sensational, of the book's distortions serve to reconstruct Hill's image into that of a wanton sexual tease, coming on to her students in bizarre ways and engaging in kinky sexual conversations—allegations that are useful to Brock as a way of explaining how Hill was able to fabricate the details of her charge against Thomas. For the most part, Brock bases these ad feminam attacks on anonymous sources, thereby making them impossible to evaluate; but an examination of one of the few instances in which sources are named does not inspire faith in his reportorial methods.

He writes that when Hill was teaching law at Oral Roberts University, in Tulsa, she once returned several students' papers to them with what appeared to be a dozen or so pubic hairs sprinkled through the pages. The pubic-hair motif, of course, echoes Hill's testimony that Thomas once picked up a Coke can in her presence and asked, inexplicably, "Who has put pubic hair on my Coke?" The term-paper story is attributed to a former

law student, now a Tulsa attorney, named Lawrence Shiles. Brock writes that, despite qualms in the Justice Department, "Shiles took it upon himself to swear out an affidavit" about the pubic hairs, which "he filed with the Judiciary Committee under no pressure from the divided Thomas camp in Washington." A corroborative witness, named Jeff Londoff, is also mentioned in the affidavit. Brock says that Londoff, "while he could not be sure of their source * * * corroborated the affidavit and said virtually the same things about the hairs in an interview: 'They were short, coarse, and curly.'"

But in a recent interview, Londoff, who is now an attorney in St. Louis, told us a different story: "The whole thing was just a joke—how the hell would anyone know whether it was pubic hair or not? The lady's black, you know; she's got kinky hair. Or it could have come from an assistant, too. But some Senate aide kept faxing me these affidavits trying to get me to sign them saying it was pubic hair. They must have called me ten or twelve times. They wanted to put as much crap down on her as they could. I think they were looking for anything they could find, but the affidavit was so one-sided I refused to sign." This is from a source Brock describes as providing corroboration.

As for Shiles, Londoff, who considers himself a good friend, said of him, "You have to understand, Larry has different views about black and white [people]. He's a great guy, but he's from down South, if you know what I mean." Moreover, "Larry had a problem with Professor Hill for a number of reasons—he didn't do too well in her class." And Brock's assertion that Shiles came forward on his own is disputed by Shiles himself. "I was hunting with my son way up in Rifle, Colorado, when my wife called at midnight on a Saturday night at the motel where we were staying. She said someone from Hank Brown's office"—Brown is the Colorado Republican senator and serves on the Judiciary Committee—"was trying to reach me," Shiles told us. After eliciting the pubic-hair story, the staffer searched through the Martindale-Hubbell Law Directory for the nearest law firm and arranged for Shiles to have an affidavit notarized there on Sunday morning so that it could be used in the hearings.

These are not insignificant differences. By exposing Brock's eagerness to distort a puerile student joke into a corroborated instance of seriously strange behavior, they fundamentally undermine his characterization of Anita Hill. The Republican members of the Judiciary Committee considered Shiles' affidavit too risky to use. In the absence of any corroboration—despite strenuous efforts to get Londoff to confirm the story—they discounted it. Their judgment is evidently not shared by Brock.

Brock's thesis that Hill accused the wrong man rests on his assumption that she must have had someone else in mind when she first discussed the problem with Susan Hoerchner. So he posits that Hill made up an earlier harassment experience, and he endows her with a motive for doing so: he suggests that she invented such an experience in order to cover up her failure to thrive at Wald, Harkrader & Ross, a Washington law firm, now defunct, that she went to work for, as a junior associate, after Yale. Brock uses this alleged incident to establish that Hill had a "proclivity to use harassment . . . as an excuse for her personal and professional problems," and suggests that she repeated this behavior when she charged Thomas. Brock's argument requires him to prove that

Hill was, in fact, failing at the law firm, and was thus in need of a cover story. He stakes quite a lot on this notion, asserting at one point that "the most critical misrepresentation" Hill made during the hearings was her denial that she had been asked to leave the law firm.

That assertion, unlike many in the book, at least has a named source: a former Wald, Harkrader partner named John Burke. Burke states, in an affidavit submitted to the Judiciary Committee, that Hill was indeed in trouble at the firm, and that he told her it would be in her best interests to seek employment elsewhere. What Brock does not mention is that, according to three partners who have searched the firm's records—Robert Wald, C. Coleman Bird, and Donald Green—they give no indication that Hill ever worked on any legal matter with John Burke. This makes it highly unlikely that he would have had any role in evaluating Hill's work, much less that he would have taken it upon himself to ask her to leave the firm. Moreover, these two partners say that Hill's associate evaluations do not indicate unsatisfactory work. Interestingly, the records do show that Burke worked with another black female associate, in the same class at the firm as Hill, and that this associate was performing so unsatisfactorily that she was asked to leave the firm. Brock fails to present readers with the embarrassing possibility that Burke had in mind the wrong black female associate. Nor does he consider how unlikely it would have been for the firm to dismiss both of its first-year black female associates. Burke is a respected member of the bar, and a liberal with no ideological axe to grind, but there is another reason to question his memory: at the time he submitted his affidavit about Hill, Burke called Jeffrey Liss, another former partner, who he thought was present during his talk with Hill, for confirmation. Liss says that he told Burke he had no memory of it.

Brock stretches this thin story line even further: he suggests a deliberate coverup on the part of those who dispute the contention that Hill was asked to leave, including the firm's founder, Robert Wald, who is a well-known liberal lawyer in Washington. To prove that Wald is part of a liberal conspiracy, Brock discloses triumphantly that Wald's wife, Patricia, a prominent federal judge (she was on President Clinton's short list for Attorney General), "was close to" Anita Hill's sympathizer Senator Paul Simon. But, alas for conspiracy buffs, both Senator Simon and Judge Wald agree that they have never met.

By page 297, Brock's speculation has hardened into fact, and he is referring to Thomas as "the man who had saved [Hill] from the indignity of being fired at Wald, Harkrader." Without any evidence that Hill ever filed a complaint or accused anyone other than Clarence Thomas of sexual harassment, Brock has turned a harassment episode which only he knows about, designed to cover a failure no one can prove, into a "pattern of complaints about harassment" on Hill's part, which he then uses to explain her charges against Thomas.

Hill's alleged invention could not have succeeded, in Brock's account, without the support of a conspiracy of anti-Thomas partisans. By far the most successful section of Brock's book is its discussion of the behind-the-scenes political pressure that forced Hill to come forward. The reason the reporting is so much more thorough here than elsewhere may be that it is largely based on the special counsel's report on the leak—a document

that was itself based on hundreds of interviews. But even with all this assistance, Brock manages to wring an unbalanced conclusion from the facts. He describes the existence of a "Shadow Senate," which he describes as a "loose coalition of special-interest lobby groups, zealous Senate staffers, and a scandal-hungry press corps * * * who organized * * * the opposition to conservative judicial nominees." This nexus is unquestionably important. But Brock scarcely mentions its counterpart, the well-funded conservative coalition, backed in part by the same foundations that have supported his book, which worked hand in glove with the Bush White House in a campaign to generate support for Judge Thomas. In any event, the issue of who leaked Hill's testimony does not bear on the question of whether the substance of that testimony was fabricated.

Among Brock's more extraordinary theories is that all of Hill's four corroborating witnesses were either confused or lying. After Hoechner, he takes them on one by one. When he is done, he declares that Hill's case was "unsubstantiated and unsupported by any co-worker, or anyone else." But interviews that we conducted with all four corroborating witnesses (none of whom appear to have been interviewed by Brock) and a fair reading of the hearing transcripts leave no doubt that Hill confided both the nature and the source of her harassment problem to a number of people at the time it was happening. And Brock unwisely and incorrectly assumes that the four people who testified to this constitute the whole universe of people she told.

Brock levels one of his nastiest attacks against Angela Wright, a woman who worked under Thomas at the Equal Employment Opportunity Commission until he fired her. Wright spent the weekend of the hearings in her lawyer's office in Washington and in an Arlington, Virginia, motel room, waiting to testify that Thomas had also made sexually inappropriate comments to her at work, asking her breast size at one point, and admiring the hair on her legs at another. She is obviously in a position to counter Brock's argument that no other women have ever had similar complaints about Thomas. In what is apparently an effort to undermine Wright's credibility, Brock stresses that she refused to submit to an F.B.I. interview. But according to her attorney James G. Middlebrooks, Wright was interviewed by two F.B.I. agents, Linda McKetney and Leslie Fairbairn, of the agency's Washington Metropolitan Field Office, between 1:30 and 3 p.m. on Saturday, October 12th. Brock also claims that the statement Wright submitted to the Senate Judiciary Committee was not sworn, and he upbraids National Public Radio's legal-affairs correspondent, Nina Totenberg, for stating otherwise in a speech at Stanford. Totenberg and the rest of the media were, in his view, irresponsible in giving Wright any coverage at all, since, he argues, "ordinarily, one would not credit such unsworn statements as Wright's by publicizing them further." But Wright's statement was sworn. She signed a legal affidavit under oath that her statement was true and accurate, thus giving it the same legal status as sworn testimony before the Judiciary Committee. According to Wright, Brock never attempted to get in touch with her to ask about this or about anything else.

All nonfiction books contain errors, but this book is unusual in the extent to which its key arguments are based on them. For example, in confronting the problem that Hill passed a polygraph test Brock suggests

that Paul Minor, the man who conducted it, was inexperienced, quoting a competitor of Minor's as saying, "I don't think he's run that many tests." But Minor was a full-time polygraph examiner for the federal government from 1972 until 1987, when he retired as chief of the F.B.I.'s polygraph division. When Brock raises the issue of whether Senators Howard Metzenbaum and Paul Simon, both Democratic members of the Judiciary Committee, had something to hide from the special counsel investigating the leak, he asserts that they both "refused to be interviewed" by the special counsel. But each was interviewed for over an hour. Brock asserts, no fewer than four times, that the feminist law professor Catharine MacKinnon (whose name he misspells) "advised Anita Hill before she testified"—assertions that appear to be an effort to buttress the claim that radical feminists helped Hill to concoct her story. But MacKinnon adamantly denies that she advised Hill, either directly or indirectly, and so do Hill's lawyers. And, to give just one more example, in an attempt to provide Hill with a motive for cooperating with Senate aides who were out to get Thomas, Brock quotes two former employees of Thomas's as saying that Hill and James Brudney—the aide to Metzenbaum whom Brock accuses of leaking Hill's allegation to the media—were close friends. The friendship, one of these sources asserts, was in full bloom while Hill worked at the E.E.O.C. Brock omits from the account, however, that the same source told Senate investigators that Brudney was working for the Senate at the time. But Brudney didn't work for the Senate until two years after Hill left Washington for Oklahoma, which raises questions about the source's reliability. Brock's other source on the friendship is quoted as saying that Hill often talked of "having sent the weekend at [Brudney's] apartment, in Foggy Bottom I think it was." According to a spokesman for Brudney, he only saw and spoke to Hill once during the entire time they were both in Washington, when he bumped into her on the street. And he has never lived in Foggy Bottom.

At a certain point, a knowledgeable reader begins to wonder how many of these errors are innocent and how many are deliberate distortions. Although Brock carefully distances himself from the Republicans on the Senate Judiciary Committee, and even suggests that their tactics were at times unfair to Hill, his version of history has many of the earmarks of the original smear campaign. If anything, it is less principled, since he bases so much of his reporting—particularly the uncorroborated and mostly anonymous allegations from Oklahoma about Hill's sexual peccadilloes—on material that the Republican members of the Senate Judiciary Committee had at their disposal during the hearings but considered beyond the pale.

Given the fervor with which Brock and his funders have gone after Hill, what is most striking is how little they have found. Once the sources are evaluated and the contradictory evidence is considered, Brock's arguments evaporate into an amorphous cloud of ill will. It's understandable, and even laudable, that Thomas's supporter would want to clear his name from slander. And obviously, in order to do so, they must somehow deal with Hill. But then one might expect them to construct their case on the facts, rather than on the other way around.

IN RECOGNITION OF JASON EVANS
AND PHILLIP BOHANNON

Mr. RIEGLE. Mr. President, I rise here today to honor Jason Evans and Phillip Bohannon from my hometown of Flint, MI, for their courageous efforts in stopping a careening school bus. These two boys, who attend McKinley Middle School, went into action on May 18, 1993, when the driver of their school bus suffered a fatal seizure.

Jason and Phillip jumped to the rescue of their fellow classmates when the driver's head fell back as a result of the seizure. With the bus in motion and the driver still buckled behind the wheel, the boys controlled the steering wheel and brakes of the bus. They were able to steer their classmates to safety and avert catastrophe.

Jason and Phillip's valiant efforts and quick thinking has earned them the well deserved gratitude and deep appreciation of our community.

I am proud to join the Flint community and their family and friends in proclaiming Jason Evans and Phillip Bohannon heroes.

CITY OF LOUISVILLE EXCELLENCE
IN EDUCATION AWARD

Mr. FORD. Mr. President, I rise today with a great deal of pride to announce to my colleagues that the city of Louisville, in my home State of Kentucky, has been selected as the first recipient of the Scholastic Community Award for Excellence in Education.

This award, sponsored by Scholastic, Inc. and the National Alliance of Business, recognizes the efforts of a community that has committed its energies and resources to the education of its children, with the goal of ensuring they lead productive lives.

Mr. President, no matter where I visit or who I see, I am often asked about the efforts and great strides my State has made in educational reform. Indeed, many see the Commonwealth's reforms as a model that could well be put to use on the national level.

If I had to summarize our reforms in a word, one of the first that would come to mind is involvement—active involvement by parents, teachers, and administrators committed to seeing our students achieve the highest degree of excellence possible in their formative educational years.

But the involvement does not end there. Every parent, every teachers, and every administrator is part of a community effort in Kentucky actively involved in their children's well-being and providing the support necessary to see that every student is given the chance to succeed. And that is why I'm so pleased the city of Louisville has been chosen as the first recipient of this prestigious award.

Louisville's community leaders, like leaders all across the Commonwealth,

have worked diligently in an effort to expand educational opportunities for our students and prepare them for a successful entry into the work force.

Someone once said, "Education is where we decide whether we love our children enough not to expel them from our world and leave them to their own devices, not to strike from their hands the chance of undertaking something new, something unforeseen by us, but to prepare them in advance for the task of renewing a common world."

The city of Louisville is meeting this challenge and I congratulate all those persons involved for their part in ensuring the youngest of our society have a brighter future filled with endless possibilities and opportunities.

TIME TO STEP UP THE PRESSURE
ON HAITI

Mr. PELL. Mr. President, I was disappointed to learn of yet another setback in the United Nations-sponsored negotiations to restore democracy to Haiti. The military leaders and the de facto government in Haiti have rejected a plan to deploy a United Nations police force that would have, among other things, ensured their own security during a transition period. This follows the regime's rejection 1 month earlier of a settlement plan even though it granted a broad amnesty for the military and others responsible for the political violence in Haiti. U.N. Special Envoy Dante Caputo and U.S. Special Adviser Lawrence Pezzullo have made commendable diplomatic efforts to negotiate resolution to the political crisis. Unfortunately, it has become obvious that those in power have failed to negotiate in good faith and take seriously the international community's commitment to restore democracy to Haiti.

This most recent setback has made it painfully clear to me that it is time to put some action behind our words. In consultation with the negotiators from the United Nations and the Organization of American States, the United States should immediately take steps, including freezing assets and suspending the visas of coup supporters, to respond to the regime's intransigence. This would increase pressure on the regime, strengthen the negotiators' efforts and clearly demonstrate our commitment to the restoration of President Aristide with little cost to the United States. The United States could also tighten enforcement of the Organization of American States embargo by using the Coast Guard to clamp down on smuggling out of the Miami River. Ironically, we have been far more effective at stopping refugees fleeing Haiti than enforcing the embargo.

In addition to these immediate actions, the United States should begin preparing multilateral measures to heighten pressure on the regime. The

OAS embargo demonstrated the resolve of countries in this region, but it failed because many of our trading partners outside the hemisphere continued to do business with Haiti. For economic sanctions to have any significant impact, the scope of the embargo must be broadened to the United Nations. The United States should work closely with our European allies to seek a United Nations resolution to block oil shipments to Haiti.

As I have said recently regarding the situation in Bosnia, the United States cannot police the world. But the United States can and should support the multilateral institutions most capable of responding to threats to peace and democracy, particularly in our own hemisphere. The success of the United Nations and the Organization of American States in resolving the political crisis in Haiti will be closely watched by other countries in the region where democracy is threatened. Already we have seen the spillover effects of setbacks to democracy. Yesterday, in an action reminiscent of Peruvian President Alberto Fujimori's self coup 1 year ago, President Jorge Serrano in Guatemala suspended the Constitution and disbanded Congress and the Supreme Court.

Unlike Bosnia, the United States is not currently faced with the imperative of using military force in Haiti—there are a range of economic sanctions that the administration could implement. Just as the Europeans have a greater responsibility to address the slaughter and instability in Bosnia, the United States has much more at stake in Haiti. Events in Haiti directly impact on the United States, as was so dramatically demonstrated by the flood of refugees fleeing Haiti for Florida since President Aristide's ouster.

Since President Aristide was violently forced out of office 20 months ago, Haiti has been ruled through intimidation, repression, and violence. Mr. President, the Haitian people have suffered far too long—it is time for the international community to demonstrate its commitment to the restoration to democracy in Haiti and elsewhere by taking clear steps to increase the pressure on the Haitian regime.

U.N. HIGH COMMISSIONER FOR
REFUGEES VISITS CONGRESS

Mr. PELL. Mr. President, this afternoon some of us had the honor of meeting with Dr. Sadako Ogata, the U.N. High Commissioner for Refugees. Mrs. Ogata is the first woman and the first Japanese to hold this office. She was appointed 2 years ago and was plunged immediately into the desperate problems of the former Yugoslavia.

Mrs. Ogata was one of the first to bring the term "ethnic cleansing" to public attention when she called for ac-

tion to halt military sweeps aimed at expelling Moslem communities from their longtime homes. Last February, when both the Bosnian Moslems and Serbs obstructed food deliveries to remote regions, Mrs. Ogata announced the suspension of all relief to Bosnia. Her action helped bring pressure on all parties and resulted in resumption of humanitarian aid shipments.

Mrs. Ogata said she was encouraged by the joint action program announced by Secretary Christopher and the Foreign Ministers of France, Russia, Spain, and the United Kingdom because it puts strong emphasis on humanitarian assistance. She expressed concern, however, about the possibility that the safe areas contemplated in the plan might in effect become refugee camps, cut off geographically from the possibility of normal, economically viable life. She said it was important that this not happen, that we have to make sure the communities do not deteriorate in the safe areas.

The UNHCR, according to Mrs. Ogata, has been able to continue its relief shipments to Moslem communities in Eastern Bosnia, but with frequent difficulties and changes of plan. She also noted that the greater problems now in central Bosnia are a result of the fighting between Croats and Moslems.

Mr. President, under Mrs. Ogata's distinguished leadership, the UNHCR has been at the center of refugee programs throughout the world. Her organization was instrumental in the successful effort to repatriate some 360,000 Cambodians from Thailand where they had lived in camps for over 15 years. Major repatriations have also taken place to Afghanistan from Pakistan and Iran—1.2 million Afghans have now returned to their own country. UNHCR has also assisted in the repatriation of Vietnamese from Hong Kong.

But elsewhere large numbers of refugees remain under the protection of the High Commissioner, relying on UNHCR and other organizations such as the International Committee of the Red Cross and private voluntary groups for care and assistance. Some of the largest groups are in Africa, where their needs are bound up with the overall pattern of poverty, drought, and a lack of constructive development. Mrs. Ogata stressed the need to integrate refugee programs into development plans.

The United States has traditionally been a major supporter of the High Commissioner's programs, and that is a tradition that must continue. Mrs. Ogata is a worthy successor to such notable High Commissioners as Prince Sadruddin Aga Khan and Poul Hartling, the former Prime Minister and Foreign Minister of Denmark. Her background as a scholar, with an M.A. from Georgetown and a Ph.D. from the University of California at Berkeley,

and as a representative of Japan at U.N. human rights meetings, have given her special insight into what is needed for leadership in these areas. And she fully measures up to her own high standards.

ESTABLISHMENT OF WAR CRIMES TRIBUNAL

Mr. PELL. Mr. President, last night the U.N. Security Council adopted a resolution creating an international tribunal to prosecute those responsible for war crimes in the conflict which has been raging in the Balkans.

I commend Secretary Christopher and Ambassador Albright for their dedicated efforts to establish this tribunal. The action of the Security Council was the first step in the joint action program adopted by the United States, Russia, France, Britain, and Spain over the weekend.

Ambassador Albright sent a clear message when she stated "to those who committed these heinous crimes, we have a very clear message; war criminals will be prosecuted and justice will be rendered".

This tribunal will be the first international court empowered to try crimes against humanity since the Nuremberg trials of top Nazis after World War II. I am proud of the role my father, Herbert Pell, played in the efforts to establish the Nuremberg tribunal and today I am proud to express my support for the actions of the Clinton Administration and the United Nations to create this historic tribunal.

I ask unanimous consent that Ambassador Albright's statement before the U.N. Security Council, be included in the RECORD at the conclusion of my remarks.

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

UNITED STATES MISSION
TO THE UNITED NATIONS,
New York, NY, May 25, 1993.

STATEMENT BY AMBASSADOR MADELEINE K. ALBRIGHT, U.S. PERMANENT REPRESENTATIVE TO THE UNITED NATIONS, IN THE SECURITY COUNCIL, IN EXPLANATION OF VOTE, ON THE ADOPTIONS OF THE SECURITY COUNCIL RESOLUTION TO ESTABLISH AN INTERNATIONAL TRIBUNAL, MAY 25, 1993

Mr. President, today we begin to cleanse the hatred that has torn apart the former Yugoslavia. A few months ago, I said, "This will be no victor's tribunal. The only victor that will prevail in this endeavor is the truth." Truth is the cornerstone of the rule of law, and it will point toward individuals, not peoples, as perpetrators of war crimes. And it is only the truth that can cleanse the ethnic and religious hatreds and begin the healing process.

Included among the millions who will learn of this resolution are the hundreds of thousands of civilians who are the victims of horrific war crimes and crimes against humanity in the former Yugoslavia. To these victims we declare by this action that your agony, your sacrifice, and your hope for jus-

tice have not been forgotten. And to those who committed these heinous crimes, we have a very clear message; war criminals will be prosecuted and justice will be rendered.

The crimes being committed, even as we meet today, are not just isolated acts of drunken militia men, but often are the systematic and orchestrated crimes of government officials, military commanders, and disciplined artillery men and foot soldiers. The men and women behind these crimes are individually responsible for the crimes of those they purport to control; the fact that their power is often self-proclaimed does not lessen their culpability.

Those skeptics—including the war criminals—who deride this Tribunal as being powerless because the suspects may avoid arrest should not be so confident. The Tribunal will issue indictments whether or not suspects can be taken into custody. They will become international pariahs. While these individuals may be able to hide within the borders of Serbia or parts of Bosnia or Croatia, they will be imprisoned for the rest of their lives within their own land. Under today's resolution, every government, including each one in the former Yugoslavia, will be obligated to hand over those indicted by the Tribunal.

We must ensure that the voices of the groups most victimized are heard by the Tribunal. I refer particularly to the detention and systematic rape of women and girls, often followed by cold-blooded murder. Let the tens of thousands of women and girls who courageously survived the brutal assault of cowards who call themselves soldiers know this: your dignity survives, as does that of those who died.

The Honorable Geraldine Ferraro, who recently represented the United States on the UN Human Rights Commission, said of this crime, "Rape should not be used as a weapon of war. It should also not be used as a tool for revenge . . . Women's rights are human rights, and must be respected as such." The International Tribunal will prosecute the rapists and murderers and their superiors.

My government is also determined to see that women jurists sit on the Tribunal and that women prosecutors bring war criminals to justice. Our view is shared by all of the women permanent representatives of this Organization. We also take note of the recommendation of the Organization of the Islamic Conference that gender be duly represented on the Tribunal.

Today's resolution contains important provisions designed to ensure the expeditious establishment of the Tribunal. It is imperative that I take some time to state clearly and completely the understandings which underpin my government's support for this resolution and for the statute of the Tribunal. To begin, we want to stress the importance of three provisions in particular:

Today's resolution ensures that the UN Commission of Experts continues to pursue its work of establishing a data base and preparing evidence during the interim period before the appointment of the Tribunal's Prosecutor and hiring of staff to begin authoritative investigations and preparations for trials. We expect that the Secretary-General will provide the Commission with the space, resources and personnel necessary to continue its mandate, and we urge other countries to follow our lead in pledging financial contributions to the Commission. At the appropriate time, we expect the Commission would cease to exist and its work folded into the Prosecutor's office.

The resolution also encourages States to submit proposals for the Rules of Evidence

and Procedure for consideration by the judges of the Tribunal. We hope to contribute to this critical process of developing the rules that the Tribunal can expeditiously adopt, so that the Prosecutor will then be in a position to begin prosecuting cases without further delay.

In addition, the resolution recognizes that States may find it necessary to take measures under their domestic law to enable them to implement the provisions of the Statute, and pledges them to endeavor to take any such measures as soon as possible. That is certainly the intention of the United States.

We commend the Secretariat for its outstanding report which has laid the foundation for today's action by the Council. While the Council has adopted the statute for the Tribunal as proposed in that report, the members of the Council have recognized that the statute raises several technical issues that can be addressed through interpretive statements.

In particular, we understand that other members of the Council share our view regarding the following clarifications related to the Statute:

First, it is understood that the "laws or customs of war" referred to in Article 8 include all obligations under humanitarian law agreements in force in the territory of the former Yugoslavia at the time the acts were committed, including Common Article 8 of the 1949 Geneva Conventions, and the 1977 Additional Protocols to these Conventions.

Second, it is understood that Article 5 applies to all acts listed in that article, when committed contrary to law during a period of armed conflict in the territory of the former Yugoslavia, as part of a widespread or systematic attack against any civilian population on national, political, ethnic, racial, gender, or religious grounds.

Third, it is understood that the primacy of the International Tribunal referred to in paragraph 2 of Article 9 only refers to the situations described in Article 10.

The United States wishes also to offer several other clarifications related to the provisions of the statute:

With respect to paragraph 1 of Article 7, it is our understanding that individual liability arises in the case of a conspiracy to commit a crime referred to in Articles 2 through 5, or the failure of a superior (whether political or military) to take reasonable steps to prevent or punish such crimes by persons under his or her authority. It is, of course, a defense that the accused was acting pursuant to orders where he or she did not know the orders were unlawful and a person of ordinary sense and understanding would not have known the orders to be unlawful.

With respect to Article 10, it is our understanding that the Tribunal is authorized to conduct proceedings against persons previously tried by a national court for the same crime when national proceedings (including clemency, parole, and other similar relief) were not impartial or independent, were designed to shield the accused from international criminal responsibility, or were not diligently prosecuted.

With respect to Article 19, we understand that the reference to a "prima facie" case in paragraph 1 means a reasonable basis to believe that a crime as defined in Articles 2-5 has been committed by the person named in the indictment.

Finally, with respect to Article 24, it is our understanding that compensation to victims by a convicted person may be an appropriate part of decisions on sentencing, reduction of

sentences, parole or commutation. We also understand that the Tribunal may impose a sentence of life imprisonment, or consecutive sentences for multiple offenses, in any appropriate case.

With the adoption of the statute for the Tribunal, we have completed the most difficult part of the task we began in February when Resolution 808 was approved by the Council. We must move without delay to the next steps particularly the appointment of the Prosecutor and the election of judges.

Finally, of this we are certain: The Tribunal must succeed, for the sake of the victims and for the credibility of international law in this new era. Thank you, Mr. President.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

CONGRESSIONAL SPENDING LIMIT AND ELECTION REFORM ACT OF 1993

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 3, which the clerk will report.

The bill clerk read as follows:

A bill (S. 3) entitled "Congressional Spending Limit and Election Reform Act of 1993."

The Senate resumed consideration of the bill.

Pending:

(1) Mitchell/Ford/Boren amendment No. 366, in the nature of a substitute.

(2) Wellstone amendment No. 367 (to amendment No. 366), to strengthen the restrictions on contributions by lobbyists.

(3) Wellstone amendment No. 368 (to amendment No. 367), in the nature of a substitute.

(4) Pressler amendment No. 372 (to amendment No. 366), to amend the Federal Election Campaign Act of 1971 to ban activities of political action committees in Federal elections.

Mr. BAUCUS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 372 TO AMENDMENT NO. 366

Mr. PRESSLER. Mr. President, I rise to urge my colleagues to vote for my amendment which would ban political action committees in both the House and Senate. It has a fallback provision that, if the ban is considered unconstitutional by the courts, they be limited to \$1,000 contributions in an election campaign. And those rules would apply to both the House and the Senate.

We are in the process of considering a campaign reform bill. I have been a Member of Congress since 1975, elected in 1974, and every year we have considered campaign reform in one form or

another. In fact, when I first came to Washington, political action committees were the reform of the day. Since that time things have changed, attitudes toward them have changed.

Now we are debating a campaign reform bill sent over by the White House which has a different standard for Members of the House than for the Senate. It is my feeling that if we consider PAC's as bad, or we are trying to limit PAC's, the same rule should apply to both Houses. Why would there be a difference in the attitude toward PAC's for the House or the Senate?

Also let me comment on another aspect of this bill which my amendment does not address but it is the logic of being consistent.

During the last election cycle, I tried to help a woman candidate for the U.S. Senate raise money. We have had a lot of publicity about women candidates for the U.S. Senate. This one happened to be a conservative woman, a conservative Republican woman. She received no money from EMILY's List at all. In fact, they opposed her. They gave money to the other side. They probably did not give money, but they supported the other side.

If we are going to exempt bundling for one type of woman candidate—what is classified as liberal in today's media—but not for other types of woman, then where do we stand?

The people who supported the conservative woman do not benefit from EMILY's List. I have been reading in the paper we want to make an exemption so women candidates can raise more money, but it does not say a certain type of woman candidate, a politically correct woman candidate who benefits from EMILY's List.

The idea is floating around from here and there that we are going to exempt them from the prohibition on bundling. That seems very strange. If bundling is bad for liberal women, is bundling not bad for conservative women? Why does the logic stop there? I do not get it.

What I am getting to is something very sad in this whole process, because we may be wasting our time going through this exercise. If each side tries to write a campaign bill that will just protect their incumbents and protect their people, that is not campaign reform at all. There have to be some standards across the board. If we are going to eliminate PAC's for the Senate, we should eliminate them for the House. If we are going to allow bundling for EMILY's List, which gives to liberal women candidates—and I suggest them very much—we should also eliminate the prohibition against bundling for money raised for conservative women candidates. The conservative woman I speak about was Charlene Haar. She had a hard time raising money. None of the women's groups helped her; none of them featured her. The national media totally ignored

her. She was a candidate for the U.S. Senate.

I think it is very strange we have the double standard.

So what I am saying is let us really get sincere about campaign reform. Let us not have these charges going back and forth about how self-righteous we are on both sides. Let us find some standards and apply them on both sides, apply them to the House and Senate, apply them to liberal women candidates and conservative women candidates, and not start carving out special treatment. That is the kind of campaign bill this Senator will support. That is what this amendment, as a first step, is doing. It is putting the House and Senate on an equal basis.

I might add one more thing. In my home State of South Dakota, a very interesting thing has happened. The State house of representatives is controlled by Republicans. The State Senate is controlled by the Democrats. The Democrats have a State ethics committee and were making all sorts of idealistic statements about campaign reform. One day the Republicans decided we are just going to vote for their bill, essentially. So they all did. And the Democrats stopped it in the State senate so we did not have a campaign reform bill. It was very ironic.

I have a feeling what is going on here also is each side on this campaign bill wants the other side to block it. I think there are a lot of people on the other side of the aisle who do not want to deal with the issues. They are hoping we are going to kill it with a filibuster. Maybe we will just fool everybody and vote for it and they will have to kill it over there if they do not want it.

The point is there is so much posturing and so forth going on, and I suppose some would accuse me of being part of that. What I am pleading for—I stand here as a Senator who wants campaign reform. I want both sides to be treated equally. If we are going to eliminate PAC's on the Senate side, let us eliminate them on the House side. If we are going to allow the liberal women's group EMILY'S List to bundle, then let us not prohibit a conservative woman's group to go out to corporations and bundle, where she can raise some money.

Let us have a level playing field, to overuse a very trite phrase. That is the purpose of my amendment. I hope the Senate will adopt it.

The PRESIDING OFFICER. The Chair recognizes the Senator from Kentucky.

Mr. McCONNELL. Mr. President, I commend my friend from South Dakota. He has been the leader in the Senate on the issue of not only equal treatment between the Senate and the House, but also, really, abolishing PAC's. If it were not for the Pressler amendment, we would not have a true PAC ban in this bill.

I am pleased to hear from my friend from Oklahoma that the Pressler amendment is likely to be supported by him, and I am, therefore, assuming it will pass. But I think it is important for the people of the United States and the people of South Dakota to know that, but for the amendment of the Senator from South Dakota, we would not have a true PAC ban applied equally to the House and Senate; a true PAC ban that would guarantee if the Supreme Court ruled the PAC ban unconstitutional and a fallback provision came into effect there would be an equal aggregate limit on PAC contributions between the House and the Senate; and that the House would not be able to spring back up to \$5,000 should the Supreme Court rule a total PAC ban unconstitutional. And the amendment of the Senator from South Dakota guarantees there will no longer be leadership PAC's.

So I commend the Senator from Oklahoma. Without his leadership on this issue, this bill would not have truly banned PAC's. So he has done a great service, not only for the people of his State, but also for the U.S. Senate. I commend him for his leadership.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

The Chair recognizes the Senator from Colorado, Mr. [BROWN].

Mr. BROWN. I thank the Chair.

(The remarks of Mr. BROWN pertaining to the introduction of S. 1027 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. BROWN. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered. The Chair recognizes the Senator from South Dakota.

Mr. PRESSLER. Mr. President, I ask unanimous consent to speak as in morning business.

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

EC SUBSIDIES THREATEN U.S. MARKET IN AFRICA

Mr. PRESSLER. Mr. President, recently I made a trip to Nigeria to promote United States agricultural ex-

ports. I have previously discussed the promising opportunities for increased United States agricultural exports to Africa. I want to continue that discussion now.

During a recent trip to Africa it became abundantly clear that the European Community is poised to undercut United States markets in Africa. Steal, would be a more appropriate word because Europe's reliance on excessive export subsidies have stolen other U.S. markets. We cannot let this Government-sponsored robbery continue.

There is much at stake here. Africa represents one of our fastest growing export markets. Total United States agricultural exports to Africa in 1991 totaled \$1.9 billion. In 1992 that total rose to \$2.6 billion—a 35-percent increase. This trend is likely to continue in 1993. Many areas of Africa are experiencing low moisture levels and poor growing conditions. A recent global food assessment has predicted shortfalls in grain production in every African country. The opportunities for increased trade are there.

Grain food needs are greatest in sub-Saharan Africa. The current drought in southern Africa has cut production of major cereals by nearly 50 percent. Regional grain imports of 1992-93 are expected to be nearly 10 million tons, or 6 million tons more than normal grain import levels. Similar food needs are evident in East and West Africa.

I had several opportunities to view and discuss the food and agricultural situation in Africa and pursue United States exports opportunities. Increased United States wheat exports will help meet food needs in Africa. It most certainly will help South Dakota wheat growers. I am pleased to report that my trip helped produce results that will benefit the United States and Africa.

In December 1992, the Government of Nigeria suspended a 7-year ban on cereal grain imports. This suspension was to expire in June. I raised this issue with Chief Ernest Shonekan, Chairman of Nigeria's transitional government. I presented Chief Shonekan a letter to President Babangida urging him not to reinstate the grain import ban. I explained that a major South Dakota crop, hard red winter wheat, historically has been a major Nigerian import. If Nigeria resumed its ban on wheat imports it would be to the detriment of South Dakota, the United States, and Nigeria.

Mr. President, the purpose of my speech today is to outline the potential threat the European Community [EC] represents in United States agricultural markets in Africa. However, I would like to inform the Senate that as a result of my visit to Nigeria, the Nigerian Agricultural Secretary recently announced that Nigeria would not reimpose a ban on future United States wheat imports. The revitalized United

States market in Nigeria has been maintained. This should produce positive results for South Dakota and U.S. wheat producers. I ask unanimous consent that two cables from the United States Embassy in Nigeria on this announcement be printed in the RECORD.

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

Fm: EMBASSY LAGOS.
To: SECSTATE WASHDC.
Subject: Wheat ban.

Hon. LARRY PRESSLER,
U.S. Senate, Hart Senate Office Building,
Washington, DC.

DEAR SENATOR PRESSLER: In a conversation I initiated today, head of government Ernest Shonekan told me that in follow-up to the letter you gave him at our meeting in his home on Saturday, April 17, he had brought to President Babangida's personal attention your concern that the wheat ban be permanently lifted.

In this connection, Shonekan said he was pleased to inform me that he and President Babangida had agreed at that meeting that the ban should be lifted permanently. Chief Shonekan expected that an announcement to this effect would be made in the near future. We will continue to follow this up with the government and confirm with you once such an announcement is made.

Many thanks again for your visit and kind regards to you and Mrs. Pressler.

Sincerely,

WILLIAM LACY SWING,
American Ambassador to the
Federal Republic of Nigeria.

Fm: AMEMBASSY LAGOS
To: SECSTATE WASHDC
Subject: Wheat ban.

Hon. LARRY PRESSLER,
U.S. Senate, Hart Senate Office Building,
Washington, DC.

DEAR SENATOR PRESSLER: Further to my cable of April 29, I am pleased to confirm that the Federal Government of the Republic of Nigeria, speaking through Agricultural Secretary Abdulkadir, announced officially on Thursday, April 29, the permanent lifting of the ban on importation of wheat into Nigeria. The announcement linked the lifting of the wheat ban to an agreement with the Federal Ministry of Agriculture whereby flour millers are required to purchase annually the available locally-produced wheat at the agreed price, i.e., fifty percent above the price of imported wheat. The Secretary also said that the master bakers are expected to maintain the price of bread at a level which is affordable to the common citizen.

The announcement of this decision to lift permanently the wheat ban follows closely on the heels of head of Government Shonekan's conversation with me on April 29, in which he said, as I reported to you, that President Babangida had decided to lift the ban permanently.

Kind regards,

WILLIAM LACY SWING,
American Ambassador to the
Federal Republic of Nigeria.

Mr. PRESSLER. Mr. President, historically, the Nigerians have been excellent customers of ours. Not that Nigeria's ban has been permanently suspended, we must try to maintain our market presence. I learned the Nigerians would prefer to purchase United

States wheat as they have done in the past, and are doing now. However, it alarmed me to learn that the United States could lose this recently re-opened market.

Though there have been no reported purchases of EC wheat by Nigeria, a number of Nigerian millers informed me that Europe could be a new supplier if the price were right. We all know what that means: European export subsidies once again could undercut the U.S. market.

World prices for wheat are constantly changing. Not long ago, Hard Red Winter wheat was selling for \$150 per ton. That price recently has dropped to \$135. The price for Soft Red Winter wheat is around \$110 per ton as of this week.

Mr. President, it is my understanding that the EC is selling its surplus wheat for \$85 to \$95 per ton. In the past, the EC has sold its wheat at even lower prices. There is no indication that the EC is willing or ready to change its ways. Indeed, a number of factors indicate the EC will continue to underprice its wheat. First, the EC has a large inventory of surplus wheat that it wants to get rid of. Over the past 2 years, the EC's ending wheat stocks have risen from 16.3 million tons to 20.8 million tons. Record European wheat exports are anticipated. Given that Africa represents the world's largest wheat market, it's not difficult to consider where the EC will try to dump its surplus wheat.

Second, recent history indicates that Europe is ready to try to subsidize its way into new markets. Over the past 5 years, the United States has reduced agricultural subsidies. Meanwhile, the EC has increased its subsidies. Since 1986, the EC has spent \$10 in export subsidies for every \$1 the United States spent on its export enhancement program. In 1992, the EC spent nearly \$14 billion on export subsidies—nearly double the 1986 amount.

Third, the EC has a growing track record of undercutting wheat markets once dominated by the United States. Permit me to offer two examples: In 1986, the United States sold Algeria 1.6 million tons of wheat, while the EC sold Algeria 200,000 tons. By 1991, the roles were reversed: The EC sold Algeria 896,000 tons of wheat that year while United States wheat exports dropped by more than 50 percent, to 755,000 tons. In 1986, the United States sold Sudan 361,000 tons of wheat. The EC did not sell an ounce of grain to Sudan at that time. Yet in 1991, the EC sold Sudan 184,000 tons of wheat while United States wheat exports dropped to just 78,000 tons.

Probably not too many individuals are familiar with the EC's article 11 restitution program. This program extends subsidies to countries in the Pacific, the Caribbean, and West Africa for 11 months of the marketing year. Normally, EC subsidies are available

for 5 months of the marketing year. The article 11 program is dramatic evidence that the EC is poised to subsidize, almost continuously, wheat exports to West Africa, including Nigeria. The United States must insist that these subsidies cease, or fight fire with fire—or dollar for dollar.

Mr. President, it would take all day to list all the places where the United States has lost market share due to EC export subsidies. However, let me take a moment to focus on Africa. Just recently, Namibia wished to purchase 80,000 tons of Soft Red Winter wheat, which was selling at a world market price of \$120 per ton. The EC stole that market by pricing its wheat at a remarkably low \$95 per ton.

To maintain existing markets and open new ones, the United States should fully fund our Export Enhancement Program, or EEP. EEP is needed in order to keep the United States competitive in the wheat markets of Nigeria and other African countries.

Mr. President, my remarks today have focused on wheat. Yet, as my colleagues know, the EC is not going to stop at subsidizing only wheat exports. Up until the 1992 marketing year, the EC had not reported any significant exports of corn to Africa. However, it is expected that the EC soon will begin to export nearly 1 million tons of corn during the current 1992 marketing year. When the marketing year is over in June, I expect to report regretfully to the Senate what U.S. corn markets were lost in Africa due to EC export subsidies.

These concerns are real. While the United States Department of Agriculture cannot confirm any EC sales of wheat to Nigeria, I have learned that the French are interested in the Nigerian wheat market. If we do not stand ready to combat EC export subsidies, the United States could lose a market that historically has been ours. We should not allow that to happen.

Mr. President, as I stated earlier, Africa represents our fastest growing agricultural market. Agricultural sales to West and Central Africa, dominated by sales to Nigeria, are expected to be more than four times the total for fiscal year 1992. This growth in U.S. wheat exports is part of increased demand from all developing countries. U.S. agricultural exports to all developing countries are expected to reach a record \$17.7 billion in fiscal 1993—nearly 43 percent of all U.S. agricultural exports.

These opportunities could be placed in jeopardy by the continuation of EC export subsidies. The United States must not back down on its insistence that EC export subsidies be greatly reduced or eliminated.

As I stated in previous remarks, the negotiations on a new General Agreement on Tariffs and Trade [GATT] are at a critical stage. If EC export sub-

sidies are not significantly reduced under a new GATT agreement, it will be nothing more than an unacceptable agreement. I could not support new world trading rules that would permit the EC to dump its surplus wheat. Much more negotiation on this issue will occur before we see a new agreement. I hope I can support it. What is at stake for American farmers is simple: The GATT will determine whether an American farmer's market extends beyond our borders. The United States should stand for nothing less than a fully open, fair market world for the American farmer.

In conclusion, let me say that Nigeria's action is positive news for the American wheat grower and also for the American balance of payments. In so many countries, we found that the EC subsidies really make it hard for us to sell our cereal grains.

I have visited around the world, be it in Asia or Africa, and the system is very clear. You get the price from the United States, you take the price to the EC representative and you say, "The United States is willing to sell us wheat for \$130 per metric ton," or \$120, and then if they have a surplus of that cereal grain at that time, they will just set a price below that and dump theirs and subsidize the difference to their farmers and to their merchants. That hurts the United States because it is not fair. We do not do that.

Maybe we should start doing it in a trade war. I do not know. But I wish we would get an agreement on GATT. I wish people knew what the agricultural community in the EC is doing because it is very unfair and we should not let GATT go forward unless that is corrected.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. Mr. President, I ask unanimous consent that I be allowed to proceed for no more than 5 minutes as in morning business.

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

THE MEANING OF FREEDOM

Mr. EXON. Mr. President, there are many things that are upsetting America today, not the least of which always comes forefront during this particular time of the year, when we are having graduation ceremonies from all kinds of schools in the United States, up through our universities and colleges.

Once again, driven to the forefront is the matter of making certain, in some quarters, that there be no moment of silent recognition, certainly no prayer, as ordained by certain well-meaning institutions in the United States that have taken this on as a thing.

I think they are totally wrong, and I have spoken out on this on many occa-

sions. For the RECORD, I would like to read a very short editorial that appeared in the Omaha World Herald on May 23. The headline of this editorial says: " * * * And of Broken Bow, Nebraska."

Broken Bow, NE, is a wonderful community near the approximate geographical center of our State, that I think embodies, as so many of our smaller communities do, what is right with America today. The editorial goes on to say:

The young men and women who just graduated from Broken Bow, Nebraska, High School might teach the American Civil Liberties Union a thing or two about the meaning of freedom.

As noted in the above editorial, some ACLU representatives have said that they will take any district to court if it dared allow students to thank the Supreme Being at their graduation ceremonies. Facing such a limitation, the School Board of Custer County, Neb.—

Where Broken Bow is located—

canceled the traditional prayer and ordered a moment of silence at the high school commencement.

The board's action didn't sit well with the 68-member senior class.

Last Sunday, when Tim Loy, senior class president, asked those at the ceremony to join him in a moment of silence, his classmates rose to their feet as one. Quietly, without fanfare, in unison, they recited "The Lord's Prayer."

One observer called it one of the most moving moments in her experience. The parents, friends and others of the commencement also approved, giving their young people a heartfelt standing ovation. They, their churches and their school system can be proud of the Broken Bow High School class of 1993.

OK, ACLU. Sue. Sue whom? Not the school board, which gave in. Not the school principal, who didn't lead the prayer and didn't plan it, didn't direct it, apparently didn't know anything about what was going to happen.

Sue the 68 admirable young men and women who have apparently learned something about freedom, about rights, about America during these years at the Broken Bow High School. See how far you get.

Mr. President, I call this to the attention of the Senate, in that it shows, notwithstanding the dedicated attitudes of some, including what I think has been a misinterpretation to a large extent of what the Supreme Court said in this area, the young students of Broken Bow High School have found a way, and unfortunately they had to take that route at their commencement exercises.

Mr. President, I thank my colleagues and I yield the floor.

The PRESIDING OFFICER. The time of the Senator from Nebraska has expired.

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Kentucky [Mr. MCCONNELL].

CONGRESSIONAL SPENDING LIMIT AND ELECTION REFORM ACT OF 1993

The Senate continued consideration of the bill.

Mr. MCCONNELL. Mr. President, they are at it again. I want to call my colleagues' attention to an op-ed piece that appeared today in the Courier-Journal, which is one of our two major statewide newspapers in Kentucky, by Joan Claybrook of Public Citizen.

Obviously, it is not particularly complimentary. It is designed to sort of turn the heat up with regard to the current debate on campaign finance reform. It is reminiscent of what happens every time this bill comes up. Any Senators who are protecting the Treasury from the ultimate raid on the Treasury, which is the funding of our campaigns with tax dollars, is subjected to this kind of soft money operation.

Mr. President, the article is full of inaccuracies, but that is really not the point I wanted to make this morning. One of the inaccuracies, however, is kind of interesting. She states, Joan Claybrook in this op-ed piece in the Courier-Journal in Kentucky today, that "the Clinton proposal would for the first time"—this is quoting Joan Claybrook—"shut down the soft money loopholes in current law."

She is talking about the bill before us that we have been debating this week.

Now, Mr. President, while it is true that President Clinton's bill would clamp down on party soft money, like registering voters, voter turnout, and volunteer activities, the kind of things that most political scientists think we ought to be encouraging, it sure would alter the procedure of the political parties in this country. It, nevertheless, does absolutely nothing, Mr. President, nothing—zero, zilch—about nonparty soft money. For example, it does nothing about union-run telephone banks. It does nothing about political action lobbying groups like Public Citizen, which write this article to which I referred.

Now, groups like Public Citizen illustrate the sewer money problem we have in American politics today. These are the kinds of groups, Mr. President, that hide behind the Tax Code and receive unlimited, undisclosed contributions, much of it from Washington special interests.

This is exactly what we are talking about, Mr. President, one of the ways in which this bill is uneven. The proponents of this legislation say it does something about soft money. It does not do anything about the real sewer money in the process. It simply makes it more difficult for political parties in this country to register voters, provide telephone banks, yard signs, volunteer activities, and all the other, what we used to think of as good, clean political activities.

Yes, that gets impacted by this bill, but the nonparty soft money, the sewer money of American politics, certainly illustrated by Citizens Action, is unaffected by this bill, completely unaffected.

These groups, as I said, hide behind the Tax Code, receive unlimited, undisclosed contributions, much of it from Washington special interests, and use that money for direct political action to influence Federal elections.

They use that tax-exempt money, received from all of those special interests in this town and around the country in unlimited and undisclosed amounts, to attack Senators like this Senator in their home States for trying to protect the taxpayers from the final raid on the Treasury.

Now, we know what the American people really think of taxpayer funding of elections, Mr. President.

This chart pretty well illustrates how the American people feel about taxpayer funding of elections. This chart illustrates the interest among the American taxpayers in checking off a dollar of taxes they already owe—it does not add anything to their tax bill—to pay for the one major race in America that is largely funded by the taxpayers—not entirely but largely funded by the taxpayers—started back in 1976. In 1977, 28.6 percent of Americans thought it was a pretty good idea to divert a dollar of taxes they already owed away from something like childhood immunization, deficit reduction, food stamps, any other particular worthwhile proposal, divert a dollar away from that for the Presidential election campaign.

But you can see that enthusiasm wanes, continues to wane down through the years to 1991, to a low of 17.7 percent—17.7 percent. In my State it is only 10 percent. Only 10 percent are willing to voluntarily divert a dollar of taxes already owed to pay for the Presidential political campaign.

Now, that is what this tax-exempt sewer money operation, funded, we suspect, largely by trial lawyers and labor unions, want to wreck on the other Federal elections in this country. They want to bring 535 new races into the Federal funding system.

Why, my goodness gracious, you will have at least 2 candidates in every one of those 535 races plus who knows, Mr. President, how many fringe candidates are going to look in the mirror every morning and say, "By golly, I think I see a Congressman. I am going to get myself some of that tax money to run for political office." And of course we are going to have to audit these public funds, Mr. President. We are going to have to audit them. We are going to give tax dollars to all those candidates out across America running for Congress.

We are going to need to be sure they spend the money right. So there will be

an army of auditors out crawling all over the campaigns for donations all across America, an army of auditors. Why, the FEC will be as big as the Pentagon. That is the kind of bureaucracy we are going to build here. That is what Public Citizen, this soft money tax-exempt organization, is promoting.

And any Senator who has the audacity to stand up and say that is a bad idea at the time when we have a \$4 trillion debt and the President is asking us for the biggest tax increase in history, and say, gee, maybe that is not a good idea to start a new taxpayer-funded program for us, vouchers for us, food stamps for us here in the political system, this is what you get. You get attacked by the Joan Claybrooks of the world. That is your thanks for it, for protecting the taxpayer.

Yet Public Citizen refuses to disclose the special interests that fund its operations and helps set its agenda.

Any candidate for Federal office who receives support from private voluntary donations, it is on the FEC report and there is a limit on how much an individual can give. So people know who is for you and who is against you, but not this organization. Not Public Citizen. We do not know. Common Cause at least discloses its large donors.

A series of articles which appeared in Forbes magazine linked Public Citizen, the group that attacked me this morning in the Courier-Journal, their top mentor, Ralph Nader, to a nationwide network of rich plaintiffs' lawyers. I think that is why Public Citizen does not want to disclose who is contributing to it.

I call on Public Citizen today, come clean, tell us who is funding your operation that provides you the wherewithal to come down in my State and attack me today. You have a right to do that, I believe, in the first amendment.

I would like to know who is supplying you your money. Common Cause, your ally in this effort, is willing to disclose its large donations. Come clean, Public Citizen. Tell us who is funding you. You say you are against that nasty soft money. Come clean, tell us who is supporting you.

In fact, it is widely reported that Public Citizen and its subsidiary, Citizen Action, are funded heavily by plaintiffs' lawyers and labor unions. We think that is where your money comes from, but we are not sure.

I do not want to malign you folks. I do not want to say anything inaccurate. It is largely guesswork on my part, other than what I read in Forbes. But you can disabuse us of this notion by simply disclosing where your money comes from. If you want us to do it, we already do it under the existing law. Tell us where your money is coming from.

Apparently, whatever their level of financial support, it buys a lot of clout,

because Public Citizen has worked hard to lobby for the agenda of those special interests, the labor unions and the plaintiffs' lawyers. Because there is no disclosure of who funds Public Citizen and Citizen Action lobbying and soft money activities we do not know who is buying influence. Who is buying Joan Claybrook's influence as a former Government official? We do not know. And the Clinton bill, contrary to Ms. Claybrook's assertion in the article in the Courier-Journal today, will not shut down the soft money loophole that Public Citizen and its affiliated organizations use freely to influence Federal elections.

But I am particularly thankful to Ms. Claybrook for reminding me of this glaring omission in the campaign laws. This organization funded by undisclosed and unlimited soft money can be expected—I say to all my colleagues, who are not going to support taxpayer funding of elections, let me just warn you in advance. This is going to happen to you.

They have a regular little routine here. They go around and attack you in your State, and misrepresent your position, do not mention that you are trying to save the Treasury, trying to save the taxpayer from the new boondoggle promoted by this administration. It is going to happen to you. I do not want you to get nervous about it now.

This is the pattern. A similar article is being written. It will appear in your State. So do not be surprised. We will help you write the op-ed reply. Let the people of your State know that the people behind this organization calling for taxpayer funding of elections which now is only supported by a mere 17 percent of the American people—I say to my friend the Presiding Officer only 10 percent check off in Alabama. The national average is 17 percent. Only 10 percent of the people of the State of Alabama are willing to check off \$1 of the taxes they already owe. This does not pay anything for the tax bill. It pays for this political campaign. That is how enthusiastic the people of Alabama are about taxpayer funding of elections.

It is the most comprehensive poll we ever had. Every April 15, everybody in America gets to decide whether or not they want to check off \$1 of taxes they already owe to fund this big political race. And, by the way, the conventions get paid for by taxpayers' money too. So we know how the people of America feel about this. This is the biggest poll ever taken on any issue in the history of America.

This soft money operation is going to attack any Senator standing up for the taxpayer. I just want them to be aware of it, what kind of organization that is.

I have offered amendments in the past as we have debated this issue it seems to me ad nauseam for 5 or 6

years. Every time I offered an attempt to do something to make these kinds of organizations come clean—you have a right to speak like anybody else in this country. You have first amendment rights, too, but why do you not tell us who is funding you? Disclose.

I am not even advocating limits. It is a lot easier than running for office. We have a limit on what people can contribute. I just would like for this organization to disclose their donors. Come clean. Tell us who is paying to underwrite the trashing of Senators in their home States who have the courage to stand up to the ultimate boondoggle, the ultimate waste of the taxpayers' money, taxpayer funding of elections, which only 17.7 percent of the American people support.

My guess is it is going to continue to slide. You can look at the trend here, going straight down, down to 17.7 percent.

Under this bill, the proponents would like for the checkoff to be increased from \$1 to \$5. Do you know why? They need to get more money out of these few remaining suckers who are willing to support this thing. That \$1 a pop is not producing enough money even for the Presidential system, much less to underwrite some of the congressional systems.

So as this thing slides down the razorblade of life, down to the last dollar, they need to get those few people to cough up \$5 instead of \$1 to make up for it, to try to pump some life into this Presidential system that they do not like, and to try to provide some of the funding for this congressional system that they want the taxpayers to pay for.

Mr. President, it is kind of interesting to look at some of the ways that Public Citizen raises money. I happen to have one of their fundraising appeals. It is kind of interesting. This is one of the groups that sort of makes a living off of trashing Congress. There is a pretty good audience out there for that. I am told people never have thought much of politicians, and think even less of them now than they used to. If we pass this bill, if you think they do not think much of us now—to have the American people pay for our political campaigns—it is possible to be totally unpopular, possible to get below the line, that is where we will be if we pass this bill.

Here is the Public Citizen fundraiser. I do not have the date. I know it was sent out after the Presidential election.

This is the soft money group that I have been talking about that all of the people who are standing up for the taxpayer and trying to avoid passing a new entitlement program for us—this is the group you can expect to be trashed by. This is one of their fundraisers.

Let me take out some of the more interesting parts here. It says, "We can

push through a congressional campaign finance reform package but we can't do it without your help." They say that. This is a tax-exempt organization that can receive unlimited and undisclosed contributions. We do not know who is giving it to them. They are hiding behind the Tax Code, and they are trashing Members of Congress who are trying not to take this travesty any further.

They say, "The special interest lobbyists who occupy Washington continue to oppose this. Now the special interests realize that their hold on Washington is slipping." This goes on to say, "They are racing to reestablish their influence with many new Members of Congress. A cornered rat is a very dangerous animal," says Joan Claybrook. "These well-heeled lobbyists will fight even harder to get their hooks into our Government."

Talk about getting hooks into our Government. Who is trying to advocate starting a whole new taxpayer-funded entitlement program for politicians? Why, it is this group. Talk about getting your hooks into the taxpayers. "Now we have new faces in Washington and along with those comes new hope. We can achieve these reforms, but we have to beat the special interests to the punch. We can only do it with your help now at this critical moment. Our funds are low, and without your immediate support, our future work on this critical issue will be threatened. With a new Congress, we can succeed in enacting reform that will limit the power of special interest influence," except their own power, except her power, and this group's power. They are going to have a free ride—no taxes paid, tax-exempt, unlimited, undisclosed contributions.

She goes on: "We can't do it without your help. Do your part today by rushing a contribution to Public Citizen and Its Clean Up Congress Campaign."

Well, my goodness, where did I leave my checkbook. That is what we are up against, Mr. President. This kind of group, totally involved in the political process and certainly entitled to its opinion, hides behind the Tax Code, and trashes Senators who have the courage to stand up against this outrage and extending it to 535 additional races. That is what you can expect. So I am sorry that that will be happening. But I wanted my colleagues to know, those who have the courage to try to stop this outrage, that is what you can expect.

Mr. President, while we are talking about use of public funds, the Pressler amendment is the pending business. I have discussed with my colleague from Oklahoma, who is not on the floor at the moment, but I know he shares what I am about to say. It is our intention to lay aside the Pressler amendment to be voted on at 2 o'clock in conjunction with an amendment that I will be lay-

ing down now and discussing. I think it is the plan of my friend from Oklahoma and myself to have two recorded votes at 2 o'clock. If that is not his view, he will have adequate time to express himself. I will go ahead and lay down an amendment at this point.

Mr. President, I ask unanimous consent that the Pressler amendment be temporarily laid aside.

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

AMENDMENT NO. 376

(Purpose: To provide that revenues derived from the disallowance of tax deductions for lobbying expenses shall be paid into the general fund of the Treasury so as to reduce the deficit.)

Mr. MCCONNELL. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 376.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place insert the following:

SEC. . APPLICATION OF INCREASED REVENUES TO REDUCE THE DEFICIT.

(a) DEFICIT REDUCTION.—Notwithstanding any other provision of this Act, amendment made by this Act, or any other law, the amount of increased revenue to the United States that is determined to be attributable to the disallowance of a deduction from income tax for lobbying expenses made by any such provisions, amendment, or law shall be paid into the general fund of the Treasury, and shall not be paid into or credited to the Senate Election Campaign Fund or any other fund or account, so that such increased revenues will go to reduce the budget deficit that would otherwise accrue.

(b) SUPERSEDEDURE.—Subsection (a) shall supersede any other provision of this Act, amendment made by this Act, or any other law unless such other provision, amendment, or law explicitly provides otherwise by specific reference to this section.

Mr. MCCONNELL. Mr. President, sitting in the Oval Office during the White House Easter egg roll, President Clinton gestured toward the children on the White House lawn and lambasted Republicans for filibustering the so-called stimulus package. He said the children were hostages of the filibuster because the bill included funds for child immunization.

Mr. President, the stimulus debacle has been analyzed ad nauseam. Republicans stopped it because it was loaded with pork, too expensive, and obviously it was deficit spending.

The child immunization funds were hostage to the grossly wasteful pork spending in the stimulus package and the lack of political will to pay for it.

Children also are hostages of the \$4 trillion Federal debt that they seem

doomed to inherit. By the end of President Clinton's term, under his plan, using his figures, the debt will be over \$5 trillion. The President should keep that debt in mind the next time he sees children on the White House lawn. Perhaps then he will resolve not to send any more deficit spending bills to Congress.

That said, Mr. President, it is time for Congress to prioritize. Taxpayers cannot afford for us to do it all. The amendment I sent to the desk is about priorities, stating for the record that any revenues realized through a repeal of the Federal tax deduction for lobbying expenses shall go toward reducing the deficit and not to the Senate Election Campaign Fund established by this bill to fund our reelections.

Mr. President, this is a straightforward amendment. If the tax deduction for lobbying expenses is to be repealed, where should the money go? If we are going to repeal this tax deduction for lobbying expenses, which I personally do not have any problem with, the issue is, where should the money realized from that repeal of that deduction go? Should it reduce the deficit, or should it fund political campaigns? No gimmicks, concise, to the point. What are our priorities going to be?

We better start asking that question of ourselves more often, because our constituents are getting tired of having their taxes raised, and it would be downright immoral for our descendants to get stuck with the tab.

Yet, I anticipate that some Washington special interest groups, like the Public Citizen group I was just discussing, will criticize this amendment as a "blatant politicking of the worst sort," as they did with a similar one I was prepared to offer to the lobbying bill.

I notice today that the president of Public Citizen wrote a nasty and misleading diatribe in my hometown paper for the unpardonable sin of opposing taxpayer financing of campaigns. Public Citizen, as I indicated earlier, also is the diehard proponent of the energy tax which will kill thousands of jobs in my State and raise poor peoples' heating bills.

Mr. President, a more objective observer would describe my amendment as blatant politicking of the best sort. Simple priorities, Mr. President, is what this amendment is all about.

Mr. President, some groups seem to have a finders-keepers attitude in regard to the repeal of the lobbying expense deduction. The taxpayer-funded/spending-limits crowd first identified this potential windfall, and they are loathe to consider any alternatives for the savings. That is not altogether surprising because almost any alternative to funding political campaigns would be preferable in the eyes of most Americans.

It has been faintly amusing to observe the scramble among proponents

of taxpayer-funded political campaigns to secure a politically safe source of funding for their campaign finance proposals.

If this creative energy, the kind of energy that has been put into this effort, were applied to reducing the deficit, we could balance the budget in a couple of years.

There are a number of reasons to vote against using taxpayer dollars to prop up this unworkable, unconstitutional campaign finance bill. The fact is that the spending limits in this proposal are a fraud that would be perpetuated on the taxpayers. In return for their tax dollars, taxpayers would get a spending limits system riddled with loopholes, a system that would limit neither special interests nor total spending.

I will not at this time belabor the shortcomings of the taxpayer-financed spending limits scheme put forth by my friends across the aisle. The point of this amendment is that regardless of what one believes in regard to campaign finance reform, it should not be given a higher priority for available tax dollars than reducing the national debt—that terrible legacy we are leaving for our grandchildren.

If the tax deduction for lobbying expenses is to be reduced or repealed, numerous causes far more worthy than taxpayer-funded political campaigns are literally standing in line for the money, causes such as deficit reduction, child immunization, child nutrition, and health care, to name just a few.

My amendment names just one. It names the deficit.

So, in summary, Mr. President, let me just say that this amendment is quite clear and quite to the point. If we are going to raise revenue by the elimination of the lobbying deduction, it is the view of this Senator, and I hope it will be the view of the majority of the Members of the Senate, that that revenue would be better spent reducing the deficit than paying for our political campaigns, clearly the ultimate perk.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, I have listened with fascination to the comments, the critique, and the constructive suggestions for this field of election campaign reform from the junior Senator from Kentucky, with great interest and with great admiration for his skills and for his dedication.

At this point, however, Mr. President, if it is permissible to the Senator from Kentucky, I have remarks on another subject. And if no one is seeking recognition to speak on this subject, I ask unanimous consent that I be permitted to speak as if in morning business.

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

The Senator from Washington is recognized.

Mr. GORTON. I thank the Chair.

(The remarks of Mr. GORTON pertaining to the introduction of S. 1029 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. GORTON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BOREN. Mr. President, without prolonging the debate on the pending McConnell amendment, I do want to make just a few remarks about that amendment.

What we are dealing with in this amendment is not really an amendment about whether or not we should apply additional resources to the reduction of the deficit. I think my colleague knows, and my colleagues on both sides of the aisle know, I feel very strongly about passage of a real deficit reduction measure. The country is in terrible difficulty and not getting the deficit down is something that really threatens our future.

At the same, I think we must press ahead for meaningful campaign finance reform. I am convinced the American people are already paying a terrible price for the way the current financing of campaigns takes place.

For example, because millions, and millions, and millions of dollars pour into this system—over \$600 million in the last election cycle spent by candidates running for Congress—because all of that money is pouring in and because half of all the Members of Congress elected in the last election received more than half of their campaign contributions not from the people back home, but from special interest groups, political action committees and others, the people themselves are paying a very large price for the failure to reform the campaign financing system.

Special interest tax breaks are written into the Tax Code that are simply not available to the average American who cannot afford to give \$1,000, \$10,000 or \$50,000, the average American who cannot put on a \$300,000 fundraiser in one night in which PAC manager after PAC manager with waiting cars come in to give those large contributions and checks. And therefore they are not able to get the same kind of tax relief—we have certainly seen that happen—that many others are able to get.

So, on the taxing side the special tax breaks are certainly encouraged by a campaign financing system in which more and more of the money comes

from special interest groups, and millions and millions of dollars.

On the spending side the same thing happens. Pork barrel projects and special projects to pay back the special interest groups that have helped fund campaigns pile up more spending. So the revenues of this country are reduced and the spending is increased, in part because of the way campaigns are financed. And Members of Congress make, in essence, payback legislating, perhaps not directly but at least indirectly, remembering those who financed their campaigns when they come around later wanting a special spending project or a special tax break.

So when we talk about what we could do to get the deficit down—yes, we have to have revenues to get the deficit down and yes, we have to have spending cuts, and we should have far more spending cuts than we now have before us to get the deficit down. I hope we will find a way to do that in a bipartisan fashion with both Houses working together.

But another thing we could do to help the deficit problem is change the way we finance campaigns in this country, stop the money chase in American politics, squeeze out the special interest money, the soft money and the rest of it, get it so people will not any longer have to spend over \$670 million on congressional campaigns to win; so the average Senate candidate will not have to spend \$4 million, even in a small State, on the average just to get elected—\$10,000, \$15,000, \$20,000 a week in fundraising for 6 years.

That is important. It is important for every aspect of the political life of this country. It is principally important because we want to restore the confidence of the people in this Congress so the people know this Congress belongs to them and not to those people who are able to put on \$300,000 or \$400,000 or \$500,000 fundraisers here in the Nation's Capital to pump money into campaigns. But it is important also to reduce the deficit.

It is well known and those who are presenting this amendment understand, my friend from Kentucky understands because he is a student of the Buckley versus Valeo case, the Supreme Court decision, that we cannot have a bill to limit spending in campaigns and to bring this spending under control unless, according to the Supreme Court, it is under a voluntary system.

What does that mean? It means that you have to present the candidates with incentives—incentives that cause them to accept spending limits.

I wish that were not the case. I do not believe the Supreme Court was right in making their decision in Buckley versus Valeo, but we are stuck with it. There are many things the Supreme Court has done over the years that I would change had I been a sitting Jus-

tice and able to vote on those decisions, but we are stuck with the bad judgment of the Court and a bad decision, as far as I am concerned. We cannot just come out here and pass a law and say you can spend over x cents per voter and do it directly. We are stuck with a Court decision that requires us to have some incentives in order to get candidates to voluntarily accept spending limits.

In the letter I received from several Members on the other side of the aisle, including Senator JEFFORDS and Senator COHEN, Senator CHAFEE, Senator MCCAIN, and Senator DURENBERGER, they asked the President to specify how we would pay for any of those incentives that are necessary to have spending limits. I received just last night a letter from President Clinton which I have shared with those on the other side of the aisle who requested the assurance that we would designate how we would pay for this program. The President said:

DEAR DAVID: As you know, I have proposed a comprehensive campaign finance reform plan that seeks to limit campaign spending, curb the role of lobbyists and PACs, ban the use of "soft money" in federal elections, and open up the airwaves. The legislation you have introduced embodies that proposal.

Under the plan, candidates who agree to comply with voluntary spending limits will receive voter communication vouchers that can be used for broadcast, postage, and printing. This will level the playing field by giving challengers, as well as well-funded incumbents, an opportunity to make their case to the public.

I am writing to make clear my position on how these benefits should be paid for.

As I stated at the time the political reform proposal was announced, it is my continued intention that any funds for these vouchers come from the repeal of the lobbying deduction. When I first proposed eliminating the lobbying deduction in February, our budget documents made clear that these funds could be used to pay for campaign finance reform if such legislation were enacted. As Congress now prepares to enact such legislation, I want to reiterate my support for the use of the lobbying deduction for this purpose. In addition, my proposal would increase the voluntary taxpayer checkoff from \$1, where it has been since the early 1970s, to \$5.

Thank you.

Sincerely,

It is signed by the President.

That is what this is all about. This is not about whether or not we want to reduce the deficit. Yes, we want to reduce the deficit. We think passing real, meaningful campaign finance reform so Members of Congress will no longer be so beholden to special interest groups and will no longer have to raise massive amounts of money will help us make better decisions on a more objective basis that will lead to getting the deficit down, take Congress off the auction block, and allow Congress the independence it needs to make those decisions.

But this amendment, Mr. President, let us not fool ourselves, is not about

that. While it purports to be an amendment about getting the deficit reduced and using the lobbying deduction for that purpose, the authors well know if it is used for that purpose, if it is used to go into the general revenue fund, it cannot be used to fund the incentives necessary to reduce runaway spending.

So this is an amendment not about whether or not you want to get the deficit down, even though that is what it purports to be. This is an amendment about whether or not you want campaign finance reform, whether or not you want spending limits, whether or not you want to shut off the continued flow of millions, and millions, and millions of dollars, most of it from special interests, most of it going to incumbents at the rate of 3 to 1 in the Senate and 5 to 1 in the House, so challengers, new people, do not have a chance to come here with their fresh ideas to help this country.

That is what this amendment is about and that is why at the appropriate time, Mr. President, I am going to move to table this amendment. Because it would make it impossible for us to proceed ahead with a plan to provide those incentives to get candidates to limit spending so we can shut off the money and shut off the special interest funding of campaigns and so we can return Congress back to responsiveness to the American people instead of simply those with enough financial resources to influence the outcome of elections.

So, Mr. President, I urge my colleagues not to be misled. This amendment is not what it appears to be. It is not a matter of getting the deficit down. It is not a matter of whether or not you want to get the deficit down. This is about whether or not you want meaningful campaign finance reform. That is why this amendment should be defeated.

Let me say on a happier note, while I feel compelled to move to table at the appropriate time the McConnell amendment—and I say to those of my colleagues who might be listening or their staff who might be listening to our floor discussion, wondering about the time which we would likely have votes, it is very possible that the votes will occur about 2:30.

I have just been informed by my good friend from Kentucky, they would like to do that. We have some colleagues who are committed elsewhere for very worthwhile, I might say, public purposes. So for those who are thinking about scheduling, it is likely the vote will occur—we are checking with both leaders now—on the Pressler amendment, immediately followed by a vote in relation to the McConnell amendment, which will likely be a tabling motion, at approximately 2:30.

We will confirm that request just as soon as both leaders have been able to clear it on both sides of the aisle.

Let me say with regard to the Pressler amendment, which we have been working on very hard, we have now come, I believe, to an agreement. The distinguished Senator from South Dakota and our staffs, and all of us, have been working together on it. I want to, again, commend him for that amendment. I believe that the bill already had taken care of many of the problems that he sought to correct.

For example, we had sought in this legislation to ban leadership PAC's. The Senator from South Dakota, in his amendment, would clarify that and make certain that our intent of the bill was carried out. He makes a technical amendment to that part of the bill and it is very welcome because that has been one of the objectives, we felt one of the provisions of the bill from the beginning.

He also makes it clear that we ban PAC's for both the House and the Senate. We totally do away with PAC contributions in the bill. We also felt we had already done that because, we said, no one running for Federal office would be able to receive PAC donations. That would be both the House and Senate, of course. He spells that out. We are in full agreement with that.

Also, he provides a backup provision that would assure that the House and the Senate would play by the same rules. If, for some reason, the Court were to find unconstitutional and to strike down our ban on PAC's altogether, there is a fallback position. There was one in our bill which said that we would fall back to a limitation on how many individual PAC's could give, and that we would not allow Senate candidates to receive more than 20 percent of their total contributions from political action committees.

The Senator from South Dakota, in his amendment, as has now been worked out, would apply that same rule to the House. No more than a 20-percent aggregate of the contributions allowed under the spending limits in the House bill, would be allowed from PAC's, and it sets \$1,000 as the amount that individual PAC's could give to either House or Senate Members.

Those on the other side of the aisle, again, who had written to me, and to the President and the majority leader, stressed their belief that as much as possible on relevant provisions, at least, that there should be a balance and a parallel construction: The same rules in essence applying to the House and Senate.

This Senator happens to very much agree with that point of view. Therefore, the Pressler amendment would embody that as to the fallback position if, for any reason, the Court found our total PAC ban to not pass constitutional muster, as I frankly hope that it will pass muster.

I want, again, to commend the Senator from South Dakota for his con-

tribution to this process. He will seek the yeas and nays. I do not believe they have yet been ordered but I know he will seek the yeas and nays. We can do that by unanimous consent on his amendment. This Senator will be supporting and voting for the Pressler amendment. I urge my colleagues to do the same.

I yield the floor so my colleague from Kentucky may comment as he wishes, and both of us are simply now standing by to get clearance from both leaders as to the request about the votes at 2:30, but we anticipate that will be the approximate time for both of these votes.

I also urge my colleagues who might be listening in their offices to come to the floor and offer amendments if they have additional amendments. We want to continue making progress on this legislation. As I said yesterday, we want to take as much time as it takes to be thorough and to arrive at the best possible bill. At the same time we want to move the dispatch because there are so many important issues facing us in the Senate.

I urge my colleagues to come to the floor and offer their amendments. I say to my colleague from Kentucky, I have been informed the Senator from Massachusetts [Mr. KERRY] does plan to come after our two votes at 2:30 to begin to offer his amendment on the public financing of campaigns.

Mr. MCCONNELL. I say to my friend from Oklahoma, we have sort of been informally trading sides here. It is good the Senator from Massachusetts [Mr. KERRY] will be over after the votes on the Pressler and McConnell amendments, proceeding in an orderly fashion, allowing Senators on both sides to offer amendments. I do not wish to further discuss my amendment at this point. I thought I would do that prior to the vote later this afternoon.

Mr. BOREN. Mr. President, I am wondering if we can get clearance from the two leaders, if we might have a brief period, perhaps a recess until about 1:30, if we can get clearance from both sides and then come back and allow time for discussion, any remaining time that the Senator from Kentucky, or the Senator from South Dakota, would like to have discussion on their amendments.

I suggest, that on the amendments of the Senator from Kentucky, that we might perhaps, if we get unanimous consent, agree to a certain amount of time that will be equally divided on the McConnell amendment.

Mr. MCCONNELL. I might suggest from 2 to 2:30 on the McConnell amendment.

Mr. BOREN. That would be fine with me, but we must await clearance from the leaders.

Mr. President, while we await clearance from the two leaders on our unanimous-consent request, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BOREN. Mr. President, in just a moment, I am going to send a second-degree amendment to the desk to the pending McConnell amendment.

As I indicated earlier, in my view, the real issue raised by the McConnell amendment is not a matter of whether or not we want to reduce the deficit, but whether or not we are going to have meaningful campaign finance reform. Because under the Supreme Court decision, there is a requirement that any campaign spending limit be a voluntary limit accepted by the candidates and, therefore, there have to be incentives provided in terms of the Supreme Court decision to candidates which induce them to accept those voluntary spending limits.

As I also indicated—we all understand, because all of us want to get the deficit down—the way we finance campaigns in this country, with more and more money pouring into the process, much coming from special interest groups, itself contributes to the deficit being increased because we are spending the time, effort, and energy on that issue because we are having to be full-time fundraisers and part-time Members of Congress.

But it also contributes to the deficit problem, because special interest groups which pour millions of dollars into the campaigns often get special tax breaks not available to ordinary Americans, tax breaks that reduce the revenue, the income of the Government, and at the same time very often they are the beneficiaries of pork-barrel projects resulting in more spending by the Government on things that are not necessary and not needed.

Therefore, for many reasons to restore the confidence of people in Government and to devote time and attention to that issue as opposed to fundraising and to avoid special-interest tax breaks and unnecessary spending, it is very important that we reform the way that we finance campaigns in this country.

Mr. President, if we were to defeat the way in which we pay for those incentives provided for in the current campaign finance reform bill, we defeat the whole possibility of imposing spending limits and we defeat the whole possibility of shutting off the flow of special interests into politics. The issue here is not whether or not we are for deficit reduction. The issue is whether or not we are for meaningful campaign finance reform.

That is why I believe that we must amend the current amendment and

make it clear that that is what we are all about. Therefore, the amendment that I am getting ready to send to the desk in the second degree would provide the amount of the increased revenue to the United States that is deemed to be attributable to the disallowance of a deduction from income tax for lobbying expenses, which is the way the President, I think appropriately, wants to pay for campaign finance reform, not to put a tax increase on the American people, not to tax the people back home to do this, but to tax the lobbyists, in essence, to pay into a clean Government fund who will help us restore integrity to the campaign financing process.

So our amendment would provide that any funds that flow into the general fund as a result of ending the tax deduction for lobbying expenses shall flow into the general fund of the Treasury to reduce the deficit. And to the extent provided by law—and we hope that this bill will become law—the Congress will, therefore, provide that as many funds as are necessary will be used to reduce the role of special interests in congressional elections by funding the benefits to candidates to encourage their agreement to accept campaign expenditure limits.

AMENDMENT NO. 377 TO AMENDMENT NO. 376

(Purpose: To provide that revenues derived from the disallowance of tax deductions for lobbying expenses shall be used to reduce the deficit and to reduce the role of special interests in congressional election campaigns)

Mr. BOREN. Mr. President, on behalf of myself and the distinguished majority leader, Senator MITCHELL, I send this amendment in the second degree to the pending McConnell amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Oklahoma [Mr. BOREN], for himself and Mr. MITCHELL, proposes an amendment numbered 377 to Amendment No. 376.

Mr. BOREN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

In the amendment strike all after Deficit Reduction in line 4 and insert the following:—The amount of increased revenue to the United States that is determined to be attributable to the disallowance of a deduction from income tax for lobbying expenses made by any law shall be paid into the general fund of the Treasury, to reduce the deficit and, to the extent provided by law, shall be used to reduce the role of special interests in congressional elections by funding the provision of benefits to candidates to encourage their agreement to campaign expenditure limits.

Mr. BOREN. Mr. President, I think I pretty well explained what the second-degree amendment is about.

Prior to the offering of this amendment, we had planned on recessing briefly until the hour of at least 2 o'clock—perhaps now to the hour of 2:15—and I need to check with the floor staff on the other side of the aisle to see if we could propound a unanimous-consent request. Perhaps in light of the absence of the Senator from Kentucky and because he perhaps has not yet been informed about the second-degree amendment, what we might do is ask unanimous consent that we recess until the hour of 2:05 at which time there will be allowed—well, I think I better withhold that request.

What I was thinking about doing was allowing time for the debate of the second-degree amendment or the underlying McConnell amendment at that time, and then having back-to-back votes, first on the Pressler amendment and then on the second-degree amendment to the McConnell amendment.

So, until the Senator from Kentucky arrives and we can discuss this further, let me suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. MCCONNELL. Mr. President, I noted with interest the second-degree amendment that has been offered to the McConnell amendment.

Let me say I am distressed that we are getting into this pattern of second-degreeing each other. The manager of the bill and myself have talked earlier about creating an atmosphere here during this debate in which each side was assured to have votes on the amendment it wanted to offer.

Obviously, a second-degree amendment is not improper, but it certainly does not create the kind of atmosphere I had hoped we could move forward with in the course of handling the amendments on this bill.

Of course, I could simply reoffer the amendment at some other time, and may well do that. It does not seem to me it facilitates completion of the bill to constantly be second-degreeing each other in order to try to protect Members from unpleasant votes. I mean, we will have the vote on this at some point, I guarantee you, during this debate.

But with reference to the second-degree, I wanted to ask my friend from Oklahoma, as I read it, it says that revenues derived from the disallowance of a deduction from income tax for lobbying expenses shall be used to reduce the role of special interests in congressional campaigns; to reduce the deficit and, to extent provided by law, be used to reduce the role of special interests in congressional elections.

Under this second-degree amendment, which comes first, the deficit or, as it puts it, reducing the role of special interests?

Mr. BOREN. I would say to my colleague from Kentucky that under the amendment, of course, if there is a purpose set out in the law for which this fund shall be used, it would be used for that first.

In other words, we would use sufficient funds in order to implement the campaign finance reform bill and to reduce the flow of special interest funding into campaigns. And all revenue estimates have indicated that the ending of this lobbying deduction would raise considerably more—there is a range of estimates—but all would indicate they would raise considerably more than necessary for that purpose.

The remainder would flow into the general revenue fund for the reduction of the deficit.

Mr. MCCONNELL. So, Mr. President, it is clear that the second-degree amendment is designed to thwart the thrust of the McConnell amendment, which is quite simple. The amendment that I offered, which is pending now, now second-degreeed, was designed to allow the Senate to choose whether it wanted to spend those revenues derived from eliminating the deductibility of lobbying expenses for corporations on funding political campaigns or reducing the deficit.

So the purpose of this second-degree amendment is to rule null and void, in effect, the amendment offered by the Senator from Kentucky.

I would say to my friend from Oklahoma, I would, of course, move to table the second-degree amendment at the appropriate time, and as we are working on this unanimous-consent agreement my right to offer the tabling motion would need to be protected.

Mr. BOREN. Mr. President, I understand what my friend and colleague from Kentucky has said.

Let me indicate to him that we are trying to operate in good faith. We have accepted a number of amendments on up-or-down votes, as we did with the McCain amendment and as we are going to do with the Pressler amendment.

But there was a feeling that a second-degree amendment in this case would draw the issue more clearly. I think it certainly allows each of us to make the point. I think the Senator from Kentucky, from his point of view, is making the point and will make the point by moving to table my second-degree amendment. Certainly, in propounding the unanimous-consent request, I will do so in a way that would preserve that right for him.

Let me say, we want to be fair in every way we can. We do have an honest difference of opinion. This is simply a matter of principle.

I understand why the Senator from Kentucky feels as he does. He also

quite openly opposes the bill and spending limits in the bill.

We have had many discussions about that. He does not favor spending limits in campaigns and I do. He feels that they are unhealthy and I feel they are healthy for the process. So we do have that division. Therefore, he would like to see the funds all flow into the general fund and I would like to see a portion of those funds, as is necessary, flow into the special account that would be created to pay for these incentives and have spending limits.

So I think the issue is clear. This will give us an opportunity to vote on that issue and to see how the Members of the Senate feel about it.

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, let me make it perfectly clear—and I do not know whether this second-degree amendment was the idea of the Senator from Oklahoma or not; I doubt if it was. But this second-degree amendment is designed to protect Members from having to vote on an amendment that simply requires that we choose. We do that every day in here on one issue or another. We make choices.

My amendment, the underlying amendment, says quite simply that whatever revenues are derived from eliminating the deductibility of lobbying expenses should be used to reduce the deficit, rather than to pay for congressional political campaigns.

I do not think we ought to be relieving, if you will, Members of the opportunity to make these kinds of choices. We make them every day; many of them are unpleasant.

And so we may have to revisit this issue later in the debate in the quest that we will have on this side to get clear votes on clear options at some point during this debate.

I understand the position my friend from Oklahoma is in. Hopefully, we are now ready for the unanimous-consent agreement that will protect my right to offer a tabling motion.

Mr. BOREN. Mr. President, I thank my colleague. Let me just say, I suppose this proves the old saying that beauty is in the eye of the beholder.

This Senator is perfectly willing to assume responsibility and to explain to his constituents that, rather than have all of these funds flow in the general fund to be immediately used for the purpose of deficit reduction, this Senator is willing, not only willing but proud, to vote for the use of some of these funds to get runaway campaign spending under control and the influence of special interests under control so we can do a better job in this country on the deficit and everything else and have the confidence of the American people.

So this Senator is proud to use the money for that purpose. This Senator

believes the American people would want him to vote to use the money for that purpose.

So we have an honest difference of opinion. I will not debate that further.

Let me just propound the unanimous-consent request at this point.

UNANIMOUS-CONSENT AGREEMENT

Mr. BOREN. Mr. President, I ask unanimous consent that the Senate stand in recess until the hour of 2:15 p.m. today; that the time between 2:15 and 2:45 be for debate only, divided as follows: 15 minutes under the control of the Senator from Kentucky [Mr. MCCONNELL], 10 minutes under my control, and 5 minutes under the control of the Senator from South Dakota [Mr. PRESSLER]; that at 2:45 p.m., Senator PRESSLER be recognized to modify his amendment No. 372 with language that has been agreed to by the two managers; that the Senate then, without any intervening action or debate, vote on the Pressler amendment No. 372; that upon the disposition of the Pressler amendment, the Senate, without any intervening action or debate, vote on or in relation to the Boren perfecting amendment No. 377; and that, upon the disposition of the Boren perfecting amendment, the Senate, without any intervening action or debate, vote on or in relation to the underlying McConnell amendment No. 376, as amended, if amended.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

RECESS UNTIL 2:15 TODAY

The PRESIDING OFFICER. The Senate stands in recess until the hour of 2:15.

Thereupon the Senate, at 1:50 p.m., recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. MATHEWS].

CONGRESSIONAL SPENDING LIMIT AND ELECTION REFORM ACT OF 1993

The Senate continued consideration of the bill.

The PRESIDING OFFICER. Under the previous order, the Pressler amendment is the pending business. Under the previous order, three Senators have reserved time between now and 2:45: Senator MCCONNELL for 15 minutes, Senator BOREN for 10 minutes, and Senator PRESSLER for 5 minutes.

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that whatever time runs between now and 2:45 be charged equally to both sides.

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

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. MCCONNELL. Mr. President, shortly we will be having two rollcall votes, one on the Pressler amendment and one on a motion which I will be making to table the Boren second-degree amendment to my underlying amendment.

I want to take a few moments to describe for my colleagues what that second vote is all about.

I hope my colleagues will vote against the second-degree amendment offered by the Senator from Oklahoma by voting for the motion to table which I will make, because it makes it clear beyond any doubt that taxpayer funds taken from the U.S. Treasury will in fact be used to finance congressional political campaigns.

Let me read the key words from this amendment.

The amount of increased revenue attributable to the disallowance of a deduction from income tax for allotting expenses shall be paid into the general fund of the Treasury, and to the extent provided by law shall be used to fund the provision of benefits to candidates.

This second-degree amendment also allows the revenues from repealing the lobbyist reduction to be used to reduce the Federal deficit. But as the Senator from Oklahoma indicated in a response to a question from this Senator earlier in the discussion, taxpayer funding of campaigns will come first before such moneys can be used for any other purpose.

So make no mistake about it. The second-degree amendment is designed to avoid, in effect, the amendment that I offered.

This intention is underscored by a letter sent to the Senator from Oklahoma by the President, released this morning and dated yesterday, which states in pertinent part that candidates will receive voter communication vouchers that can be used for broadcast, postage, and printing. The President says:

I am writing to make clear my position on how these benefits should be

paid for. When I first proposed eliminating the lobbying deduction in February, our budget documents made clear that these funds could be used to pay for this purpose if such legislation were enacted. As Congress now prepares to enact such legislation, I want to reiterate my support for the use of the lobbying deduction for this purpose.

What the President is saying is it is his intention, backed up by the second-degree amendment of the Senator from Oklahoma, that the money raised by eliminating the lobbying deduction be used to pay for political campaigns, which thwarts the underlying amendment of this Senator.

The underlying bill as well makes clear that as soon as the repeal of the lobbying deduction is passed, those funds will be put in the pockets of politicians to pay for their political campaigns.

Let me point out that the President's letter, as well as this second-degree amendment, contradicts the announced understanding of the chairman of the Ways and Means Committee. Last week's Rollcall reported that all of the revenues of the repeal of the lobbyist deduction had already been spent on deficit reduction. Now we are in the midst of trying to spend money on political campaigns that has already been committed to another purpose, a very legitimate purpose of deficit reduction.

My amendment simply seeks to confirm that the apparent understanding of the Democratic chairman of the House Ways and Means Committee is correct.

Mr. President, my amendment is about priorities. Having identified a tax loophole for elimination, the question is quite simply this: If we are going to close this loophole, where should the revenue go? Should it go to us to spend on our political campaigns, or should it go to reduce the deficit? That is the choice.

That is still the question this body will have to answer when it votes on the second-degree amendment, but in a slightly modified form. If we are going to pour more tax dollars into the public trough, who get to line up first and stick their snouts in the trough?

The second-degree amendment makes it clear that politicians get first crack at this money, not deficit reduction, not our children and grandchildren, who are being saddled with this massive debt. No, deficit reduction will have to wait its turn until the politicians are through lining their coffers before we can pick over the crumbs to reduce the debt we are leaving our children and grandchildren.

My amendment makes it clear that all of this money goes to deficit reduction. The second degree makes it clear that politicians come first and our children will have to keep paying for this deficit we keep building up.

Mr. President, I yield to the Senator from Virginia who, I believe, wants to speak on my amendment.

Mr. WARNER. Mr. President, I will be brief. I have a short statement and a question. I rise to support the amendment offered by the Senator from Kentucky. This amendment states that any revenue raised from a repeal of the lobbying tax deduction must be applied to deficit reduction. This amendment, however, brings to light an aspect of the pending substitute legislation which is of great concern to me, and I expressed this concern during the course of our deliberation in the Rules Committee. I want to mention that I addressed these concerns to my good friend from Oklahoma, Mr. BOREN, in both a recent hearing and in a letter.

However, I feel it is important that I bring up this issue as we discuss the pending amendment. The substitute legislation before us contains a clause relating to the planned funding mechanism for the legislation. It states in title VIII, section 802(b), Funding:

Legislation effectuating this act shall not provide for general revenue increases, reduced expenditures for any existing Federal program, or increase the Federal deficit, but should be funded by disallowing the Federal income tax deduction for expenses paid or incurred for lobbying the Federal Government.

There have been various figures given as the estimated amount of new revenue that would result from a change in the tax law regarding the lobbyist deduction. I am extremely interested in knowing how these figures were reached. Were they based on the number of lobbyists currently employed or in the act, or on the actual amount of deductions for lobbying activity taken on tax forms? It is my understanding that there is no lobbying deduction line on the tax form.

Also, how are lobbyists defined? Are they defined as laid out in the currently laid-aside Wellstone amendment, No. 367? Are the registered lobbyists covered? What type of expenses are clearly defined as related particularly to lobbying? These are questions which must be answered so that we can more clearly define the issue of how this bill would actually be funded.

My good friend from Oklahoma, Senator BOREN, earlier today, read a letter from President Clinton which restated his intent to pay for the legislation by a repeal of the lobbyist deduction and a change in the voluntary checkoff from \$1 to \$5. However, no one has explained how this is done, how much revenue could be accumulated by such repeal.

I am confident that it would be most helpful to our debate on campaign finance reform if we could ascertain some of these answers. We are dealing with a very, very imprecise formula, at a time when the public is being convinced that this category of lobbyist—including those who lobby on behalf of kindergarten or breast cancer, or on

behalf of thousands of subjects that are dear and near to each of our hearts—but they are all put in the same basket, and the finger is pointed at lobbyists. Therefore, you take away the deduction. But we do not know how you define lobbyist. We do not know, with any precision necessary to give an intelligent vote on the final package of this bill, how to determine the amount of revenue.

I thank my colleague.

Mr. MCCONNELL. Let me say to my good friend from Virginia, he raises a very important point. But I cannot answer that question. It was not the idea of this Senator to eliminate the deduction for lobbying expenses. I have no particular problem with it one way or the other. But I think the Senator points out very accurately that there is no way to determine how many people we are talking about. There are an awful lot of good causes that everybody would agree are terrific causes that are represented here in Washington on behalf of a whole lot of people across America.

The purpose of the amendment of the Senator from Kentucky is to say whatever money is created—presumably, some will be generated by the elimination of this deduction—ought to be spent for deficit reduction rather than politicians' campaigns.

Mr. WARNER. That is right. It is my understanding that the House of Representatives has done that. I asked my good friend, from Oklahoma when he testified before the Rules Committee, referring to the fact that this State has an identification to Will Rogers: "Did you ever meet a lobbyist that you liked?" He said, "Yes." Yet, the whole group is thrown together as if they were some sort of a leper colony that we should not associate with, and we should deny a fundamental right in the tax law with respect to other people performing their chosen professions. It is downright wrong if we go about it this way.

Mr. MCCONNELL. Mr. President, I suggest to my friend from Virginia that even after this amendment is voted on, this is an issue we might want to revisit further during the course of the debate. And the question could quite properly be posed to the Senator from Oklahoma when he is on the floor, or others who may have proposed this method of paying for it. Maybe during the course of this debate, which will be going on for some time, we can get some answers to the very legitimate and important questions that the Senator from Virginia has raised.

All my amendment would do is provide that whatever money is raised, use it for deficit reduction. I thank the Senator from Virginia for a very important comment.

The PRESIDING OFFICER. The time allotted to the Senator from Kentucky has expired.

AMENDMENT NO. 372

Mr. PRESSLER addressed the Chair. The PRESIDING OFFICER. The Senator from South Dakota.

Mr. PRESSLER. I have a modification that has been agreed to by the managers, and I will send it to the desk in a minute. I believe I have 5 minutes.

The PRESIDING OFFICER. The Senator's time was diminished by the fact of the equal running of time. The Senator has 3 minutes.

Mr. PRESSLER. I will summarize my amendment again, which we will be voting on. It would put the House and Senate on an equal basis in campaign reform. It would eliminate PAC's in both House and Senate races. If that is unconstitutional, it would allow \$1,000 contributions to candidates by PAC's. It also would limit PAC contributions to 20 percent of the spending limits provided for in the bill.

As I have said, if we put the House and Senate on an equal basis, it would be fair. PAC's are bad for the House and the Senate. I also have said that I hope we have true campaign reform. But it seems that each side is tailoring the bill in such a way that it fits them perfectly. For example, we understand the Clinton proposal allows House Democratic incumbents to get \$5,000 per PAC, which is really an incumbents' protection bill, not campaign reform.

There are a number of other things we need to achieve. I mentioned that if we have an exemption for EMILY's List, it should be not only for liberal women running for the Senate but also for conservative women. We had a conservative woman running in South Dakota last year. She did not get any support from the EMILY's List PAC. That is another issue.

This Senator is prepared to support campaign reform, if it is based on equal treatment between the two Houses, and if it indeed is true campaign reform.

I urge Senators to support my amendment as part of campaign reform.

AMENDMENT NO. 372, AS MODIFIED, TO AMENDMENT NO. 366

Mr. PRESSLER. Mr. President, I send a modification of my amendment to the desk.

The PRESIDING OFFICER. The Senator has the right to modify his amendment.

The amendment is so modified.

The amendment (No. 372), as modified, is as follows:

On page 37, beginning with line 6, strike all through page 43, line 15, and insert the following:

SEC. 102. BAN ON ACTIVITIES OF POLITICAL ACTION COMMITTEES IN FEDERAL ELECTIONS.

(a) IN GENERAL.—Title III of FECA (2 U.S.C. 431 et seq.), as amended by section 404, is amended by adding at the end thereof the following new section:

"BAN ON FEDERAL ELECTION ACTIVITIES BY POLITICAL ACTION COMMITTEES

"SEC. 327. (a) Notwithstanding any other provision of this Act, no person other than

an individual or a political committee may make contributions, solicit or receive contributions, or make expenditures for the purpose of influencing an election for Federal office.

"(b) In the case of individuals who are executive or administrative personnel of an employer—

"(1) no contributions may be made by such individuals—

"(A) to any political committees established and maintained by any political party; or

"(B) to any candidate for nomination for election, or election, to Federal office or the candidate's authorized committees,

unless such contributions are not being made at the direction of, or otherwise controlled or influenced by, the employer; and

"(2) the aggregate amount of such contributions by all such individuals in any calendar year shall not exceed—

"(A) \$20,000 in the case of such political committees; and

"(B) \$5,000 in the case of any such candidate and the candidate's authorized committees."

(b) DEFINITION OF POLITICAL COMMITTEE.—(1) Paragraph (4) of section 301 of FECA (2 U.S.C. 431(4)) is amended to read as follows:

"(4) The term 'political committee' means—

"(A) the principal campaign committee of a candidate;

"(B) any national, State, or district committee of a political party, including any subordinate committee thereof; and

"(C) any local committee of a political party which—

"(i) receives contributions aggregating in excess of \$5,000 during a calendar year;

"(ii) makes payments exempted from the definition of contribution or expenditure under paragraph (8) or (9) aggregating in excess of \$5,000 during a calendar year;

"(iii) makes contributions or expenditures aggregating in excess of \$1,000 during a calendar year; or

"(D) any committee described in section 315(a)(8)(D)(i)(III)."

(2) Section 316(b)(2) of FECA (2 U.S.C. 441b(b)(2)) is amended by striking subparagraph (C).

(c) CANDIDATE'S COMMITTEES.—(1) Section 315(a) of FECA (2 U.S.C. 441a(a)) is amended by adding at the end thereof the following new paragraph:

"(9) For the purposes of the limitations provided by paragraphs (1) and (2), any political committee which is established or financed or maintained or controlled by any candidate or Federal officeholder shall be deemed to be an authorized committee of such candidate or officeholder. Nothing in this paragraph shall be construed to permit the establishment, financing, maintenance, or control of any committee which is prohibited by paragraph (3) or (6) of section 302(e)."

(2) Section 302(e)(3) of FECA (2 U.S.C. 432) is amended to read as follows:

"(3) No political committee that supports or has supported more than one candidate may be designated as an authorized committee, except that—

"(A) a candidate for the office of President nominated by a political party may designate the national committee of such political party as the candidate's principal campaign committee, but only if that national committee maintains separate books of account with respect to its functions as a principal campaign committee; and

"(B) a candidate may designate a political committee established solely for the purpose

of joint fundraising by such candidates as an authorized committee."

(d) RULES APPLICABLE WHEN BAN NOT IN EFFECT.—For purposes of the Federal Election Campaign Act of 1971, during any period beginning after the effective date in which the limitation under section 327 of such Act (as added by subsection (a)) is not in effect—

(1) the amendments made by subsections (a), (b), and (c) shall not be in effect;

(2) in the case of a candidate for election, or nomination for election, to Federal office (and such candidate's authorized committees), section 315(a)(2)(A) of FECA (2 U.S.C. 441a(a)(2)(A)) shall be applied by substituting "\$1,000" for "\$5,000";

(3) it shall be unlawful for a multicandidate political committee to make a contribution to a candidate for election, or nomination for election, to Federal office (or an authorized committee) to the extent that the making or accepting of the contribution will cause the amount of contributions received by the candidate and the candidate's authorized committees from multicandidate political committees to exceed the lesser of—

(A) \$825,000; or

(B) 20 percent of the aggregate Federal election spending limits applicable to the candidate for the election cycle.

The \$825,000 amount in paragraph (3) shall be increased as of the beginning of each calendar year based on the increase in the price index determined under section 315(c) of FECA, except that for purposes of paragraph (3), the base period shall be the calendar year 1996. A candidate or authorized committee that receives a contribution from a multicandidate political committee in excess of the amount allowed under paragraph (3) shall return the amount of such excess contribution to the contributor.

(e) RULE ENSURING PROHIBITION ON DIRECT CORPORATE AND LABOR SPENDING.—If section 316(a) of the Federal Election Campaign Act of 1971 is held to be invalid by reason of the amendments made by this section, then the amendments made by subsections (a), (b), and (c) of this section shall not apply to contributions by any political committee that is directly or indirectly established, administered, or supported by a connected organization which is a bank, corporation, or other organization described in such section 316(a).

(f) RESTRICTIONS ON CONTRIBUTIONS TO POLITICAL COMMITTEES.—Paragraphs (1)(D) and (2)(D) of section 315(a) of FECA (2 U.S.C. 441a(a)(1)(D) and (2)(D)), as redesignated by section 312, are each amended by striking "\$5,000" and inserting "\$1,000".

(g) EFFECTIVE DATES.—(1) Except as provided in paragraph (2), the amendments made by this section shall apply to elections (and the election cycles relating thereto) occurring after December 31, 1994.

(2) In applying the amendments made by this section, there shall not be taken into account—

(A) contributions made or received before January 1, 1994; or

(B) contributions made to, or received by, a candidate on or after January 1, 1994, to the extent such contributions are not greater than the excess (if any) of—

(i) such contributions received by any opponent of the candidate before January 1, 1994, over

(ii) such contributions received by the candidate before January 1, 1994.

Mr. FORD. Mr. President, I suggest the absence of a quorum, and I understand it will be charged to one side.

The PRESIDING OFFICER. The Senator from Oklahoma has the remaining time.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BOREN. Mr. President, I have heard the discussion of both amendments.

Again, I want to reaffirm my support for the Pressler amendment. I think it is a good amendment. It is one that I support, and it goes a long way, I think, to answering some of those concerns that have been raised on the other side of the aisle, especially by a group of Senators on the other side of the aisle who have been working with us to craft a bipartisan proposal and in every effort to do so. We are making progress in that regard for which I am very grateful.

I think the acceptance of the amendment of the Senator from South Dakota is another step in the right direction toward ultimately achieving a goal of a bipartisan bill.

As to the McConnell amendment, I have stated previously my feeling that I am not at all troubled—in fact, I am proud to say that I believe that some of those funds raised by the ending of the lobbyist tax deduction should go to fund campaign finance reform. I am convinced that in itself will help bring the deficit down. It will stop so many special interest tax benefits that the average American does not get, stop the funding of so many pork-barrel projects.

The fact that so many millions of dollars flow into campaign funds, much of it coming from special interests, really, I believe, leads to some of the problems we have with the deficit, also leads to loss of trust in this institution and its inability to focus on problems like the deficit, because we have to use so many hours and days raising the many millions of dollars necessary to run campaigns in this day and time—over \$670 million in the last election cycle.

In terms of revenue estimates, listening to the comments made by the Senator from Virginia, my good friend, with whom I have worked on so many, many projects, we have used the estimate in the lobby disclosure bill. We used that definition of "lobbyist," and using that definition of "lobbyist" under that bill, it is estimated that this particular provision will raise \$1.2 billion. The estimates that have been given in terms of what will be required if—and this is I think a high estimate, if all of those who were eligible accepted the communication vouchers, and let me say to my friend from Virginia that is by no means certain because if

we were to pass this bill exactly as it is, it is voluntary as to whether anyone accepts a communications voucher.

So, you do not have to accept it even though you accept the amendment and might accept others. The estimate would be \$350 million, I say to my good friend from Virginia. So the difference between \$1.2 billion and \$350 million would be the additional amount that would flow into the general fund for deficit reduction under the terms of the second-degree amendment. The \$350 million it is assumed would flow into the Treasury, I would call the clean Government fund to make sure that we can set spending limits and have campaign finance reform.

Mr. WARNER. Mr. President, will the Senator accept a short question, though, to clarify in the public's mind and, indeed, I think, mine and some others? The President refers to a ballpark figure of 80,000. Yet the official record shows but 6,000 lobbyists.

Now, when the President talks about generating all of this revenue and then mentions 80,000, it conveys to me he has predicated the assessment on 80,000 lobbyists when, in fact, we only have 6,000 registered under the current laws.

Mr. BOREN. I will say to my friend from Virginia, the revenue estimates I saw based on an earlier figure and the figure as defined by current law were \$450 million per year would be produced. So that is approximately \$900 million.

Mr. WARNER. How many lobbyists, Mr. President?

Mr. BOREN. I cannot answer that question. I will be happy to try to find out.

The definition that we have utilized is the definition in the lobby disclosure bill which was passed by the Senate and hopefully is on the way to enactment into law. I am told that the estimates from the administration, from OMB—and as I say there is a range of estimates I understand also from CBO—both of them are far in excess of the amount of money indicated required for the bill raised by ending the lobbyist deduction.

But the last estimate that I have cited, the \$1.2 billion, is an estimate based upon assumption of the passage of the Levin-Cohen lobby disclosure bill.

Mr. WARNER. Mr. President, the Senator uses the \$1.2 billion, but that has to extrapolate into a precise number of lobbyists.

The PRESIDING OFFICER. All time has expired.

Mr. BOREN. Mr. President, I ask unanimous consent that I might be allowed to proceed for 30 extra seconds.

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

Mr. BOREN. Mr. President, as to the exact number, as I say, I know the number of dollars. I know the assumptions on which they were based as to

definition. I do not know the exact number of lobbyists that were the basic of the methodology used. I know the definition, so I certainly must have had a number.

I will be happy to try to find that number. Hopefully, I can find that number today. It is simply a matter of checking with OMB to determine that. It is a simple fact, and I will insert it into the RECORD as soon as I get it.

Mr. WARNER. I am happy to join with the Senator on open floor debate to discuss that matter when the Senator is prepared.

Mr. BOREN. I will be happy to do so.

Mr. CHAFEE. Mr. President, I am pleased to be a cosponsor of the Pressler amendment which prohibits political action committees [PAC's] from contributing to political campaigns of candidates for the Senate and the House of Representatives. If this provision is found to be unconstitutional, PAC's would be permitted to contribute up to \$1,000 to Senate and House candidates.

I believe that this amendment embodies one of the principle elements of campaign reform. Almost all of us agree that to restore public confidence in our campaign system, contributions from political action committees should be eliminated. In fact, the Mitchell substitute includes a PAC ban. Even more importantly, this amendment requires candidates for the Senate and the House to be treated in the same manner.

It makes absolutely no sense for us to agree to one set of standards for Senate candidates and a separate set of standards, or no standards at all, for candidates for the House of Representatives. I wonder how we can expect the public to take us seriously if we adopt legislation with such a glaring omission. Surely, if a fundraising practice is unacceptable for one group, it must be equally offensive for a candidate for the other body to engage in it.

This amendment takes a first step toward achieving the parity that this legislation so sorely lacks. I believe that we should go one step further and include a provision in this legislation that requires candidates for the House of Representatives to adhere to the same rules as Senate candidates. I expect such an amendment to be offered later in the debate, and I intend to be a cosponsor. I simply fail to understand how we can call this bill campaign finance reform when it excludes 435 Members of the House of Representatives and individuals who may want to challenge them.

We are here today trying to reform the system, by which we were all elected, because of the public perception that the actions of public officials are unduly influenced by special interest money. By ignoring the House of Representatives, we are retaining that perception which has alienated so many

Americans. We should be making every effort to restore the public's faith in Congress, and that includes both the Senate and the House of Representatives. We cannot expect anyone to take this effort seriously if we fail to address Congress as a whole.

Earlier this month, I joined four of my colleagues in sending a letter to President Clinton about campaign finance reform legislation. The letter included a brief outline of nine principles that we believe should be included in campaign finance reform legislation. Requiring candidates for the House and Senate to abide by the same rules is among those basic principles. I do not believe that we will have real campaign reform until we make sure that there is one set of rules, and we are all adhering to them.

This amendment is a good first step and I am heartened by Senator BOREN's words in general support of the amendment.

The PRESIDING OFFICER. The hour of 2:45 p.m. having arrived, the question occurs on the amendment No. 372, as modified, offered by the Senator from South Dakota [Mr. PRESSLER].

Mr. FORD. Have the yeas and nays been ordered?

Mr. BOREN. I believe the Senator from South Dakota wishes to ask for the yeas and nays, if I could ask the question.

Have the yeas and nays been ordered on the amendment?

The PRESIDING OFFICER. Yes.

Mr. BOREN. Have the yeas and nays been ordered on the second-degree amendment?

The PRESIDING OFFICER. They have not been ordered at this point.

Mr. BOREN. I withhold that request at this time.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, of the Senator from South Dakota.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Alabama [Mr. HEFLIN], the Senator from Hawaii [Mr. INOUE], and the Senator from Texas [Mr. KRUEGER] are necessarily absent.

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

The result was announced—yeas 85, nays 12, as follows:

[Rollcall Vote No. 125 Leg.]

YEAS—85

Akaka	Brown	Craig
Baucus	Bryan	D'Amato
Bennett	Bumpers	DeConcini
Bingaman	Burns	Dodd
Bond	Campbell	Dole
Boren	Chafee	Domenici
Boxer	Cochran	Durenberger
Bradley	Cohen	Exon
Breaux	Coverdell	Faircloth

Feingold	Leahy	Reid
Ford	Levin	Riegle
Glenn	Lieberman	Robb
Gorton	Lott	Rockefeller
Graham	Lugar	Roth
Gramm	Mack	Sarbanes
Grassley	Mathews	Sasser
Gregg	McCain	Shelby
Harkin	McConnell	Simon
Hatch	Metzenbaum	Simpson
Hatfield	Mitchell	Smith
Jeffords	Moseley-Braun	Specter
Johnston	Moynihan	Stevens
Kassebaum	Murkowski	Thurmond
Kempthorne	Nickles	Wallop
Kennedy	Nunn	Warner
Kerrey	Packwood	Wellstone
Kerry	Pell	Wofford
Kohl	Pressler	
Lautenberg	Pryor	

NAYS—12

Biden	Danforth	Helms
Byrd	Daschle	Hollings
Coats	Dorgan	Mikulski
Conrad	Feinstein	Murray

NOT VOTING—3

Heflin	Inouye	Krueger
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So the amendment (No. 372), as modified, was agreed to.

Mr. MITCHELL. Mr. President, I move to reconsider the vote by which the amendment, as modified, was agreed to.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENT NO. 377

Mr. MCCONNELL. Mr. President, I move to table the Boren second-degree amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table amendment No. 377. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from Alabama [Mr. HEFLIN] and the Senator from Texas [Mr. KRUEGER] are necessarily absent.

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

The result was announced—yeas 48, nays 50, as follows:

[Rollcall Vote No. 126 Leg.]

YEAS—48

Bennett	Faircloth	Mack
Bond	Gorton	McCain
Brown	Gramm	McConnell
Burns	Grassley	Murkowski
Chafee	Gregg	Nickles
Coats	Hatch	Packwood
Cochran	Hatfield	Pressler
Cohen	Helms	Roth
Coverdell	Hollings	Shelby
Craig	Jeffords	Simon
D'Amato	Kassebaum	Smith
Danforth	Kempthorne	Specter
Dole	Lautenberg	Stevens
Domenici	Lieberman	Thurmond
Durenberger	Lott	Wallop
Exon	Lugar	Warner

NAYS—50

Akaka	Feingold	Mitchell
Baucus	Feinstein	Moseley-Braun
Biden	Ford	Moynihan
Bingaman	Glenn	Murray
Boren	Graham	Nunn
Boxer	Harkin	Pell
Bradley	Inouye	Pryor
Breaux	Johnston	Reid
Bryan	Kennedy	Riegle
Bumpers	Kerrey	Robb
Byrd	Kerry	Rockefeller
Campbell	Kohl	Sarbanes
Conrad	Leahy	Sasser
Daschle	Levin	Simon
DeConcini	Mathews	Wellstone
Dodd	Metzenbaum	Wofford
Dorgan	Mikulski	

NOT VOTING—2

Heflin	Krueger
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So the motion to lay on the table the amendment (No. 377) was rejected.

Mr. MITCHELL. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question occurs on amendment No. 377 offered by the Senator from Oklahoma.

The amendment (No. 377) was agreed to.

Mr. MITCHELL. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question occurs on amendment No. 376, as amended, offered by the Senator from Kentucky.

The amendment (No. 376), as amended, was agreed to.

Mr. BOREN. Mr. President, I move to reconsider the vote by which the amendment, as amended, was agreed to.

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

The motion to lay on the table was agreed to.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

ORDER OF PROCEDURE

Mr. BOREN. Mr. President, may I yield for purposes of a question to my colleague from Maine?

Mr. COHEN. Mr. President, I was going to ask unanimous consent to proceed as if in morning business for a few moments on a different subject matter.

Mr. BOREN. Mr. President, I am happy to yield to the Senator from Maine in just a moment for that request. Let me ask the Senator from Maine how long he intends to proceed. The Senator from Massachusetts is going to lay down an amendment.

Mr. COHEN. Five to six minutes.

Mr. BOREN. Mr. President, I will yield in just a moment to the Senator from Maine for that purpose.

Let me first ask unanimous consent that the pending amendments, the Wellstone amendments, amendment Nos. 367 and 368, the pending Wellstone amendments, be set aside; that following that the Senator from Maine be recognized, Mr. COHEN, for a period of 6 minutes to proceed as if in morning business; after which time the Senator from Massachusetts, Senator KERRY, be recognized for the purpose of offering an amendment.

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

Mr. COHEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine is recognized for 6 minutes.

THE ISSUE OF APPEARANCES

Mr. COHEN. Mr. President, regular attention has been focused on appearance in our process, appearance certainly as we conduct ourselves in the political forum, but also upon personal appearances as well.

We have heard a great deal about the price of haircuts and the application of makeup recently.

Mr. President, while the style and the manner in which we conduct ourselves send important signals to the electorate, there is a danger that we will lump all appearances of hubris, that of overweening pride or arrogance, into one barrel as if they were fungible goods, all equal in size, in content, and to be traded or exchanged with equal weight given to each unit or in this case, to each story. Thus, we have the words Watergate and Irangate joined by those of Hairgate or Travelgate.

I think there is a great danger that we will merge the serious with the frivolous. The issue of appearing to misuse the FBI is not a trifling matter. It is not something that simply reflects the innocent mistakes of amateurs or those in positions of power who are in need of adult supervision. That is too easy a characterization, one that is too superficial.

These descriptions have been invoked to rationalize or dismiss what is a very serious matter. Mr. Bernard Nussbaum, who is the White House counsel, is no adolescent. He is much older today than John Dean was when the scandal enveloped and, indeed, destroyed many of those in the White House; including the President. He is no amateur. He served on the House Judiciary staff when I was a member of that committee, as a freshman Congressman back in 1973. I do not suggest that the actions that have been described in the press to date are at all equal to the Watergate scandal. But we should not forget the uproar that was created when the Nation learned how the White House had attempted and, indeed, had used the Director of the FBI to serve the President's political ends.

I also recall the issue involving Federal district court judge, Matthew

Burne. As I recall, he was presiding over the Ellsberg trial and at one point he was offered the position of Director of the FBI. Some treated this as a demotion rather than a promotion. But I recall my reaction at the time. I was deeply offended. I felt that was an attempt to either overtly or subtly influence the judge as he presided over a very controversial case at that time. It was inappropriate and wrong, and it was to be condemned.

I also recall my reaction during the last campaign when we learned that the State Department had been called upon to check out the passport of then candidate Bill Clinton. Most of the American people were justifiably outraged about the attempt or the appearance of the attempt to use the State Department to achieve a political objective. Those individuals who were involved either were forced to resign or indeed were fired.

In this particular case, we should be concerned about appearances because we have an FBI Director whose future is very much in question meeting with the Attorney General to discuss his future, and that meeting occurred close to the time that the White House decided to fire those in charge of the White House travel arrangements. It may have been coincidence, it may be merely an appearance, but it is an unseemly appearance at a time when the leadership of the FBI is still in doubt.

I was asked yesterday as to whether the American people, and we in Congress, particularly on the Republican side, are being overly sensitive about this issue, too hypercritical about this issue. My reaction is that the American people are not overly sensitive but they are most serious when it comes to the issue of maintaining the integrity and the appearance of integrity of neutral instruments of Government. I repeat that, neutral instruments of Government. And they are justifiably outraged when they sense that one of those instruments, in this case the prosecutorial arm or I should say the investigative arm, of the Justice Department appears to have been used to achieve a political purpose.

I cite this morning's New York Times, by way of example. It says:

By design or incompetence or a blend of the two, the White House has used a highly vulnerable FBI for unworthy political purposes. Though President Clinton's staff finally admitted yesterday that the process that led to the firing of the seven-member White House travel office was full of mistakes, it exonerated itself of meddling with the FBI. But meddle it did.

Mr. President, I think it is too early to arrive to a judgment as to whether the FBI was either unduly influenced or in any way corrupted by the attempt to use it to rationalize a decision made to fire those individuals. But I think we have to have a number of questions

asked and answered. And sooner rather than later.

When did the FBI first become involved? What facts did it develop? What prompted it to allow a statement to be issued for public release or to allow its stamp of approval to be used on a White House press release that contradicted its original statement that it would await an audit before issuing any judgment on this, and finally allowed its name to be used to say, yes, it seemed to be that a criminal investigation was warranted?

To whom did Mr. Collingwood report his meeting with the White House officials? Did he seek or receive any guidance from his superiors? Is it customary or routine for the FBI to be called to the White House, and if not, why did he go?

Mr. President, I raise all of these questions because I think that we have to proceed in this matter on a non-partisan basis. I do not join with those who want to savage the President. But I think this is something that strikes at the very heart of our system. We cannot allow the IRS—as was attempted during the Watergate years by President Nixon, with the assistance of his aides—to attempt to intimidate or harass political enemies; nor can we allow the FBI to be used to serve political ends. I do not know whether that was done here, but it seems to me that we have an obligation to the American people to get answers to these questions and to do so as expeditiously as possible to remove the cloud that exists.

It is not a matter of Hairgate or Travelgate; this is serious. It is not a trifling or frivolous matter. It should not be subject to partisan attack from Republicans or partisan defense from the Democratic majority. This affects all of us, and every American. I hope we can proceed to get the answers to these questions, and many more, as soon as possible.

I yield the remainder of my time. I thank the Senator from Oklahoma for allowing me to proceed.

CONGRESSIONAL SPENDING LIMIT AND ELECTION REFORM ACT OF 1993

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. Under the previous order, the Senator from Massachusetts [Mr. KERRY] is recognized.

AMENDMENT NO. 378 TO AMENDMENT NO. 366
(Purpose: To add findings and declarations of the Senate)

Mr. KERRY. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Massachusetts [Mr. KERRY] proposes an amendment numbered 378 to amendment No. 366.

Mr. KERRY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 1, after line 9, insert the following:
SEC. 2. FINDINGS AND DECLARATIONS OF THE SENATE.

(a) NECESSITY FOR SPENDING LIMITS.—The Senate finds and declares that—

(1) the current system of campaign finance has led to public perceptions that political contributions and their solicitation have unduly influenced the official conduct of elected officials;

(2) permitting candidates for Federal office to raise and spend unlimited amounts of money constitutes a fundamental flaw in the current system of campaign finance, and has undermined public respect for the Senate as an institution;

(3) the failure to limit campaign expenditures has caused individuals elected to the Senate to spend an increasing proportion of their time in office as elected officials raising funds, interfering with the ability of the Senate to carry out its constitutional responsibilities;

(4) the failure to limit campaign expenditures has damaged the Senate as an institution, due to the time lost to raising funds for campaigns; and

(5) to prevent the appearance of corruption and to restore public trust in the Senate as an institution, it is necessary to limit campaign expenditures, through a system which provides public benefits to candidates who agree to limit campaign expenditures.

(b) NECESSITY FOR LIMITS ON POLITICAL ACTION COMMITTEES.—The Senate finds and declares that—

(1) contributions by political action committees to individual candidates have created the perception that candidates are beholden to special interests, and leave candidates open to charges of corruption;

(2) unconstrained contributions by political action committees to individual candidates have undermined public confidence in the Senate as an institution; and

(3) to prevent the appearance of corruption and to restore public trust in the Senate as an institution, it is necessary to limit contributions by political action committees, while allowing such committees to continue to participate in the political process through other means, such as through independent expenditures.

(c) NECESSITY FOR ATTRIBUTING COOPERATIVE EXPENDITURES TO CANDIDATES.—The Senate finds and declares that—

(1) public confidence and trust in the system of campaign finance would be undermined should any candidate be able to circumvent a system of caps on expenditures through cooperative expenditures with outside individuals, groups, or organizations;

(2) cooperative expenditures by candidates with outside individuals, groups, or organizations would severely undermine the effectiveness of caps on campaign expenditures, unless they are included within such caps; and

(3) to maintain the integrity of the system of campaign finance, expenditures by any individual, group, or organization that have been made in cooperation with any candidate, authorized committee, or agent of any candidate must be attributed to that candidate's cap on campaign expenditures.

Mr. KERRY. Mr. President, I was conferring with the distinguished Senator from Kentucky, the minority manager, to ascertain—I believe he has a copy of this, and it has been previously discussed. Let me discuss it quickly, and if we need to take a moment to run through it, I hope it might be accepted.

Mr. President, this is an effort to respond to the newly stated declarations of the Supreme Court that legislative intent is not sufficient with respect to legislation. And so, indeed, if we want to pass a piece of legislation that passes constitutional muster, it appears as if we are strengthened by virtue of a firm declaration within the body of the legislation itself as to our intent.

In the seminal case of Buckley versus Valeo, which is the subject of always continuing debate and discussion whenever we get into campaign finance reform, the Supreme Court, 20 years ago, said that Congress can only regulate contributions and/or expenditures to the extent that there is an appearance of corruption pertaining to them.

The Court, accordingly, struck down at that time spending limits on the grounds that there was not any appearance of corruption in connection with expenditures. But since then, we have learned over the last 20 years that expenditures themselves can create this appearance. I want to underscore that appearance is a very different thing from reality, and I am not coming to the floor of the U.S. Senate and alleging or even suggesting the reality. We are dealing with an appearance. We all know that. Appearances are a significant portion of what drives the entire debate about public finance. But the fact is that the current system that was left in place following the Supreme Court's invalidation of spending limits has led to an ever-increasing public cynicism about the Congress. We all know that.

There is not one proponent of campaign finance reform, Republican or Democrat, who does not come to the floor understanding the perception problem. We have different approaches to it. We have different solutions. Some people do not like public financing in any form. Some people want no limits. Some people want limits, and some people think PAC limitations are the only way. There is a whole variation of cures.

But the definition of the disease is based on the perception of the public that there is too much big money, that the big money influences the system, and that somehow we need to create an effort here that is mindful of that perception.

That is what these findings and declarations are based on—the fact that today the public faith of this institution is at an all-time low. During the legislative debate thus far, Senator

after Senator has expressed frustration and anger about the fate of the institution and the need for reform.

The legislative record is already replete with statements that the current system has led to the appearance of the corruption that I talked about, that it is hurting the Senate, and that it requires the reforms that bring us here at this moment.

There is more than enough material in the legislative record to find this showing justifying the legislation to limit PAC contributions, to end soft money, to impose a system of voluntary spending limits, and so forth. We have made a lot of statements declaring our intent.

The problem is that some members of the Supreme Court recently have made statements indicating that they will not pay attention to the legislative history, and that even in the last 6 years, to any of the effort leading up to this, those Justices—particularly Justice Scalia and Justice Thomas—have suggested that they will ignore legislative intent pertaining to legislation and only read the black letter of what is in the legislation itself, totally devoid of any other context in which that legislation was created.

Justice Scalia wrote, in *Conroy versus Anasoff*, decided on March 31 of this year, that in his view, legislative history is illegitimate, I quote:

The greatest defect of legislative history is its illegitimacy. We are governed by laws, not by the intentions of legislators, and not the least of the defects of legislative history is its indeterminacy. If one were to search for an interpretive technique that, on the whole, was more likely to confuse than clarify, one could hardly find a more promising candidate than legislative history. We should not pretend to care about legislative intent.

So the problem is, if the Supreme Court ignores legislative history, then we do not have language in this bill that specifies why we were imposing these kinds of restrictions on ourselves, and why we are setting up the system to provide public resources that respond to independent expenditures.

So lacking that language, we would really be passing a piece of legislation that is not sufficiently effective.

So the amendment I have sent to the desk is one that specifies, with Buckley versus Valeo in mind, precisely the reasons why the legislation is necessary in a series of findings and declarations.

I think most of us would believe that, as we have voted, we know there is a reason we are here voting for these things. We are simply setting out the reasons in those declarations.

So, Mr. President, I hope that my colleague is willing to accept it. I do not think it is particularly controversial. I will ask for the yeas and nays only if it is necessary.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. McCONNELL. Mr. President, I beg to differ with my good friend from

Massachusetts. This amendment is certainly controversial. Let me point out what the Buckley decision held.

What the Supreme Court said in Buckley versus Valeo is that spending has no corrupting potential, that spending is in fact speech. In our large, diverse society, without spending there is no potential to enhance speech, to resonate speech, to the millions of people that most of us represent.

The Supreme Court said it is constitutionally impermissible to dole out speech in equal amounts, to say to the Senator from Minnesota, "You can only speak this much," and to the Senator from Massachusetts, "You can only speak that much; do not speak too much." Within the first amendment there is the right to speak in unlimited quantities.

The Supreme Court did, however, as my friend from Massachusetts pointed out, draw a distinction between contributions and spending, a very sensible distinction. The Supreme Court said that the act of giving money from one individual to a candidate did have corrupting potential, and it did specifically allow the Congress to put a limitation on what an individual might give to a candidate.

So, I say to my friend from Massachusetts, appearance is not reality here. The reality is that with the limits on what an individual can give to a candidate there is no corrupting potential. As a matter of fact, the limit on what an individual can give to a candidate has not been raised since this law passed in the mid-1970's, the \$1,000 for an individual and \$5,000 for a PAC, and that is it. And the Court said that kind of limitation on what an individual can give to a candidate was constitutionally permissible but that it was impermissible to quantify, limit speech, that limiting speech was inconsistent with the first amendment.

So, I suggest to my friend from Massachusetts I do not agree with this amendment and, even if I did, I do not think the Supreme Court would be bound by it. It was only one Justice out of nine who thought that spending limits were not a violation of the first amendment. Thurgood Marshall was not that Justice. Nor were any of the other very liberal Justices who served on the Court in the mid-1970's. The Justice who thought that spending limits were consistent with the first amendment was the recently or about to retire Justice White. So it did not even break along philosophical lines.

I would say, with due respect to my colleague from Massachusetts, frankly, no matter what we say in this bill, the Supreme Court is not going to find that the act of spending has corrupting potential. So I do not think anything we will do could bind the Court to find something that is, in fact, inconsistent with reality. The Court is not likely to rule on the basis of appearance but rather on the basis of reality.

As a matter of fact, I think if you ask the question right, if you ask the question of the American people truthfully, they would agree with the Supreme Court. If, in fact, the survey question read as follows: Do you believe that there ought to be a limit on how much individuals can voluntarily contribute limited and fully disclosed amounts of money to their favorite candidate? I think the American people would answer that overwhelmingly "no," because they understand in their wisdom that, in this big society of 250 million people in this modern age, that is the way the vast majority participate in politics. It would be nice if we could go back to the horse and buggy days when people made speeches on the courthouse lawn and everybody showed up. Speaking was an art form in those days. There was not any television. It was good entertainment on Saturday to listen to the candidates.

People do not do that any more. It is very unusual in running for town council in a small State. Chances are the people are home watching the sports event on television, a way, frankly, an intelligent member of our society might well conclude to spend his or her time rather than going down to the courthouse to listen to some politician drone on. This is the way we communicate in our society, and the Court has held that you simply cannot limit that means of communication.

So I understand the motivation of my friend from Massachusetts. I simply disagree with him. I am going to vote against the amendment and encourage my colleagues to do likewise. There is nothing this amendment could dictate to the Supreme Court on the issue of spending that it has not already found. The amendment would not be binding. Nevertheless, I do not think it is a good idea for the Senate to go on record supporting an amendment that clearly is unconstitutional. So I will, at whatever point we have a vote on this, oppose the amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KERRY. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. KERRY. Mr. President, let me just say in quick response I do not think we need to spend a lot of time debating. I hope we will not. I understand the arguments of my colleague. I just disagree with him. I guess it underscores the fundamental approach to the differences in this legislation.

If you do not want the legislation to have any potential of being constitutional, meaning you are not for reform, then I suppose you do not want us to strengthen it in terms of this language. But if you are really for reform and

you want whatever our final piece of legislation is to have a sufficient constitutional foundation so, that, if there were an argument made that somehow the legislative intent is not clear, this makes it very clear. Nothing we do, obviously, binds the Supreme Court unless it does meet constitutional muster. They will strike down anything that we do that is not constitutional. But it certainly helps us to declare our intent in the context of our efforts within the body and framework of the legislation itself, given the fact that we now know an argument is being made within the Court to suggest that, absent that, it is insufficient.

So I think the argument stands for itself. If you want campaign finance reform, it is important to contain these findings and declarations.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. KOHL). Without objection, it is so ordered.

Mr. KERRY. Mr. President, the Senator from Kentucky is not here yet, but I want to just signal out from the per curiam decision of the Court—that is the full Court's basic decision. The Court, in Buckley versus Valeo, said very clearly:

Congress was surely entitled to conclude that disclosure was only a partial measure, and that contribution ceilings were a necessary legislative concomitant to deal with the reality or appearance of corruption inherent in a system permitting unlimited financial contributions, even when the identities of the contributors and the amounts of the contributions are fully disclosed.

The point is, what the Court is saying is that this linkage of the finding of corruption is the key element which Congress is permitted to find, and Congress found it as to the contributions. They did not find it 20 years ago as to the expenditures. Now, clearly, over the last years, the evidence is very clear through our congressional debates that we do find that.

I do not know if there is further debate on this or what is happening. I am ready to vote. We are certainly ready to vote over here. I do not know what the intentions of the Senator from Kentucky are, but we are prepared to proceed forward.

The PRESIDING OFFICER. Is there further debate?

Mr. SMITH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MCCONNELL. Mr. President, the amendment of the Senator from Massachusetts, although well intentioned, clearly is unconstitutional. It is in direct violation of the plain meaning of the Supreme Court's decision in Buckley against Valeo. The Supreme Court said in the Buckley case:

No Government interest that has been suggested is sufficient to justify the restriction on the quantity of political expression imposed by 608(c)'s campaign expenditure limitations—

Referring to the bill.

The major evil associated with rapidly increasing campaign expenditures is the danger of candidate dependence on large contributions. The interest in alleviating the corrupting influence of large contributions is served by the act's contribution limitations and disclosure provisions rather than by 608(c)'s campaign expenditure ceilings.

What is the Court saying? The Court is saying spending has no corrupting potential. It is a finding of fact, cannot be overturned by a vote of the U.S. Senate, that spending has no corrupting potential.

What the Court said is the act of contributing by a contributor to a candidate to have corrupting potential. In other words, the occupant of the chair could give the Senator from Kentucky \$50,000, or \$100,000 or a quarter of a million dollars. Presumably, the appearance of that would be the appearance of corruption. But if the Senator from Kentucky were so fortunate as to have 500 donors who collectively contributed that same amount of money, the act of spending that money would have no corrupting potential.

So this is not in the gray area, Mr. President. This is a direct finding by the Supreme Court.

The Court said further:

There is no indication that the substantial criminal penalties for violating the contribution ceilings, combined with the political repercussion of such violations, will be insufficient to police the contribution provisions. Extensive reporting, auditing and disclosure requirements applicable to both contributions and expenditures by political campaigns are designed to facilitate the detection of illegal contributions.

So what the Court is saying here is the potential for corruption comes in the transaction between the donor and the candidate, and that it is constitutionally permissible, the limit, the amount the donor can give to the candidate, but that the act of expression, the act of speech on behalf of the candidate has no corrupting potential. That is communication, expression of one views and you cannot, consistent with the Constitution, put a limit on that speech. You cannot dole it out and say, A, you only get so much speech and B, you only get so much speech.

The Court goes on:

The interest in equalizing the financial resources of candidates competing for Federal

office is no more convincing a justification for restricting the scope of Federal election campaigns. Given the limitation on the size of outside contributions, the financial resources available to a candidate's campaign, like the number of volunteers recruited, will normally vary with the size and the intensity of the candidate's support. There is nothing invidious, improper or unhealthy in permitting such funds to be spent to carry the candidate's message to the electorate.

Moreover, the equalization of permissible campaign expenditures might serve not to equalize the opportunities of all candidates but to handicap a candidate who lacked substantial name recognition or exposure of his views before the start of a campaign.

The Court continued:

The campaign expenditure ceilings appear to be designed primarily to serve the governmental interests in reducing the allegedly skyrocketing costs of political campaigns. Appellees and the Court of Appeals stressed statistics indicating that spending for Federal election campaigns increased almost 300 percent between 1952 and 1972 in comparison with the 57.6 percent rise in the consumer price index during the same period. Appellants respond that during these years the rise in campaign spending lagged behind the percentage increase in total expenditures for commercial advertising and the size of the gross national product.

In any event—

The Court says—

the more growth in the cost of Federal election campaigns in and of itself provides no basis—

No basis, the Court said—

for governmental restrictions on the quantity of campaign spending and the resulting limitation on the scope of Federal campaigns. The First Amendment denies Government—

I repeat, the Court said—

The First Amendment denies Government the power to determine that spending to promote one's political views is wasteful, excessive, or unwise.

Now, Mr. President, that is one of the most oft quoted sentences in the history of the Supreme Court. Let me repeat it:

The First Amendment denies Government the power to determine that spending to promote one's political views is wasteful, excessive, or unwise.

In the free society ordained by our Constitution—

The Court said—

it is not the Government but the people—individually as citizens and candidates and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign.

It is just as clear as it can be, Mr. President. The amendment of the Senator from Massachusetts seeks to make a finding not supported in fact. It seeks to draw a legislative conclusive clearly at variance with the plain meaning of the Buckley case.

And also, we could not dictate the constitutionality of this to the Supreme Court, in any event. As the Senator from Massachusetts pointed out, there are some Supreme Court Justices who do not pay much attention to the

legislative history anyway. And clearly, should any Supreme Court Justice at some point take a look at this debate, I hope such a Justice would note that the amendment offered by the Senator from Massachusetts seeks to declare an apple an orange. It seeks to make something corrupting that clearly is not. There is no rational basis for a conclusion that spending has any corrupting potential, as the Court wisely and astutely pointed out in the Buckley case.

The Court went on:

For these reasons, we hold that 608(c) is constitutionally invalid.

In sum, the provisions of the Act that impose a \$1,000 limitation on contributions to a single candidate, a \$5,000 limitation on contributions by a political committee to a single candidate, and a \$25,000 limitation on total contributions by an individual during any calendar year are constitutionally valid.

In other words, it is OK to put a limit on what a candidate or a PAC, what an individual or PAC can give to a candidate or a party, but you cannot constitutionally tell the candidate how much he can speak. You cannot do that. It is a violation of the first amendment.

These limitations, along with the disclosure provisions, constitute the Act's primary weapons against the reality or appearance—

The Senator from Massachusetts says the reality of spending is not corrupting; it appears corrupting. Therefore, we declare the appearance to be the guiding principle here.

These limitations—

The Court said—

along with the disclosure provisions, constitute the Act's primary weapons against the reality or appearance of improper influence stemming from the dependence of candidates on large campaign contributions.

In other words, the act makes large campaign contributions impossible.

The contribution ceilings thus serve the basic governmental interest in safeguarding the integrity of the electoral process without directly impinging upon the rights of individual citizens and candidates to engage in political debate and discussion. By contrast, the First Amendment requires the invalidation of the Act's independent expenditure ceiling, its limitation on a candidate's expenditures from his own personal funds, and its ceilings on overall campaign expenditures. These provisions place substantial and direct restrictions on the ability of candidates, citizens, and associations to engage in protected political expression, restrictions that the First Amendment cannot tolerate.

Now, this was not exactly uncertain language, Mr. President. There were no dissents in this case. There was one Justice out of nine who filed a separate opinion that he felt spending limits were consistent with the first amendment. The other eight, presumably, disagreed with that. Among the eight were such Justices as Thurgood Marshall and William Brennan. This Court did not cross the great ideological divide. This Court found a spending limit a violation of the first amendment.

So I think the amendment of the Senator from Massachusetts clearly seeks to do that which cannot be done and is clearly inconsistent with the Buckley case. I would urge Senators who revere the Constitution to oppose the amendment.

Finally, let me say on this point that even if the amendment is adopted, it does not make any difference because the Supreme Court is not going to pay any attention to a legislative effort to legislate history that is inconsistent with reality and in clear violation of the Buckley case.

Now, that is not just the opinion of the Senator from Kentucky about the Buckley case, or about the constitutional deficiencies of the bill that is before us.

Let me just, Mr. President, make reference to the American Civil Liberties' testimony before the Senate Rules Committee on the underlying bill which is found to be constitutionally suspect in a variety of different ways. This bill is not just in the gray area, Mr. President. This bill trashes the first amendment. It tramples all over citizens' rights to express themselves in a free and unfettered debate in connection with political campaigns. Now, what did the ACLU have to say about this?

Speaking of President Clinton's proposal, the ACLU said:

The President's proposal fails to pass constitutional muster by (1) penalizing candidates who exercise their constitutional right to refuse the public funding offered by the bill as well as its so-called voluntary spending limits; (2) creating contribution limitations that cannot be justified as preventing potential corruption; (3) placing unreasonable burdens on the rights of citizens to make independent expenditures or associate to emphasize their reason for support; and (4) restricting the political participation rights of registered lobbyists.

Now, Mr. President, when it comes to the Constitution, we all know that once in a while there are gray areas, areas that could conceivably go one way or the other. This is not a gray area, Mr. President. The Supreme Court has ruled on the fundamental question raised by the amendment of the Senator from Massachusetts. It has said that spending has no potential for corruption, A; and B, you cannot dole out spending—that is, speech—in equal amounts. That is inconsistent with the first amendment.

And the Senator from Massachusetts seeks to do that which cannot be done.

The ACLU testimony further points out that:

The First Amendment applies with special force to political campaigns.

Regulating campaign spending runs counter to the notion that—

Says the ACLU memorandum—our political campaigns are "uninhibited, robust, and wide open."

Quoting New York Times versus Sullivan, 1964.

The reason campaigns have this broad freedom is because the "First Amendment has its fullest and most urgent application precisely to the conduct of campaigns for public office."

Citing Monitor Patriot Co. versus Roy, in 1971.

This, of course, only makes sense—

The ACLU points out—

since "discussion of public issues and debate on the qualifications of candidates are integral to the operation of the system of Government established by our Constitution."

Quoting the Buckley case.

In fact, "there is practically universal agreement that a major purpose of that Amendment was to protect the free discussion of governmental affairs, including * * * discussions of candidates."

Quoting Mills versus Alabama, 1966.

Too often, people make the mistake of thinking that this means our candidates are merely free to advocate whatever they want. Yet, the first Amendment's guarantee of freedom of speech does much more than that. Among its other protections, it secures the "right [of people] not only to advocate their cause but also to select what they believe to be the most effective means for so doing."

Citing Meyer versus Grant, in 1988, the ACLU goes on:

Moreover, the first amendment also "entails solicitude not only for communication itself, but also for the indispensable conditions of meaningful communication."

Citing Richmond Newspapers versus Virginia in 1980.

Those involved in electoral politics know that one indispensable condition is money to get their campaign message out. In Buckley, the Supreme Court recognized that spending limits violate the first amendment by reducing the quantity of expression, including the number of issues, the depth of discussion, and the size of the audience that might be reached. Expenditure limitations, the Court said, amount to "substantial and direct restrictions on the ability of candidates, citizens and associations to engage in protected political expression, restrictions that the First Amendment cannot tolerate."

The ACLU goes on:

None of the rationales for regulation that were offered by defenders of expenditure limitations passed constitutional muster. The Court rejected both a concern about the potential for corruption and the proffered alternative rationale of equalizing the financial resources of candidates as compelling interests sufficient to support spending limits. * * * Existing precedent also does not allow the mandating of contribution limits that are not aimed at preventing corruption. * * * (the sole governmental interest that the Supreme Court recognized as a justification for restricting contributions was the prevention of quid pro quo corruption between a contributor and a candidate).

The memo goes on and on, Mr. President. And the point the Senator from Kentucky wants to make here is simply this: Spending limits are unconstitutional and no amendment passed by this body is going to make them otherwise. The Supreme Court was not ambiguous about that. They were not undecided about that. It was not a close vote on that question. Spending limits

are unconstitutional, and the Supreme Court specifically addressed the issue raised by the amendment of the Senator from Massachusetts, which seeks to declare a spending corruption, in plain variance, at odds with the Supreme Court finding.

So I raise this issue not because I think the passage of the amendment of the Senator from Massachusetts makes any difference whatsoever. It is irrelevant. It is of no consequence. The Supreme Court will pay no attention to it. But, rather, I want to raise this issue with my colleagues in the hopes that some people in this body may occasionally cast a vote based upon sound constitutional reasoning. Somebody would say a point of order might lie against this amendment. I do not intend to raise it because we are not supposed to knowingly pass legislation in violation of the Constitution.

So that is essentially the argument this Senator makes against the Kerry amendment. It will not be adopted. If it is adopted, it will not make any difference.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. MCCONNELL. Mr. President, briefly, just a few further observations about the Kerry amendment. Reading from the Kerry amendment, on page 2, the language says:

* * * permitting candidates for Federal office to raise and spend unlimited amounts of money constitutes a fundamental flaw in the current system of campaign finance. * * *

Mr. President, that statement is totally at variance with the Supreme Court decision of Buckley versus Valeo, pertinent portions of which I just read.

Paragraph (3) of the Kerry amendment reads:

* * * the failure to limit campaign expenditures has caused individuals elected to the Senate to spend an increasing proportion of their time in office as elected officials raising funds, interfering with the ability of the Senate to carry out its constitutional responsibilities;

(4) the failure to limit campaign expenditures has damaged the Senate as an institution, due to the time lost to raising funds for campaigns. * * *

Each day of this debate, Mr. President, I have asked Senators to come over here and explain to all of us how the current system is causing Senators to interfere with their duties. I would be greatly concerned to learn that Senators were missing votes or shirking their responsibility here in the Senate in order to raise money for reelection. As we already know, 80 percent of the

money that Senators raise for reelection comes in the last 2 years of the election cycle. So we know they are not raising money all the time. But even in those last 2 years when most Senators, particularly those who think they may have a race, decide to solicit support from contributors and supporters.

I have not had anybody come over to the Senate yet and confess. We need to have some evidence that Senators are in fact shirking their duties as a result of this so-called demand for raising money. We cannot make the finding based upon no testimony. We have heard no testimony from any Senators in the years that I have dealt with this issue indicating that they have missed votes, not taken care of their constituents, or in any way have not attended to the duties of the office as a result of the current campaign finance system.

Paragraph (5) of the Kerry amendment says: "to prevent the appearance of corruption and to restore public trust in the Senate as an institution, it is necessary to limit campaign expenditures * * *"

Mr. President, that flatly contradicts the Buckley case. That seeks to overturn a Supreme Court decision in a first amendment case by a Senate amendment. That simply will not work. As we say down home, "That dog won't hunt."

So, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. JEFFORDS. I ask to speak as in morning business for a period not to exceed 6 minutes.

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

The Senator from Vermont is recognized.

Mr. JEFFORDS. I thank the Chair. (The remarks of Mr. JEFFORDS pertaining to the introduction of S. 1033 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. KERRY addressed the Chair. The PRESIDING OFFICER. The chair recognizes the Senator from Massachusetts.

CONGRESSIONAL SPENDING LIMIT AND ELECTION REFORM ACT OF 1993

The Senate continued with the consideration of the bill.

Mr. KERRY. Mr. President, while I was briefly away from the floor, the Senator from Kentucky addressed some of the concerns that he has with re-

spect to my amendment. I am going to take a couple of quick minutes, and we will proceed forward.

The Senator from Kentucky alleged that this amendment is unconstitutional because it seeks, number one, to set out the intent of Congress. Well, I think every Member knows that there has never been a decision that suggests that the U.S. Congress does not have a right to state and declare its intent in any piece of legislation.

There is nothing inherently unconstitutional about setting forth our intent with respect to this piece of legislation.

Obviously, claims of unconstitutionality about a piece of legislation are a great way to cloud the air and perhaps even suggest to some people that is a good reason not to vote for it.

But the fact is this is not unconstitutional, and I will state very clearly from the language of Buckley itself why it is not only not unconstitutional but necessary to this legislation.

In the decision of Buckley versus Valeo the Court held, and I read:

For the reasons discussed in part 3 *infra*, Congress may engage in public financing of election campaigns and may condition acceptance of public funds on an agreement by the candidate to abide by specified expenditure limitations.

So the court absolutely contemplated that the Congress may create, No. 1, a public finance mechanism with financing spending limitations thereon and that the candidate, just as he may voluntarily limit the size of contributions he chooses to accept, may decide to forgo fundraising and accept public funding. That is precisely the situation that we have in this legislation.

Second, the Senator from Kentucky points out that there was a specific finding in the Buckley versus Valeo decision of absence of appearance of any kind of corruption with respect to campaign expenditures. That is correct, 17 years ago, 20 years ago, the Court found an absence. But the Court precisely incorporated that if you find the presence of that appearance then you have the right to take that action, just as I have read from the Court decision itself.

I read from the Court's holding: "The independent advocacy restricted by the provision"—referring to the provision they struck down—"does not presently appear to impose dangers, real or apparent, corruption, comparable to those identified in contributions."

In the last years, we have seen through the Keating affair, through countless other editorials, through countless problems people have had on the campaign trail, through all of the statements of intent and all of the debate, that that has changed. We are in a different situation.

Merely because we pass a law reacting to that different situation some 20 years later to a situation the Court did

not find existed 20 years ago does not in and of itself mean that by doing this today it is automatically unconstitutional today. As the Court itself said, presently it does not appear 20 years ago, but today we have every right in the world to declare as an institution that we believe that appearance of a problem does exist and that, therefore, we must pass this legislation to deal with it.

There is ample testimony to this. I will just give you one example, and I will ask unanimous consent that others be printed in the RECORD.

Mr. President, the Plain Dealer from Cleveland, OH, last year wrote an editorial saying: "Clean up the filthy cash," and it said:

Reinforcing the wisest post-Watergate reform—the public financing mechanism that has started to purge special pleaders' money from presidential elections—the reform package would offer congressional candidates incentives to accept spending limits. It would foster public participation by matching small-scale donations to House candidates: it would offer reduced-rate broadcasting time to Senate candidates and postage to House contestants. This package marks the first time both the House and Senate have moved simultaneously toward the ideal of public financing for all federal campaigns.

Mr. President, I ask unanimous consent that various editorials be printed in the RECORD.

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

[From the Cleveland Plain Dealer, Apr. 7, 1992]

CLEAN UP THE FILTHY CASH

Corruption stains the way America elects its lawmakers and makes its laws—corruption that rewards special interests and short-changes the public interest. But this week, Congress seems ready to approve a campaign-finance reform package that would help break Washington's incumbent-protection racket.

As Congress crafted its worthy reform package, the White House last week raced to get ahead of the parade, yet offered only a half-hearted diversion from meaningful action. If President George Bush is serious about enacting realistic reforms, he must drop his threat to veto Congress' sensible cleanup plan.

The package, dubbed "the most important anticorruption reform since the Watergate years" by the Common Cause watchdog group, correctly targets the way special interests use campaign cash to manipulate lawmakers. The reform plan, while not perfect, includes the two essential elements of workable change. The first is reducing the amount of money spent by political action committees; the second is limiting overall spending for congressional races.

As Bush rightly notes, today's insidious PAC-dominated system protects incumbents and discourages challengers. PACs subvert voters' demand for change by pouring money into the coffers of incumbents whose reelection seems threatened. With newcomers starved for cash, PAC donations keep incumbents beholden to special interests largesse and stifle ideas that might threaten the status quo.

PAC donations would be limited under the House and Senate plan. But Bush would merely wink at the problem, outlawing PACs run by business and labor (which tend to donate much of their money to Democrats) while putting no restrictions on single-issue ideological PACs (which funnel most of their money to Republicans).

To put challengers and incumbents on a fair footing, overall spending limits are essential. Congress' reform package would induce candidates to accept realistic spending limits. But the White House shuns spending caps, thus perpetuating wealthier candidates' advantage.

Reinforcing the wisest post-Watergate reform—the public financing mechanism that has started to purge special pleaders' money from presidential elections—the reform package would offer congressional candidates incentives to accept spending limits. It would foster public participation by matching small-scale donations to House candidates; it would offer reduced-rates broadcasting time to Senate candidates and postage to House contestants. This package marks the first time both the House and Senate have moved simultaneously toward the ideal of public financing for all federal campaigns.

Best of all, the reform plan would close the "sewer money" loophole that now allows \$100,000 donors to purchase privileged access to presidential candidates. Such tainted donations undermine the post-Watergate structure.

Public outrage at lawmakers' money-and-ethics scandals must propel the drive for comprehensive campaign-finance reform. If voters hope to win back control of their government from monied interests, they must insist that Bush join Congress in cleaning up Washington's filthy cash.

[From the Aiken Standard, July 9, 1989]

POLITICAL FUNDING BY PACS IS MAGNIFYING SMALL VOICES

When 98 percent of House incumbents are returned to office, when a candidate for the House must spend nearly \$400,000 and for the Senate nearly \$4 million, when special-interest political action committees provide the lion's share of campaign funding, then something obviously is wrong. Our system of choosing our representatives has gone badly off track.

President Bush, to his credit, has acknowledged the problem and has proposed remedies.

The president's campaign reform package by itself isn't going to solve the campaign-finance scandal, but as a starting point it's welcome. What's needed in the coming weeks is bipartisan negotiation toward ending Congress' serious addiction to special-interest influence money.

Bush offered an 11-point package, including a proposal that Congress limit its chief source of outside income, honoraria. Members of Congress took in more than \$9 million in speaking fees last year—that averages out to more than \$15,000 per member. The groups that pay these fees understand they are getting more for their money than just a speech.

In return for an honoraria ban, the president promised to endorse a 25 percent pay raise for Congress, federal judges and some surgeons and scientists in the executive branch. Both the ban and the increase are worthy proposals.

Much more controversial is the president's proposal to ban contributions by PACs supported by corporations, unions or trade asso-

ciations. PACs, special-interest money conduits, contributed approximately 50 percent of the money spent on congressional campaigns last year. That amounted to more than \$170 million.

In the past six years, PACs have invested more than \$400 million in governmental decision-making. PAC donors, without question, see these contributions as investments.

The president insisted—and we agree—that PAC contributions improperly and unfairly magnify the voices of special interests at the expense of representative government. But to ban PACs—or to ban all but "ideological" PACs, as the president suggests—does not get to the root of the problem. It does nothing to rein in the soaring costs of financing a campaign. Those costs have gone up exponentially, primarily because of expensive television advertising.

If Bush really wants to help Congress reclaim its integrity, he will push for overall limits on campaign spending. And, he will work with Congress to forge a public-financing plan for campaigns, a plan that is both politically and constitutionally acceptable.

Congress' own system of campaign funding is not working just fine. In fact, the current corrosive system is a major reason Congress finds itself embroiled in an ethics crisis. Comprehensive reform would go a long way toward calming that crisis.

[From the Allentown (PA) Morning Call, Mar. 29, 1989]

TIME FOR DAM AGAINST PAC'S

"The current congressional finance system has stacked the deck against challengers." —Common Cause President Fred Wertheimer.

That's a fair appraisal of a system that last year saw 402 of 408 congressional incumbents slip back into their seats on Capitol Hill. The challengers just seem to be washed away again and again in an ever-rising flood of money from political action committees (PACs). Congress should not operate that way, and the American people should stand up and squawk about PACS the way they squawked about the last congressional pay raise attempt.

PAC money is seldom, if ever, given altruistically. Political action groups representing various industries, special-interest groups, ethnic organizations and such do not go about Washington, D.C., handing out donations to representatives and senators purely in the interest of perpetuating the democratic republic that governs this nation. No. They expect something for their money, and all too often, they get it. A vote here, a friend on the Hill there, a friendly word to a potential supporter. Members of Congress are there to be bought and paid for. This flood is a corrosive tide eating at the glue that holds the federal structure together. And it's time to put up a dam.

The figures are as alarming as they are huge. Nearly half the House members—210 of the current 432 representatives—received at least 50 percent of their campaign funds from PACs in 1988, according to Common Cause, a public-interest lobby group. To fully understand the disadvantage suffered by challengers, look at these statistics: PACs delivered \$82.2 million to those 408 House members during last year's election campaign. The 328 challengers received a total of \$9 million. If that's not a stacked deck, Ronald Reagan isn't a Republican.

It is time to begin building the foundation of a public-funding structure for congressional election campaigns. It is time to reduce the special-interest intrusion into the

public's interest . . . and the politician's pocket. Common Cause is on the right track in supporting such a venture, tied to spending limits for congressional campaigns. The American people should take up that cry. It is truly absurd, and to some, obscene, to see two candidates for a position that pays \$89,500 a year spend a total of \$1.5 million fighting for that seat, as Ed Howard and Peter Kostmayer did in last year's battle for the 8th District seat. It's a wasteful and corrupting way of spending money. And it's time to start building that dam.

[From the Anchorage Daily News, May 31, 1989]

SLEAZE GETS A GRIP ON THE DEMOCRATS

For virtually the full eight years of the Reagan administration, ethics troubles clung to Republicans like a terrier gnawing on the party's pant leg. A new phrase—"sleaze factor"—had to be invented to describe what the nation witnessed. Democrats, for their part, watched and gloated and carped.

Now the dog has turned on the Democrats.

First bitten was House Speaker Jim Wright. The embattled Texas congressman faces a disciplinary hearing before his body's ethics committee on 69 alleged violations of House financial rules. Mr. Wright, through, is expected to resign rather than face the charges.

Then there was Rep. Tony Coelho of California. Mr. Coelho, current House Democratic whip, says he will resign rather than face ethics questions about a bond investment. Mr. Coelho, like Mr. Wright, denies any wrongdoing and claims he's quitting to avoid the political turmoil certain to accompany an ethics investigation.

As the Wright-Coelho tale unfolds, Republicans have assumed the role the Democrats held in the Reagan years: They watch and gloat and carp.

Meanwhile, the House as an institution suffers. Americans hold it in such low regard that it borders on contempt. One recent poll showed 3 of 4 Americans believe congressmen will lie if it's politically expedient. Four of 10 familiar with Mr. Wright's troubles believe others are guilty of similar violations.

No laws or rules can deter a congressman intent on trying to enrich himself. But the constant hustle for extra income and campaign money contributes to the urge to stray outside the rules. Remedies are available that could limit some of the sleaze.

One is an adequate salary for the nation's lawmakers. Invariably unpopular with the public, a fair wage—coupled with a ban on honoraria—would make the taxpayers, not the special interests, the sole employer of lawmakers.

Another is public financing of campaigns. Congressmen, who stand for re-election every two years, are caught up in an endless cycle of fund raising. Here again, if the American public won't pay for the campaigns, the special interests will.

In the end, though, the public must rely heavily on the integrity of the individual lawmakers. Congress, as well as the Democratic Party, faces an uphill struggle to win back the good graces of the public. And, it's integrity more than anything that will get the sleaze out of American politics.

[From the Atlanta Constitution, Feb. 15, 1993]

CAMPAIGN REFORM SCARES DEMOCRATS

Congressional Democrats are celebrating the presence of a Democrat in the White House by rushing to approve bills they had

passed last year, but which were vetoed by President Bush.

They've already passed the first bill introduced this session, H.R. 1, more commonly known as the family leave bill. President Clinton has signed the bill into law.

The House also has rushed to approve H.R. 2, which allows states to register voters when they apply for a driver's license. The Senate is expected to move quickly on that bill as well.

But on H.R. 3, the pace of action in Congress slows noticeably. That's the comprehensive campaign-finance reform bill.

Last year, congressional Democrats approved the bill by wide margins. But they did so secure in the knowledge that President Bush would veto the measure, which he did.

Now, with a president eager and willing to sign a campaign-finance reform bill, congressional Democrats are having second thoughts. They know the free ride is over.

The bill that Congress approved last year would set specific spending limits—\$600,000 in House races, and a varying limit in Senate races depending on the size of the state. The bill also called for limited public financing of congressional campaigns, a necessity in light of a U.S. Supreme Court ruling that spending limits are constitutional only if accompanied by public financing.

In most races, the bill would have obliterated the huge fund-raising advantage enjoyed by incumbents. Last year, those incumbents in tight House races (defined as those who won 55 percent or less of the vote) outspent their challengers by more than 3-to-1.

The qualm cited most commonly by congressmen this year involves the use of taxpayers' money to finance campaigns. They aren't sure that's a good idea.

However, that didn't bother them last year. In addition, the cost to taxpayers of publicly financed campaigns would be returned many times over if the new bill frees Congress from the grip of special interests who now pour millions of dollars into congressional campaigns.

It's a difficult decision, voting for a bill you know may cost you your seat in Congress. But some issues must be more important to a congressman than re-election. The reform of a corrupt system ought to be one of them.

If the bill passes, the rate of turnover in Congress will no doubt increase. There will still be those who manage to stay in office a long time, but they'll do so because they're good congressmen, not because they're good fund-raisers.

[From the Augusta (GA) Herald, Dec. 18, 1993]

WATCH FOR REFORM

The Washington-based Common Cause organization preformed a signal service by getting a majority of members of the new U.S. House of Representatives "on the record" to change costly and corrupt campaign financing laws.

It's essential, as President-elect Bill Clinton has said, for Congress to enact meaningful reform in time for the 1994 elections.

Common Cause has Reps. Butler Derrick, D-S.C., Don Johnson, D-Ga., Cynthia McKinney, D-Ga., Jack Kingston, R-Ga., and 203 other House members publicly committed to:

A ban on huge "soft money" contributions, thus ending "the \$100,000 campaign contributions that have returned to presidential campaigns and put the White House on the auction block."

Campaign spending limits for congressional elections, such as free or reduced-cost

television time, mailings and matching payments.

New restrictions on political action committee (PAC) contributions—especially to "reduce the enormous advantage PAC contributions provide for incumbents."

Voters of all political stripes should support these key points, and work to ensure their congressional members work for quick reform. Any congressional delay next year only plays into the hands of special-interest lobbyists. PACs and some longtime incumbents who are always out to gut any real finance reform.

[From the Augusta (GA) Chronicle, Dec. 28, 1992]

WATCH FOR REFORM

A majority of U.S. House of Representatives members are "on the record" pledging to change costly and corrupt campaign financing laws—and thanks for this public service goes to the Washington-based Common Cause.

It's essential, as President-elect Bill Clinton said during the 1992 campaign, that Congress enact meaningful reform in time for the 1994 elections. That's why Common Cause has Reps. Butler Derrick, D-S.C., Don Johnson, D-Ga., Cynthia McKinney, D-Ga., Jack Kingston, R-Ga., and 203 other House members publicly committed to:

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Voters of all political stripes should support these key points, and work to ensure their congressional representatives work for quick reform.

Any congressional delay next year only plays into the hands of special-interest lobbyists. PACs and some longtime incumbents working covertly to gut any real finance reform.

[From the Bangor Daily News, Apr. 29, 1992]

CAMPAIGN FINANCING

If anything, the bill to reform campaign financing before the Senate is too generous, although it is hard to tell that considering the caterwauling coming from the White House. After all his talk about the need for change, President George Bush is threatening to veto a mild bill that could begin significant improvements in the election process.

The average Senate campaign now costs about \$4 million. House campaigns cost \$375,000. To raise this money, senators and representatives must spend an inordinate amount of time meeting and shmoozing with the special-interest groups that can afford to make substantial contributions. This leaves elected officials beholden to the interest group and reduces the time they can spend on the issues that concern their constituents.

The bill introduced in the Senate by Majority Leader George Mitchell and supported by Sen. Bill Cohen would provide both incumbents and challengers with some public funding or its equivalent if they comply with spending limits; would reduce funding from

political action committees and sources of "soft money"; and would require candidates or images of candidates to appear during their television ads. This last requirement is a good way to encourage candidates to keep their campaign ads clean.

In the House, Rep. Tom Andrews was a co-sponsor of the reform bill, and Rep. Olympia Snowe was one of only 19 Republicans to support it.

President Bush and other Republican opponents of the bill, however, preach that the public financing in the bill is just another way for Democrats to tap taxpayers. But how much more has it cost taxpayers to have their elected officials in the hip pockets of special interest? And how much has it cost the country to have in place a system that all but excludes new voices in congress? The public-financing aspects of the reform bill make it overgenerous, perhaps, but it is a bargain compared with the current system.

The threatened veto by the president is difficult to fathom considering that he is the largest receiver on record of public campaign financing: \$200 million by November for agreeing to spending limits in vice presidential and presidential campaigns since 1980. If he doesn't agree with it, he shouldn't so enthusiastically accept the funding.

Congress must regain the trust of the American people if it is to legislate effectively. This single bill won't complete such a monumental task, but it would help establish a more open election process, which is a good place to start.

[From the Barre (VT) Times Argus, Apr. 29, 1992]

POWER FOR SALE

The specter of 4,300 people shelling out enormous sums of money to dine on asparagus tips with the president and vice president of the United States and the assembled power brokers of the Republican Party says all anyone needs to know about what's wrong with politics in this country.

Americans have made no distinction between their politics—the discourse that is supposed to keep the populace informed so it can guide itself through the medium of elections—and the freewheeling capitalism that spirits the private economy. The American conviction that money can buy anything has spilled over into realms where it should be foreign, to the point where money buys politicians and policy.

How many low- or middle-income people attended Tuesday's "President's Dinner?" Are they less important, are they less "American," are their children less a part of this country's future, than the privileged set who placed themselves, for a price, in the midst of Washington's power elite Tuesday night?

The guest list was more typified by the lobbyists for Xerox Corp. who ponied up \$20,000, or executives from a Cincinnati company owned by financier Carl Lindner, who bought entry with a \$250,000 contribution. Among them, this group scraped together \$8 million, all in one sitting, to contribute to the status quo.

It does not matter that, technically, the enormous sums collected at the President's Dinner are not donations specifically to George Bush's re-election fund. Regardless how they are distributed, those funds are the fuel that propels the Republican Party—and, though the donors are of a different cast, the Democratic Party, too.

And they—as well as the \$800,000 already lodged in Vermont Sen. Patrick J. Leahy's 1992 war chest—pervert American politics. A

sitting senator of the United States should run for re-election with his record of service and name recognition being the only advantages he has over his opponent.

As should a president.

Because—though it verges on blasphemy to say so—some things are too precious to be bought and sold. Our leadership and our destiny are among them.

There is a bill making its way through Congress that would establish public financing of elections to the U.S. Senate and House of Representatives. Bush, playing on the public's anger with Congress, vows he will veto it, saying the good citizens of the United States shouldn't have to pay the campaign bills of those slime balls in Congress.

That is twisted and devious logic. It costs money to run for national office (far more than it should, with pollsters and middle men and ad executives filing every conceivable crack in the electioneering system.) If the public doesn't take over that financial burden, the money will continue to come from the special interests represented among the 4,300 paying guests who dined with President Bush and Vice President Dan Quayle Tuesday.

And those folks are smart enough not to spend money unless they're sure they'll get something for it. That should be a clue to the rest of us.

[From the Beaver County Times, July 9, 1989]

REFORM NEEDED ON SPENDING IN ELECTIONS

It may be difficult to imagine the U.S. House of Representatives changing a political campaign system that assures re-election of 98 percent of its members, but a House Task Force is entertaining proposals to do just that.

At least some members believe that Congress finally must address its burgeoning ethics crisis, or at least go through the motions for benefit of the folks back home—a growing number of whom are beginning to wonder just who their congressmen are working for; them or the special interest groups whose money assures their re-election.

As president of Common Cause, the Washington-based consumer lobby, Fred Wertheimer has long been one of Congress' most persistent protagonists on the subject of campaign finances, and he has proposed a comprehensive reform package that makes a great deal of sense. It has four main points:

Reduce the role of PACs (political action committees) in congressional elections. PACs have contributed some \$400 million to congressional races in the past six years. Last year, \$82.2 million went to House incumbents while challengers got only \$9 million. "An investment in government decisionmaking," Wertheimer labels the contributions.

Establish overall spending limits for congressional races. Spending in House races has grown from \$60.9 million in 1976 to \$204.4 million in 1988, while spending in Senate races has increased fivefold during the same period.

Provide alternative public resources for congressional candidates. These, according to the proposal, would be funds from public sources to replace the PAC-dominated funding system and "provide necessary resources to credible challengers as well as incumbents."

End illegal campaign contributions, such as the \$50 million in so-called "soft money" that was injected into the last presidential race—"a blatant violation of federal cam-

paign laws," according to Common Cause. "Soft money" was that raised nationally through presidential campaigns in conjunction with the national parties, then channeled through the state and local parties and spent for the purpose of electing the presidential candidates involved—in violation of federal laws.

The 21-member House Task Force on Campaign Reform—whose only Pennsylvania member is Rep. William Gray of Philadelphia—will have a formidable job in drafting a viable reform package to be considered by the full House of Representatives—a consideration the type of which has not been made for 15 years.

Whether the exercise will be productive in gaining the necessary reforms or merely a charade depends largely on public interest in the subject. Without that, it surely will be business as usual, which is not in the public interest.

[From the Bennington (VT) Banner, Jan. 12, 1993]

OFFICE FOR SALE OR RENT

With enough money, anyone can be Ross Perot. His presidential bid made it clear that political offices, from the presidency on down, can be for sale. Big money doesn't buy efficient, responsive government, and significant campaign-finance reform is needed to prevent our democracy from becoming a cashocracy. The need grows as the cost of running a political campaign mounts and political races become even more vulnerable to the much-derided "special interests" that contribute to government gridlock.

The situation can only get worse. The Federal Election Commission reported last week that spending for U.S. House races in 1992 increased 41 percent over 1990, with spending jumping to \$313.7 million from nearly \$220 million.

President-elect Clinton can keep his campaign promise to enact significant reform legislation by limiting contributions and increasing public funds. So-called "soft money," huge sums given to organizations and political parties that are not subject to the same limitations as donations to individuals, should be banned. Setting more stringent limits on PAC and other special-interest contributions would help to make politicians less hamstrung by their financial backers and encourage newcomers to challenge incumbents. Incumbents should also be severely constrained from using their staffs and franking privileges to campaign for re-election.

Public funds for campaigns can be increased by repealing the tax deduction on lobbying expenses, which Clinton endorsed during his campaign, and adding that money to the public-funding pool. The \$1 checkoff on income-tax returns might also be raised.

The 1992 elections showed how disgusted many people are with a government they perceive as being out-of-touch, inefficient and ruled by wealthy special interests. The only way out is to change fundamentally the way politicians are elected and by doing so, change the way government operates.

[From the Beverly (MA) Times, Sept. 10, 1992]

THE NEED FOR PAC REFORM

Running a campaign for public office requires money as fuel for the engine.

In this region, the campaign that requires the most horsepower is for U.S. representative from the 6th Congressional District.

And that requires a lot of fuel.

Some candidates in this race will easily spend \$250,000 in the primary campaign that ends Tuesday.

The price tag could reach \$400,000 to \$500,000 for the two candidates who ultimately go on to face each other in the November general election.

With a gas tank that big, congressional candidates are often tempted to turn to political action committees to help fill 'er up.

In the 6th District primary race, two candidates are accepting PAC contributions—incumbent U.S. Rep. Nicholas Mavroules and state Rep. Barbara Hildt of Amesbury. The others are not: Democrat Eric Elbot of Beverly and Republicans Peter Torkildsen and Alexander "Sandy" Tennant.

While Mavroules runs second to Hildt in overall fund-raising, he leads the pack in PAC contributions—\$60,775, according to the most recent campaign finance reports. Hildt reported PAC contributions of \$13,331.

With Mavroules facing a tough Democratic primary and a 17-count federal corruption indictment, he will now take all-comers who want to give to his campaign.

This is a new twist for the 14-year incumbent.

As a senior member of the House Armed Services Committee, Mavroules has considerable say over what military weapons the United States will buy.

Five years ago, under criticism for the practice, he refused to take money from any contractor doing more than 30 percent of its business with the Pentagon.

But he changed that policy this year to fight both his primary opponents and the federal corruption charges. (He is allowed to use campaign contributions toward his legal defense.)

It is, indeed, ethically wrong for any member of Congress to take thousands of dollars from contractors who can benefit from his or her decisions.

That is why whoever is sent to Congress in January to represent the 6th District should push vigorously for campaign finance reform.

One effort to take campaign financing out of the hands of special interests failed in May with the president's veto of a Democrat reform plan.

The effort should start anew in 1993 to publicly finance campaigns with spending limits instead of forcing candidates to turn to PAC men and PAC women in search of the fuel to run their campaigns.

[From the Big Spring (TX) Herald, July 13, 1989]

PRICKING PAC'S IS JUST THE START

When 98 percent of House incumbents are returned to office, when a candidate for the House must spend nearly \$400,000 and for the Senate nearly \$4 million, when special-interest political action committees provide the lion's share of campaign funding, then something obviously is wrong. Our system of choosing our representatives has gone badly off track.

President Bush, to his credit, has acknowledged the problem and last week proposed remedies.

The president's campaign reform package by itself isn't going to solve the campaign-finance scandal, but as a starting point it's welcome. What's needed in the coming weeks is bipartisan negotiation toward ending Congress' serious addiction to special-interest influence money.

Bush offered an 11-point package, including a proposal that Congress limit its chief source of outside income, honoraria. Mem-

bers of Congress took in more than \$9 million in speaking fees last year—that averages out to more than \$15,000 per member. The groups that pay these fees understand they are getting more for their money than just a speech.

In return for an honoraria ban, the president promised to endorse a 25 percent pay raise for Congress, federal judges and some surgeons and scientists in the executive branch. Both the ban and the increase are worthy proposals.

Much more controversial is the president's proposal to ban contributions by PACs supported by corporations, unions or trade associations. PACs, special-interest money conduits, contributed approximately 50 percent of the money spent on congressional campaigns last year. That amounted to more than \$170 million.

In the past six years, PACs have invested more than \$400 million in government decision-making. PAC donors, without question, see these contributions as investments.

The president insisted—and we agree—that PAC contributions improperly and unfairly magnify the voices of special interests at the expense of representative government. But to ban PACs—or to ban all but “ideological” PACs, as the president suggests—does not get to the root of the problem. It does nothing to rein in the soaring costs of financing a campaign. Those costs have gone up exponentially, primarily because of expensive television advertising.

If Bush really wants to help Congress reclaim its integrity, he will push for overall limits on campaign spending. And, he will work with Congress to forge a public-financing plan for campaigns, a plan that is both politically and constitutionally acceptable. Congress instituted a public financing mechanism for presidential elections, and it has worked just fine.

Congress' own system of campaign funding is not working just fine. In fact, the current corrosive system is a major reason Congress finds itself embroiled in an ethics crisis. Comprehensive reform would go a long way toward calming that crisis.

[From the Birmingham News, Dec. 3, 1992]

PUT-UP TIME—THE DEMOCRATS TALKED A GOOD GAME ON CAMPAIGN REFORM, NOW LET'S SEE SOME ACTION

Did the Democrats mean it, or was it part of a plan to make President Bush look bad before the election? The issue is campaign finance reform. The question is whether Congress will again approve the bill Bush vetoed.

Before the election the Democrats pushed a bill through Congress that placed limits on the amounts congressional candidates may spend. But some who voted for the bill did so knowing Bush would never sign it.

Now that a Democratic president is about to be sworn in, some who voted for the campaign finance bill when it was only for show won't be so eager to actually cut off the amounts they can raise and spend in a reelection effort.

The bill Bush vetoed would have limited political action committees from contributing more than \$2,500 on Senate elections and \$5,000 on House races.

A 1976 Supreme Court ruling says mandatory spending limits are unconstitutional. But the vetoed bill would have rewarded candidates who met voluntary limits by providing matching funds similar to what's available in presidential campaigns.

President-elect Clinton must not be persuaded by fellow Democrats who have lost their fervor for campaign finance reform.

They knew forcing Bush to veto a bill Republicans didn't like would make him appear to be against any reform.

There is no doubt, however, about Clinton's position. He and vice president-elect Gore issued a campaign document titled “Putting People First” that detailed the changes they would like to see in campaign finance law.

Congressional Quarterly recently reviewed the Clinton-Gore proposals, which included voluntary spending caps based on each state's population, limiting PAC contributions to \$1,000, mandating reductions in the cost of TV commercials, eliminating tax deductions for lobbying expenses, and ending “soft money” contributions to candidates by using the political parties as conduits.

Clinton and Gore should stick to their guns. Their proposals are basically on target, though there may be a need for fine-tuning in congressional debate. But Congress shouldn't be let off the hook.

Make the honorables put up, not shut up, when it comes to campaign finance reform. The current situation gives incumbents who have little difficulty raising huge sums of money too great an advantage in elections.

Enacting a fair campaign finance reform law will allow a greater number of Americans with leadership potential to wage a serious political campaign without going into bankruptcy or hock.

[From the Bismarck Tribune, May 17, 1992]

BUSH BLOWS OUT SPARK OF PAC REFORM

Do we sense some hypocrisy in the White House?

We've become accustomed to President Bush's doublespeak—grudgingly. Our president has trouble saying what he means, and we have trouble understanding. The most recent example came in his veto a week ago of a bill that would have overhauled the system for financing U.S. House and Senate campaigns.

Bush labeled the bill a “taxpayer-financed incumbent protection plan.”

Some of the president's comments should come with printed directions much like you would receive when buying a washing machine. His position on this particular bill is curious, and certainly doesn't square with the facts:

Congress collects more than \$2.7 million a week in campaign contributions.

The cost of a Senate campaign is now close to \$4 million, for which a Senator has to raise \$12,000 a week every week of a six-year term.

While the issue in the Senate has become the pursuit of money, the issue in the House is its accumulation, where incumbents have had eight times more to spend than their challengers.

Under this measure, House candidates would have been required to limit spending to \$600,000 and Senate candidates would have had spending caps of up to \$5.5 million to qualify for federal campaign funds. The bill would have limited the amount of PAC contributions a candidate could accept. And it would have restricted the flow of “soft money”—unregulated contributions from party organizations to candidates.

The public subsidies for this bill would have cost from \$100 million to \$150 million for a two-year election cycle. The current system for public financing of presidential candidates—which appears to be far more costly than the vetoed bill—is funded by the voluntary \$1 checkoff on individual Federal income tax returns. As the prime beneficiary of this system, Bush will have earned as esti-

mated \$200 million for his vice presidential and presidential campaigns by the end of his current bid for re-election.

The bill he just vetoed had wide support from consumer groups that saw in it potential for the first glimmer of campaign reform.

But wait, there's more.

Both the Bush-Quayle campaign and the Republican Party are guzzling money like cheap beer in the Florida sun. At a Bush-Quayle fund-raiser on April 28 an estimated \$9 million was raised for Republican congressional candidates, most of this “soft money” again. A guest at the president's table paid \$454,000 for the honor—and he later went bankrupt.

A few weeks earlier, five corporations were listed as major donors at a Michigan fund-raiser. This is illegal, because neither corporations nor unions can contribute directly to presidential candidates. Bush campaign aides called the listing “an embarrassing *** mistake.”

Bush will veto attempts to control campaign spending because he has benefited handsomely from the current system. It's a system where incumbent politicians become heavily indebted to special interests.

No amount of doublespeak can cloud the truth.

[From the Boston Globe, Nov. 18, 1992]

THE MOMENT FOR CAMPAIGN REFORM

In quickly issuing a strict code of ethics for members of his transition team and administration, President-elect Clinton struck the right tone. But only if Clinton now bangs on the bell of campaign finance reform will he lastingly change the way business is done in Washington.

The modern heyday of greed came in the Reagan administration, when more than 100 officials were indicted for alleged ethics violations. But the public correctly perceives the system as still rigged to the benefit of both parties. That goes far to explain the appeal of Ross Perot.

There is an inevitable balancing act in drawing people valued by the private sector into public service. They are worth more in the world of profit than they can expect to earn in government. Rigid rules may conflict with the aim of hiring the best.

But campaign finance reform is a clear-cut issue. It must include: a cap on overall spending to end the “alms race” in every congressional district and state; sufficient public funding so challengers and incumbents can conduct effective campaigns; a sharp reduction in the money candidates can accept from political action committees; a plug in the “soft money” route through which fat cats launder big contributions; and an end to the practice of “bundling” individual checks to evade the limits for contributions to PACs.

Clinton has much to gain. Winning public confidence would put him on the fast track toward the grass-roots support that will be essential in the epic battles ahead over health care reform and other controversial legislation. If he waits six months, as Jimmy Carter did in 1977, the campaign spending reform effort is likely to unravel, and with it public support.

That's why Clinton should not wait for Congress to draft campaign reform legislation. He has made the point that public service is not a path to riches but a privilege. Now he must get his own campaign reform agenda out front.

[From the Christian Science Monitor, Apr. 21, 1992]

CAMPAIGN REFORM

A bill to wring some of the money out of congressional campaigns and to make House and Senate races more competitive is nearing passage in Congress. The most sweeping campaign-finance reform since 1974, after Watergate, the bill takes a big step toward a cleaner and fairer system for electing federal lawmakers.

Unfortunately, President Bush evincing little concern that the money chase has a demeaning and perhaps even corrupting effect on American politics—has vowed to veto the bill.

The key element in the bill is voluntary spending caps in House and Senate races (the Supreme Court ruled that the First Amendment bars mandatory caps). By clamping a lid on spending, proponents hope to reduce the clout of special interests and the time and energy candidates must devote to fundraising. The cap in House races would be \$600,000; in Senate races it would range from \$950,000 to \$5.5 million depending on the size of the state.

To induce candidates to keep within the spending caps, the bill offers alternative sources of campaign funds. Candidates for House seats would be eligible to receive up to \$200,000 in federal matching funds. Senate candidate could receive, also on a matching basis, vouchers to purchase TV time (a larger expense in Senate than House contests).

Other progressive features of the bill include limits on contributions by political action committees (PACs), and cut-rate mailing rights (to offset incumbents franking privilege). Most important, perhaps, the bill would restrict "soft money"—virtually unlimited amounts raised by the political parties under state laws but used indirectly to benefit federal candidates. Through this loophole both parties rake in millions from \$100,000 givers.

Mr. Bush's main objection is to the spending caps. He says they protect incumbents (predominantly Democrats), contending that challengers need unlimited spending rights to surmount incumbents' advantages in name recognition and media coverage. Yet consider that in House races few challengers of either party come even close to raising and spending \$600,000. In nearly all cases, victorious challengers win because of their message or the incumbents' vulnerability, not because of higher spending. Caps would constrain incumbents more than challengers, thereby leveling the playing field.

Besides, it's hard to conceive of a system that protects incumbents better than the present one. Incumbent-re-election rates consistently exceed 90 percent.

Bush and other opponents also denounce the bill's public-financing aspects. Taxpayers, they say, shouldn't subsidize office-seekers. But partial public financing of elections, already used in presidential contests, is a proper investment in the working of American democracy—especially given the ominous impact of money on the current system.

It is a defect in the bill that its backers haven't yet devised a way to pay for it. But even if it's enacted, the bill won't go into effect until funding sources are found.

The reform bill, already passed by the House, deserves approval by the Senate and the president's signature. In this year of the political outsiders, Bush looks like the ultimate insider in protecting a money chase that contributes greatly to Americans' distrust of the political system.

[From the Bradenton Herald, July 9, 1989]
REFORM THE REFORMS—PAC LIMITS WON'T
END ABUSES; SPENDING LIMITS WILL

What does President George Bush hope to accomplish by proposing campaign reforms?

In one of his more candid moments, the president admitted the obvious: he hopes changing the rules will elect more Republicans.

It's no surprise that a Republican president would want to shake loose a few Democratic incumbents, who now have better than a 98 percent chance of getting re-elected. But how does Bush hope to get his proposals past the Democratic-controlled Congress? The president has to reform his reform package, or see it die quickly.

Some of Bush's proposals are worthy, such as eliminating lawmakers' outside speaking fees, and stopping their abuse of free mailing privileges.

Bush's most controversial proposal is his recommendation to restrict PACs—the political action committees that collect members' small campaign contributions to form huge, lump-sum payoffs for candidates. Republican loyalty to the PAC system has slipped in recent years, as PAC support has shifted from the GOP to Democrats.

Banning PACs outright isn't possible on constitutional grounds, since that would curtail free political "speech." So the president targets only trade, union and corporate PACs—the biggest offenders—for extinction. The courts may disagree, but Bush claims that only the PACs with specific political agendas—"ideological" PACs—should be allowed.

There's no denying PACs' undue influence on the political system, or that a large PAC is more an economic device than a political organization. Bush's proposed PAC limits wouldn't solve the problem, however; special interest groups will find a way around PAC regulations.

Bush rejects the real answer to candidates' financial abuses: public financing for candidates who volunteer to limit campaign spending. Knowing that Republicans are more likely to glean large individual contributions than Democrats, Bush objects to campaign spending limits. And he tries to improve GOP challengers' chances by proposing to double the amount political parties can spend on congressional candidates.

Bush should prove he truly wants campaign reform by proposing changes that don't stack the deck in his party's favor. Cleaner campaigns are in the interests of candidates from both parties—not to mention the people who elect them.

[From the Brattleboro (VT) Reformer, May 17, 1989]

STALEMATE ON CAMPAIGN REFORM

In the midst of proposals that President Bush made earlier this month to tighten the ethics code for federal office-holders, he also included a sweeping plan to revamp campaign financing: Contributions to candidates from the political action committees of business, labor and the professions would be banned altogether.

On the face of it, this looks like progress. PAC contributions are at best a form of legalized influence-purchasing in which the donor assures himself at least of a hearing by a congressman, if not of his support. Moreover, PAC money goes overwhelmingly to incumbents, be they Democrats or Republicans, and this helps to create the phenomenon of a permanent Congress with very little new blood. In the 1988 election, more than 98

percent of incumbent House candidates were re-elected.

Unfortunately, Bush combined his call for a ban on PAC contributions with a restatement of his opposition to public financing of campaigns. If the Treasury isn't going to pay for congressional campaigns (as it has since 1976 for presidential campaigns) and if candidates can't get the money from PACs, that leaves one major source of funds: individuals who can afford the up to \$1,000 donations that the law permits—fat cats.

Not surprisingly, the Republican Party has cultivated a much more productive network of fat cats than the Democrats have. Bush favors a ban on PAC money and no movement towards public financing of congressional candidates because he knows that this will finally break the lock that the Democrats have had on Congress since the Eisenhower era. By the same token, the great majority of Democrats won't go along with either a ban or strict limitations on PACs unless the reform package includes public financing as well.

The great advantage of public financing is that it assures the public that Congress is working for it, not some unseen donor behind the scene. If the financing levels are generous enough, challengers will have a much better chance than they have now to knock off incumbents and the reform would not—as some Republicans fear—preserve the continued Democratic majorities. Public financing, combined with bans or severe curbs on PAC money, would take Congress off the auction block and help generate a little healthy turnover.

[From the Bridgewater (NJ) Courier-News, July 2, 1989]

THE PARTISAN'S EDGE—BUSH'S PAC REFORMS WOULD FAVOR THE GOP

It is refreshing indeed to have a president who can, with a straight face, address the need to improve the ethical climate in Washington.

George Bush has called for a reasonable pay raise for members of Congress, for an end to fees for speeches they give, for limits on their free mailings, for a ban on retention of their surplus campaign contributions. Those steps can and should be converted into law without delay.

Unfortunately, the president's ideas for limiting special-interest contributions to members of Congress are too obviously designed to benefit Republicans, and so might sabotage the bipartisan negotiation needed to enact any of his reforms.

Bush would abolish political action committees (PACs) set up by corporations, unions or trade associations. Those groups accounted for 90 percent of the \$160 million contributed by PACs in 1987-88—most of it to Democratic incumbents. But he would preserve the ideological or single-issue PACs that tend to support Republicans, while lowering their contribution limit from \$5,000 to \$2,500 per candidate.

Criticism from key Democrats was immediate and sharp. Senate Majority Leader George Mitchell of Maine said Bush's proposal "... is obviously crafted with one objective: To help Republicans."

Because Democrats control both houses of Congress, any reforms Bush hopes to see enacted need to be couched in terms that invite negotiations and compromise. On the key issue of PAC contributions they aren't. In fact, bills to incorporate the president's proposals apparently are being drafted with no consultation or input from Democrats.

So Bush's PAC reforms will collide with those proposed by Rep. David Boren, which

already have attracted bipartisan support. The Oklahoma Democrat would set overall spending limits on congressional campaigns and provide public financing for any candidates who accept the limits. That approach is more likely than Bush's to reduce the influence of special interests—and it favors neither Democrats nor Republicans.

But the president won't hear of public financing. Public funding, like that provided in New Jersey gubernatorial races, deserves to be considered as a necessary—and neutralizing—ingredient in any national campaign-financing reform. This time out, it apparently won't even be discussed.

By putting such a partisan edge on one reform, Bush may have lost the opportunity to lead and deliver on any of them.

[From the Brooklyn (NY) Daily Bulletin, July 25, 1989]

PRICKING PAC'S IS ONLY A START

When 98 percent of House incumbents are returned to office, when a candidate for the House must spend nearly \$400,000 and for the Senate nearly \$4 million, when special-interest political action committees provide the lion's share of campaign funding, then something obviously is wrong. Our system of choosing our representatives has gone badly off track.

President Bush, to his credit, has acknowledged the problem and the other day proposed remedies.

The president's campaign reform package by itself isn't going to solve the campaign-finance scandal, but as a starting point it's welcome. What's needed in the coming weeks is bipartisan negotiation toward ending Congress' serious addiction to special-interest influence money.

Bush offered an 11-point package, including a proposal that Congress limit its chief source of outside income, honoraria. Members of Congress took in more than \$9 million, in speaking fees last year—that averages out to more than \$15,000 per member. The group that pay these fees understand they are getting more for their money than just a speech.

In return for an honoraria ban, the president promised to endorse a 25 percent pay raise for Congress, federal judges and some surgeons and scientists in the executive branch. Both the ban and the increase are worthy proposals.

Much more controversial is the president's proposal to ban contributions by PACs supported by corporations, unions or trade associations. PACs, special-interest money conduits, contributed approximately 50 percent of the money spent on congressional campaigns last year. That amounted to more than \$170 million.

In the past six years, PACs have invested more than \$400 million in government decision-making. PAC donors, without question, see these contributions as investments.

The president insisted—and we agree—that PAC contributions improperly and unfairly magnify the voices of special interests at the expense of representative government. But to ban PACs—or to ban all but "ideological" PACs, as the president suggests—does not get to the root of the problem. It does nothing to rein in the soaring costs of financing a campaign. Those costs have gone up exponentially, primarily because of expensive television advertising.

If Bush really wants to help Congress reclaim its integrity, he will push for overall limits on campaign spending. And, he will work with Congress to forge a public-financing plan for campaigns, a plan that is both

politically and constitutionally acceptable. Congress instituted a public financing mechanism for presidential elections, and it has worked just fine.

Congress' own system of campaign funding is not working just fine. In fact, the current corrosive system is a major reason Congress finds itself embroiled in an ethics crisis. Comprehensive reform would go a long way toward calming that crisis.

[From the Buffalo News; July 9, 1989]

BUSH PLAN A PARTIAL SOLUTION

President Bush deserves credit for at least opening the dialogue on the issue of campaign finance reform.

But in his package of political action committee curbs, gerrymandering restrictions and a prohibition on some congressional franking privileges, Bush continues to avoid the real key to election reform: public financing and accompanying spending limits.

The fact that Bush's proposal to ban corporate, union and trade association PACs would hurt Democrats more than Republicans because money from those committees goes most often to incumbents—most of who are Democrats—does not in itself argue against such a reform.

But it is interesting that the president did not also propose a ban on the so-called "ideological" single-issue PACs that most often back Republicans.

Similarly, Bush's proposal to more than double the limit on how much the parties can spend on congressional races—another move that has Democrats screaming because Republicans generally are more adept at raising money from large contributors—has merit despite its partisan impact.

It should, as the president suggests, help even the playing field by making more money available for challengers who can't raise significant funds on their own.

But what would rally even the playing field is a meaningful cap on campaign spending tied to public funding so that all challengers could mount a more competitive effort.

As good-government groups from Common Cause to Public Citizen have noted, Bush's plan does little to solve the "basic campaign finance problems facing Congress today" or to prevent those with huge sums of money from having an undue influence on the electoral process.

The president argues that public financing would exclude people from the political process by denying them the chance to donate. But there are myriad ways to contribute, the most important of which should be at the ballot box, not the automatic teller machine. And in any case, every rational public financing plan includes provision for ample private contributions, if for no other reason than to legitimize a candidacy before allotting it public dollars.

Public financing and spending limits will bring a sense of proportion back to the system, helping to even the playing field and ensuring that voters get a legitimate choice. It is clear that many don't under a current system that all but guarantees uncontested races and victory for incumbents.

Bush has recognized the need for reform, as evidenced by his call for restrictions on free mailings by incumbents and a prohibition on carrying over campaign funds from one election to the next. The only problem is that his package—while generally aiming in the right direction—falls far short of what will be required to do the job.

[From the Burlington (VT) Free Press, Feb. 14, 1993]

PASSING THE BUCK(S)

President Clinton promised the plain Americans at his Detroit meeting that he's committed to honesty, prosperity and less red ink.

For the moment, we'll settle for honesty—and an uphill battle it will be in Washington. Honesty in government begins with politicians setting an example. That means campaign finance reform. The House and Senate passed a good reform proposal last year, but the game was rigged. President Bush's promise of a veto made virtue easy.

Clinton says he would have signed that bill, would have tried to make it tougher. House leaders greeted this news with all the enthusiasm of a debtor meeting his bill collector.

Obscene amounts of money pour into federal campaign coffers. An average Senate seat costs \$4 million. More than half of all House incumbents get more than half their campaign money from special interest groups. Clinton was a big beneficiary of one sleazy practice: His party raised and spent \$20 million of special interest on his behalf last year, more than the Republicans.

Putting a lid on campaign cash might require some public financing. The price is worth paying if Congress really cuts the umbilical cord to the PACs.

Only campaign finance reform can begin to restore Americans' belief that members of Congress represent them, not the tobacco industry, the sugar farmers, the big banks, insurance companies and real estate developers.

Congress has no appetite for cutting off its free lunch. Only vigorous leadership from the White House will drive House members and senators away from the well-laden table.

[From the Cadillac (MI) News, July 12, 1989]

BUSH CAMPAIGN REFORM PROPOSAL GOOD FOR STARTERS

When 98 percent of House incumbents are returned to office, when a candidate for the House must spend nearly \$400,000 and for the Senate nearly \$4 million, when special-interest political action committees provide the lion's share of campaign funding, then something obviously is wrong. Our system of choosing our representatives has gone badly off track.

President Bush, to his credit, has acknowledged the problem and the other day proposed remedies.

The president's campaign reform package by itself isn't going to solve the campaign-finance scandal, but as a starting point it's welcome. What's needed in the coming weeks is bipartisan negotiation toward ending Congress' serious addiction to special-interest influence money.

Bush offered an 11-point package, including a proposal that Congress limit its chief source of outside income, honoraria. Members of Congress took in more than \$9 million in speaking fees last year—that averages out to more than \$15,000 per member. The groups that pay these fees understand they are getting more for their money than just a speech.

In return for an honoraria ban, the president promised to endorse a 25 percent pay raise for Congress, federal judges and some surgeons and scientists in the executive branch. Both the ban and the increase are worthy proposals.

Much more controversial is the president's proposal to ban contributions by PACs sup-

ported by corporations, unions or trade associations.

PACs, special-interest money conduits, contributed approximately 50 percent of the money spent on congressional campaigns last year. That amounted to more than \$170 million.

In the past six years, PACs have invested more than \$400 million in government decision-making. PAC donors, without question, see these contributions as investments.

The president insisted—and we agree—that PAC contributions improperly and unfairly magnify the voices of special interests at the expense of representative government. But to ban PACs—or to ban all but “ideological” PACs, as the president suggests—does not get to the root of the problem. It does nothing to rein in the soaring costs of financing a campaign. Those costs have gone up exponentially, primarily because of expensive television advertising.

If Bush really wants to help Congress reclaim its integrity, he will push for overall limits on campaign spending. And, he will work with Congress to forge a public-financing plan for campaigns, a plan that is both politically and constitutionally acceptable. Congress instituted a public financing mechanism for presidential elections, and it has worked just fine.

Congress' own system of campaign funding is not working just fine. In fact, the current corrosive system is a major reason Congress finds itself embroiled in an ethics crisis. Comprehensive reform would go a long way toward calming that crisis.

[From the Champaign-Urbana News-Gazette, June 20, 1989]

BAN ON PAC'S NOT ENOUGH (By Rosemary T. Garhart)

President Bush would like to end campaign contributions from most political action committees, but don't expect his proposal to go anywhere.

The president wants to ban most PAC contributions. But since PAC contributions usually go to incumbents, Congress isn't likely to go along with Bush's proposals any time soon.

According to the Common Cause lobby, incumbents in the House raised \$142 million for the elections last year. Their challengers came up with only \$36 million.

During that election, congressional incumbents received \$115 million from PACs; challengers received only \$17 million from the political action committees. Incumbents did so well in fund raising that they ended the election with \$63 million left over.

The money obviously helped. Last year, 98.5 percent of the incumbents seeking reelection won. The winners are not about to cut out one of the largest sources of support.

Contributions from PACs have boosted campaign spending to absurd levels, decreased the influence of lawmakers' constituents and given special interest groups unwarranted access in the Capitol.

The well-heeled PACs have the resources to lobby against any efforts to curb their power. It's no wonder that previous efforts to curb PAC contributions have failed.

Bush's proposal differs from past plans in suggesting a ban only on PACs sponsored by business, unions and trade groups, not ideological PACs like those working for improved health care or a cleaner environment.

Even though the president seems willing to act against PACs, a ban alone won't be enough and never will have the support of Congress.

Reform of campaign finance must address a number of other issues like spending lim-

its, public financing and even limits on congressional terms of office.

Until lawmakers have incentives to give up PACs, it seems unlikely that they will be willing to shut off their lifelines.

[From the Charleston (SC) News and Courier, July 28, 1989]

ON THE RIGHT TRACK

When 98 percent of incumbents in the U.S. House of Representatives are returned to office, when a candidate for the House must spend nearly \$400,000 to get elected (\$4 million for the Senate), when special-interest political action committees provide the lion's share of campaign funding, then something obvious is wrong. The system by which Americans choose their congressional representatives has gone badly off track.

President Bush, to his credit, has acknowledged the problem and recently proposed some remedies.

The president's campaign reform package by itself isn't going to solve the campaign-finance scandal but as a starting point it is welcome. What is needed in the coming weeks is bipartisan negotiations toward ending Congress' serious addiction to special-interest money.

Mr. Bush offered an 11-point package, including a proposal that Congress limit honoraria, its chief source of outside income. Members of Congress took in more than \$9 million in speaking fees last year, which averages out at more than \$15,000 per member. The groups that pay these fees understand exactly what they are getting for their money, and it isn't a few pearls of wisdom.

In return for the ban on honoraria, the president endorsed, and formally proposed, a 25 percent pay raise for Congress, federal judges and some surgeons and scientists in the executive branch. Both the ban and the pay increase are worthy proposals.

Much more controversial is the president's idea to ban contributions by political action committees, or PACs, supported by corporations, unions or trade associations. PACs, which are the conduits for special-interest money, contributed approximately 50 percent of the money spent last year on congressional campaigns. That amounted to more than \$170 million. In the last six years, PACs have invested more than \$400 million in government decision-making. Without question, PAC donors interpret these contributions as investments.

The president insisted, correctly, that PAC contributions improperly and unfairly magnify the voices of special interests at the expense of representative government. But to ban PACs—or, more precisely, to ban all but “ideological” PACs, as Mr. Bush suggested—does not get to the root of the problem. It does nothing to rein in the soaring costs of financing a campaign. These costs have risen exponentially, primarily because of expensive TV advertising.

If President Bush really wants to help Congress reclaim its integrity, he will push for overall limits on campaign spending. Further, he will work with Congress to forge a public-financing plan for campaigns, a plan that is both politically and constitutionally acceptable. Congress instituted a public financing mechanism for presidential elections, and on balance it has worked out well.

Unfortunately, Congress' own system of campaign financing is not working out well at all. In fact, the present corrosive system is a major reason why Congress finds itself embroiled in an ethics crisis. Genuine, comprehensive reform would go a long way toward alleviating that crisis.

[From the Charleston (WV) Gazette, Nov. 16, 1991]

CLEAN UP CONGRESS

It took forever, but Congress finally may be on the brink of cleansing itself of the cash corruption that has bred contempt of the legislative process.

The Senate acted first to impose workable limits on congressional campaign spending and to curb the flood of money from special interests trying to buy favor on Capitol Hill. Now the House is nearing a vote on a reform bill proposed by Rep. Sam Gejdenson, D-Conn. No doubt the cleanup wave is being spurred by the widespread public disgust felt by Americans toward Congress after a series of recent embarrassing revelations.

Observers such as Common Cause and The New York Times say the Gejdenson bill is weaker than the Senate version, but agree it deserves quick passage. Its provisions:

A voluntary limit would be set—\$600,000 per candidate per election. Those who comply could get up to \$200,000 in government funds to match individual contributions, which would be limited to \$200 per donor.

No taxes would be required. The government money would come from registration fees on PACs (political action committees) and from eliminating tax deductions for lobbying.

PAC influence would be curbed, because no candidate could accept more than \$200,000 in PAC money per election.

The Gejdenson bill has shortcomings. Funneling “soft money” through national political committees to individual candidates would not be forbidden, as it is in the Senate bill. But if the two bills are reconciled in a conference committee, the Senate versions might—and should—prevail.

Reform advocates are hopeful. Common Cause President Fred Wertheimer said:

“After 17 years of protecting a campaign financing system that has steadily eroded public trust and confidence in Congress, the House has an opportunity at a crucial time to make a dramatic change. The Gejdenson bill challenges each House member to act to end the campaign finance scandal in Congress. It should be passed without any weakening amendments.”

Exactly. West Virginia House members should support the bill, and help show voters that Congress has enough honor to clean up its financial taint.

[From the Chattanooga Times, Nov. 27, 1992]

DON'T DAWDLE ON CAMPAIGN REFORM

It is too soon to get a clear fix on the role money played in this year's congressional races, but early numbers provided by Common Cause are troubling. They should also spur greater efforts toward campaign finance reform.

Common Cause reports that in House races where the successful candidate won with 55 percent of the vote or less, incumbents had three times as much cash to spend as challengers.

Translated into dollars, incumbents had a combined war chest of \$43.4 million, compared with the challengers' paltry \$10.6 million. Most challengers raised less than \$100,000, which nowadays barely amounts to walking-around money in political races.

The disparity in Senate races was worse. In both houses, however, most incumbents were re-elected, a fact that argues for campaign finance reform, and the sooner the better.

REform may actually occur this time around. President-elect Bill Clinton favors it, and Common Cause reports that so do 74

of the 120 new House and Senate members. Couple those 74 with the members who supported the 1991 reform bill—vetoed by President Bush—and a majority appears likely.

Majority support for reform, however, can vanish like a morning fog when special-interest lobbyists start to turn up the heat. That means if Mr. Clinton intends to follow through, he should do so quickly. Before he knows it, opponents will try to block reform—either through outright opposition or, more likely, by supporting a version so weak as to be meaningless.

It's not clear yet what reforms should be included. Certainly there should be tighter regulation of contributions by political action committees, and of "soft money." That's money individuals contribute to the national parties, which in turn funnel it to state parties for activities that usually support specific candidates.

A far better plan would be federal financing for congressional races, which would provide a more level playing field for incumbent and challenger alike.

Whatever proposal is finally adopted, it is crucial that Mr. Clinton not make the same mistake former President Jimmy Carter did. He didn't send his campaign finance reform proposal to Congress for more than six months, which is all the time opponents needed to round up enough votes to kill it.

The sooner Mr. Clinton acts, the better his chances of success.

[From the Clover (SC) Herald, July 26, 1989]

PRICKING PAC'S

When 98 percent of House incumbents are returned to office, when a candidate for the House must spend nearly \$400,000 and for the Senate nearly \$4 million, when special-interest political action committees provide the lion's share of campaign funding, then something obviously is wrong. Our system of choosing our representatives has gone badly off track.

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Congress' own system of campaign funding is not working just fine. In fact, the current corrosive system is a major reason Congress finds itself embroiled in an ethics crisis. Comprehensive reform would go a long way toward calming that crisis.

[From the Coffeyville (KS) Journal, Jan. 9, 1989]

FOR WHOM DOES CONGRESS WORK?

It's enough to make non-political types wonder just who these people we vote for are working—the voters or the well-heeled Political Action Committees.

While the final tabulations for the 1987-8 election cycle haven't been made by the Federal Election Commission, through last Sept. 30, PAC money continued to grow both in total dollars and in comparison to campaign contributions from individuals.

For the period, PACs pumped \$35.7 million into all Senate campaigns, up 1.7 percent over the corresponding 21 months of the 1985-6 cycle. They provided more than one-fifth of the \$159.8 million given to Senate candidates.

PACs provided one of every three dollars given to House candidates, or about \$73.7 million of the \$214.4 million contributed. The PAC money was nearly 24 percent higher than in the first 21 months of the 1985-6 cycle.

As in past years, incumbents fared better than their challengers in the scramble for PAC dollars. Senators got \$5.17 for every \$1 contributed to challengers. In the House it was 10 to one in favor of incumbents.

These are all statistics—with changes in the dollar figures—which have been reported every year for the last decade. However, this year there seems to be a sea change taking place in the marbled halls of Capitol Hill.

Even those whose warchests bulge with large PAC contributions are beginning to say "enough is enough."

House Speaker Jim Wright D-Texas; Rep. Bob Michel of Illinois, the Republican leader; Senator Minority Leader Bob Dole, R-Kan.; Senate Majority Leader, George Mitchell, D-Maine and Sen. David Boren, D-Okla., are just some of the legislative leaders who are gearing up for a campaign financing reform push this year.

This is reason for optimism at Common Cause, the self-described citizens' lobby, which wants to substitute public financing for individual and special interest money in the quarter-billion-dollar plus business of winning seats in Congress.

"It's going all the way to the top," says Fred Wertheimer, Common Cause president. "There's a different dynamic now. An awful lot of Republicans are upset with the present system and talking about need for change. There's an unusual opportunity for 1989."

PAC money is intrusive and pervasive. Intrusive because once a Congressman is elected and begins receiving it, it becomes

necessary in the seemingly endless parade of reelection campaigns. To receive it, he had to do favors for the PAC men who dole out these special interest funds.

Thus, the vicious circle begins.

Pervasive because there are literally hundreds of PACs. And Congressmen court just as many as they can, to receive just as much money as they can, to wage the largest reelection campaign they can.

And so it goes.

And goes.

And goes.

Sometime, someplace, someone has to stand up and say "Stop."

Congress, after all, was initiated to represent all the people. One has to wonder, if our representatives have to spend all this money for radio, television and newspaper advertisements to tell us about the wonderful job they're doing, just how wonderful a job are they really doing?

Isn't there a saying about actions speaking louder than words?

The best action that could be taken is to limit reelection campaigns to a set dollar amount, and then to finance those campaigns—and the campaigns of the opposition—publically.

Sure, it would cost the taxpayer. But at least we would know for certain who is footing the bill.

That's more than the taxpayer can say today.

[From the Concord (NH) Monitor, Sept. 1, 1992]

BEYOND PACS—SOME PUBLIC FINANCING IS LOGICAL ANSWER TO ELECTION REFORM

Candidates who have pledged not to accept money from special interest lobbies or PACs are raising a vital issue—but at the risk of oversimplifying the problem.

Campaign finance reform must have the following pieces to be effective: It must further restrict contributions not only from PACs but also from individuals. It must limit total campaign spending. And it must make it possible for average working people to run for office.

To do all of these will require some public financing of campaigns. Banning PAC contributions alone will simply make it easier for the wealthy to dominate elections.

Two candidates made that point last week. Republican 2nd District candidate Ted de Winter, who has raised only \$1,000 and dislikes fund-raising, said to us: "Anyone who sends you \$1,000 or \$500 is a special interest. They expect you to be at the end of the phone when you call."

As a corporation, Cabletron cannot make campaign contributions. But the company's executives and their spouses gave \$18,000 to 1st District Rep. Bill Zeliff's campaign—nearly twice what a PAC can give a candidate. As individuals, they may agree with Zeliff's politics and think he is a swell congressman. But in writing their checks out the same day, they sent a subtle reminder of the importance of Cabletron and the need to keep its interests in mind.

Franklin Mayor Brenda Elias put a wet blanket on an anti-PAC press conference sponsored by Common Cause when she defended the acceptance of PAC money, which she said enables people who aren't rich to run for office. She and others point out that PACs are citizen groups as well as business lobbies and offer a way for average citizens with like opinions to influence a candidate in the most effective way—as a group.

There is no question that PACs have too much power over congressional elections and

probably over the candidates once they are elected. In Concord and Washington, money buys influence, whether it's the health insurance lobby, the trial lawyers or defense contractors.

Mostly, however, PACs play the odds and go with incumbents, even those who may disagree with them. They give on average 10 times as much to them as to challengers. That's one reason it's so hard to get rid of incumbents.

Take Zeliff and Swett, both freshman congressmen, one Republican, one Democrat, neither of whom has set the Washington world on fire. Both are awash in PAC money—several hundred thousand dollars each—from Teamsters and Federal Express for Swett to Realtors and health insurers for Zeliff, mostly from out of state. As of last spring, Swett was 23rd of all 435 representatives in PAC donations.

Because it is unconstitutional to prevent millionaires from spending what they want on themselves, campaign reform must be voluntary, using public subsidies as an inducement to spending and contribution limits. Besides limiting overall spending, any new system should:

Limit the percentage of PAC and individual contributions from out of state.

Mandate free or reduced-cost TV time, since television ads are most responsible for escalating costs.

Provide federal matching money for individual contributions up to only \$250—maybe even less.

PACs have grown in influence since the post-Watergate reforms of the mid-1970s, when, by limiting the contributions of individuals to \$2,000, Congress tipped the balance to PACs. They can give five times as much to federal candidates.

This is typical of campaign reforms: For every effort to curb one excess, powerful interests find two loopholes. Any new effort must be comprehensive, not piecemeal.

[From the Dallas Morning News, Jan. 2, 1991]
102ND CONGRESS—CAMPAIGN FINANCE REFORM
MUST BE A PRIORITY

The 102nd Congress opens Thursday. One of its first orders of business must be campaign finance reform. As important as all the other issues of the nation are, this one cries out for immediate attention. Upon it rests the people's confidence in their government.

That confidence has waned considerably since the closing days of the 101st Congress. The 1990 congressional elections reaffirmed what many Americans had long known: Money has corrupted our system of representative democracy to its core. Despite the virulent anti-incumbent sentiment that marked the fall campaigns, the members of Congress seeking re-election virtually sailed back into office. Money has become such a factor in congressional races that it now can thwart the public will.

On the heels of that travesty came the Senate Ethics Committee's hearings of the Keating Five, during which the current system of campaign financing was put on trial—and found guilty. All five senators under investigation decried the system, saying it places lawmakers in the dangerous position of collecting contributions from people who also may enlist their aid in governmental matters. Without reform, special counsel Robert Bennett warned, Congress soon will be in "utter ruin."

The public's contempt for Congress, fueled by the '90 elections and the Keating Five scandal, brings enormous pressure on the 102nd to produce genuine reform. Specifi-

cally, the onus is on House Democrats. In the last Congress, the Senate broke a years-old impasse and approved a sweeping bill that could have ended the money chase and curbed the influence of special interests. But Democrats in the House defeated the effort by passing another bill that was so weak it was an insult to reform.

Real and comprehensive campaign finance reform must be a top priority in the new Congress. A meaningful bill should include: (1) voluntary caps on campaign spending, coupled with significant financial incentives for candidates who agree to abide by those limits, (2) dramatic reductions in the flow of political action committee contributions, and (3) an end to the system that allows both political parties to channel huge, and illegal, donations to presidential campaigns.

The leadership of House Speaker Tom Foley and Majority Leader Dick Gephardt will be tested more by this issue than any other. Will they do what is needed to restore the institution's integrity? Or will they let lawmakers continue their political prostitution?

[From the Danbury (CT) News-Times, May 16, 1992]

CAMPAIGN FINANCE VETO

When he vetoed landmark legislation that would have reformed campaign financing, George Bush said it was an "incumbent protection plan."

As an incumbent who by November will have received more than \$200 million in public financing for his four national campaigns, the president probably knows more about incumbent protection than other people.

But his criticism of the landmark legislation, which passed Congress without a veto-proof majority, is disingenuous at best. It was not a perfect bill, but it was solid and innovative. It would have created a cleaner system that would limit spending in congressional elections, provide some public financing as an incentive to lower spending and end access to what is known as "sewer money," money that evades limits on contributions to individual candidates.

The president says he vetoed the legislation because of the public funding provision and because it didn't abolish all corporate and union political action committees, as he advocated. Political action committees have become a problem. But the Bush support for abolishing PACs is deceptive. The groups would simply have reorganized themselves under other umbrellas and the money would have continued to flow.

Perhaps it is expecting too much to ask the president to take a leadership position on campaign finance reform in the middle of a difficult election year, but surely even he can see how the current system undercuts confidence in public officials.

For example, the Republican Party recently collected \$9 million at an event called "The President's Dinner." In the days leading up to it, one man filed a lawsuit against his employer saying he was dismissed after he refused to buy a ticket to the dinner. It got so messy that the president felt compelled to denounce such practices.

There also has been controversy over the involvement of executives mixed up in the savings and loan scandal in fund raising for the Bush campaign. It turns out that Lawrence Bathgate 2nd, a finance chairman for the Republican National Committee, is being pursued by federal regulators who want to recover more than \$21 million in bank loans to Bathgate and his associates in connection with the largest bank failure in New Jersey history.

Three other Bush fund-raisers are defendants in a federal lawsuit as a result of their actions as directors of a failed financial institution.

Are these really the sort of people who should be linked to a president? The present system almost requires such associations. It is not too late for the president to seek a compromise on campaign finance reform this year. But it should be real reform, not window dressing.

[From the Daytona Beach News-Journal, Apr. 10, 1992]

FOR ALL THE TALK OF CHANGE, CAMPAIGN REFORM STILL IFKY

Everyone in government these days seems to have adopted the pose of the insurgent outsider. Even George Bush, who it should be recalled is president, has railed against professional politicians and "a failed status quo."

This climate would seem to be ideal for finally taking some of the big money out of political campaigns and enacting campaign finance reform. Unfortunately, that has not proved to be the case.

The president has made a proposal that would ban PAC contributions from PACs representing labor and business while leaving alone PACs of ideological groups. The idea of banning PACs always sounds good on the surface, but it is self-defeating to ban PACs while allowing big donors more influence by increasing their ability to funnel money to candidates through political parties and ideological PACs. Under the president's plan, about the only thing that would end would be labor's ability to contribute to candidates. Money which, not so coincidentally, goes primarily to Democrats.

The president's commitment to campaign finance reform is about as believable as his pose as an outsider seeking change.

There are some real campaign finance proposals in Congress, plans which the president has threatened to veto.

These plans would create spending limits and contribution limits but would involve public financing.

Public financing is a necessary part of any meaningful campaign financing reform. Because the Supreme Court has ruled campaign giving is an issue of free speech, it is difficult to ban PACs or limit campaign spending without violating the Constitution.

Public financing crates an inducement to abide by the limits. This way of limiting the influence of the big special-interest donors would be allowable under law.

Sadly, the threat of a veto and the unwillingness of the national parties to harm their flow of dollars continue to stymie meaningful campaign reform.

More than angry attacks on perks and calls for term limitations, campaign finance reform would restore accountability to our political system. The sincerity of any candidate who claims to be for change and against the special interests should be the degree to which he or she embraces this needed reform.

[From the Denton (TX) Record-Chronicle, Feb. 14, 1991]

FIGHT CORRUPTION BY FIGHTING AGAINST SPECIAL INTEREST PAC'S

The campaign to stem the flood of special-interest political money that is corrupting the United States Congress is still underway.

It threatens our representative form of government, but in this new session of Congress there are those who believe we are

within striking distance of enacting historic reforms that will clean up the scandalous way congressional campaigns are financed.

We can look back just a short period of time to the 1990 elections for a demonstration of the need for fundamental campaign reform. This was one of those continuations of corrupting activities when a tide of money, swelled by special-interest political action committee (PAC) contributions, flowed overwhelmingly to incumbents, succeeding in the minds of many to corrupt the Congress.

For your review:

Special-interest PACs gave House and Senate incumbents \$105 million for their 1990 campaigns, nine times the \$11.8 million given to challengers by PACs.

Successful candidates for the U.S. Senate in 1990 raised, on average, nearly \$4 million each. That means that to win a Senate seat a candidate had to raise an average of \$12,000 a week for six years.

It is not difficult, then, to believe, along with some astute students of the nation's politics, that contributions have built a wall of political money around the incumbents that makes them nearly invincible.

There are those who point a finger at the savings and loan scandal "as a classic example of congressional elections being bought and paid for by special interests who are interested in re-electing incumbents and buying influence with them in Congress." When it comes to the S&L crisis and highflying influence money, "the Keating Five" scandal is the ultimate smoking gun.

The Washington Post has said that the present congressional campaign financing system "is fundamentally corrupt. Every citizen knows that. So does every legislator."

West Virginia's Charleston Gazette has warned: "Disguised bribery has grown like a cancer in Congress, corrupting the lawmaking process, making 'bag men' of most senators and representatives."

The Dallas Times Herald said: "The power of the PAC money threatens increasingly to turn members of Congress into legalized political prostitutes."

So, let's listen to our collective conscience and the echoes of the world around us and not let lawmakers off the hook this session of Congress. We can join the non-profit Common Cause organization in Washington with some vocal reasoning: "It's time to say 'NO' to PACs and the special interest money. 'NO' to unlimited campaign spending. 'NO' to unfair elections."

We agree that to take the "FOR SALE" sign off Congress, comprehensive reform legislation must be enacted to:

Dramatically reduce the role of PACs and other special interest money in congressional elections.

Place limits on overall campaign spending and on the use of personal wealth, while providing alternative clean campaign resources, such as public funding and free TV time.

As things stand now, the system is rigged. It's an insult to all of us as voters. It threatens our ability to obtain fair and honest representation in Washington.

We can't hang on to a corrupt system and continue to call ourselves democratic.

[From the Des Moines Register, Mar. 5, 1989]

DREADING THE SENATE RACE

The prospect of a U.S. Senate race in Iowa between Tom Harkin and Tom Tauke should be a happy one. Both men rank among the most able in their parties.

Why, then, does the thought of the contest arouse a certain dread?

Because the political pros are talking of the candidates raising and spending between \$4 million and \$6 million each. Iowa could have its first \$6-million senator—an appalling thought.

The election is still nearly two years away, and already the two are scouring the country for handouts from special-interest groups—Harkin as the incumbent amassing a bankroll and Tauke as the prospective challenger testing to see if he has enough support to run. (That means whether he can raise enough money.)

From the manner in which Senate campaigns are financed these days, it is a legitimate question to ask whom the eventual winner will end up working for—the public or the special-interest lobbies that put up the cash. More troubling still is the realization of what the majority of the boodle will be spent on—television advertising.

If the past is any guide, those ads will be short on substance, long on manipulation and they'll probably be negative smears. The public will watch the candidates grub for money from the special interests, then spend that money on ads that demean the democratic process.

The only way to stop it is for public money to be provided the candidates. As a condition of receiving the money, candidates should be required to forego special-interest money and required to show themselves and speak in person in their television ads instead of using professional announcers and image-making scenery.

[From the Detroit Free Press, May 10, 1992]

REFORM AGENDA—CLEAN UP CAMPAIGN MONEY SEWER DESPITE BUSH

If the imperial excesses of President George Bush's \$9-million fund-raising banquet for the Republican Party can't finally persuade Americans of the need for thorough campaign finance reform, it's hard to know what will.

As long as voters preoccupy themselves with such diversions as term-limitation schemes rather than attack the corruption of legalized bribery at its source, big-money dominance of politics in Washington—and, for that matter, in Lansing—will continue.

Mr. Bush's recent Washington fund-raiser was the greatest triumph yet of "soft money" (or, more accurately, "sewer money"—special-interest payoffs funneled through state political parties to evade legal restrictions on individual and corporate contributions to federal candidates. Tastefully, signs that named the president were removed from the banquet hall.

One enterprising, if obscure, Los Angeles fat cat anted up \$400,000 to attend the "President's Dinner." It seems reasonable to assume he expected more of a return on that investment than a seat at the head table. It is equally reasonable to assume that the White House access—and influence—he has bought are unavailable to the rest of us.

A cochairman of the dinner is a convicted felon who reportedly seeks a presidential pardon, and whose relationship with a bank *** subject for federal investigation. He has been sued for allegedly forcing his employees to contribute to the fund-raiser.

Democrats as well as Republicans have long played happily in the soft money sewer. But a bill passed by the Democratic majority Congress would start to close that sewer, impose reasonable spending curbs on congressional campaigns, and regulate and limit donations by special-interest political action committees and lobbyists.

It also would enhance the importance of small home-state contributions and make

campaign mailings and television advertising more affordable to candidates. These provisions would give challengers a better chance to unseat entrenched incumbents, and give individual voters a louder voice among elected officials to whom powerful lobbies already enjoy ready access.

President Bush vetoed the measure Saturday because it would provide public matching funds for congressional campaigns. Presidential candidates, including Mr. Bush, already collect such tax subsidies. But, the president might reason, who needs public money when so much private money is bountifully available?

Term-limitation plans, such as a proposal that will appear on Michigan's November ballot, have superficial appeal to voters-disgusted with and alienated from a political system that excludes them. But until government no longer is for sale to the highest bidder, the influence-peddling will continue.

Congress should override Mr. Bush's veto. And Gov. John Engler and state lawmakers need to get serious about similar reform in Lansing; if they don't voters must do the job for them. New measures proposed by state House Republicans offer a dozen useful proposals.

Real campaign finance reform—not arbitrary and counterproductive term limitation—will clean up American politics.

[From the Easton (PA) Express, Mar. 11, 1991]

ELECTION FINANCING REFORM LIKELY—CONGRESS WANTS TO CUT SPECIAL INTEREST MONEY

Once again, Congress is trying to show its serious about cleaning up its campaign financing morass. The influence peddling in the Keating Five scandal, coupled with the taxpayer's \$2 billion buyout of the Lincoln S&L, should be adequate imperative to scour the trough of special-interest election money.

Both houses failed on this issue last year, but there is new hope this year. Bills introduced in the Senate and House would throttle the flow of money from political action committees and make individual citizens the most important financial backers of campaigns.

Here's how the proposed reforms would work: Campaign spending limits would be voluntary; a senator or congressman could still ignore common sense and try to wage a mega-buck campaign, but there's an incentive not to—public financing.

The voluntary limits would be \$550,000 per election year for House members and candidates, and from \$950,000 to \$5.5 million for Senate races, based on the voting-age population of the state. Those who agree to the limits would qualify for vouchers—essentially credits for campaign advertising—of up to 50 percent of their spending limits. These credits would be paid for by taxpayers checking off a few dollars on the IRS forms, an option that would be increased from \$1 (now just for funding presidential campaigns) to \$3.

But the more significant change is a restriction on PAC money. All candidates, whether they obey the spending limits or not, would be limited to 20 percent of the limit in PAC contributions. Thus, a House incumbent or challenger can't take more than \$110,000 in PAC contributions (20 percent of the \$550,000 ceiling). Equally important, the maximum PAC donation would be \$1,000 per candidate per election, down from the current \$5,000.

Also, to encourage individual contributions, taxpayers would be able to deduct up

to \$100 in in-state campaign contributions from federal income tax.

Actually, the Senate bill is bolder—it proposes to ban PAC contributions outright, but contains a "fall-back" clause allowing for 20 percent of the spending limit in case the Supreme Court overrules a total ban on PAC money, which some lawmakers think would be likely.

The House bill contains a measure the Senate bill needs: Only 10 percent of the excess campaign money raised could be carried over into another election cycle. Both bills also seek to close a "soft money" loophole—donations that circumvent the existing limits by going through party committees, which can be used indirectly to help individual candidates.

Is this a serious reform effort? For once, it is. If nothing else, it discourages shopping-spree campaigns and deals with the perverting influence of PAC money. A half-million-dollar budget for congressmen and up to \$5.5 million for big-state senators may seem exorbitant to some, but it's unrealistic to think that the incumbents in the House and Senate are going to bend over entirely to help challengers. At least the current legislation, if not watered down by the time it comes to a vote, would go a long way toward leveling the playing field.

[From the El Paso Times; May 14, 1992]

CAMPAIGN REFORM DIES AGAIN

Everybody talks about the need to reform campaign financing, but—as with so many national problems—the solutions get trapped in Washington's partisan gridlock.

As expected, President Bush vetoed a Democratic campaign reform package Saturday.

His said he couldn't accept legislation "that contains spending limits or public subsidies *** or fails to eliminate special interest PACs."

Strange words coming from Bush, who has benefited more from public money and spending limits in four presidential elections than other candidate in the nation's history.

By year's end, he will have received about \$200 million in public campaign funds in his career.

Why did he veto a bill that would have placed congressional elections under the same rules that have so benefitted him at the presidential level?

Politics, of course.

Bush and the GOP hope that by eliminating political action committees while allowing large individual contributions to campaigns, challengers can break the Democratic hold on Congress.

Democrats traditionally have relied on PAC contributions to counter what Republicans get from wealthy individuals.

Just last month, Bush raised \$9 million at the biggest political fund-raiser in history. More than 4,000 people paid \$1,500 to \$400,000 each to help the president's re-election effort and his party.

The system is rotten and needs to be changed. Democrats know it; so do Republicans. The president and Congress know it.

They know the present system contributes to the corrupting influence of special interest groups and individuals. They know it perpetuates the advantages of incumbents over challengers.

Approval of the spending limits and public financing would have partially eliminated those inequities and would have been a start.

Despite all of Bush's pronouncements to the contrary, his veto perpetuates a system that he himself has deplored.

[From the Eugene (OR) Register-Guard, May 4, 1992]

DON'T VETO REFORM BILL

It was mere coincidence that Congress passed a sweeping campaign finance reform bill only two days after President Bush was the star attraction at a black-tie Republican dinner that brought in \$8 million for the party and its candidates.

The coincidence was underscored by the fact that the president—for reasons both wrongheaded and hypocritical—has vowed to veto the campaign reform measure. He opposes provisions in the bill that would provide partial public funding of congressional campaigns for candidates who voluntarily agree to predetermined spending limits.

Bush's opposition is wrongheaded because money is corrupting the political process and feeding public cynicism about politics and politicians. Although admittedly imperfect, the campaign reform bill is the best opportunity yet to bring campaign spending under control, reduce the influence of special interest money and allow challengers to compete with incumbents on a relatively even playing field.

The president's opposition is hypocritical because he has received nearly \$200 million in public funds for his several campaigns for both the vice presidency and the presidency. The amount of money Bush has received from the Treasury is the most any single person has obtained since public funding for presidential campaigns was instituted in the mid-1970s.

As columnist David Broder, among others, has noted, the amount of campaign cash raised from individual contributors has shrunk, while the amount raised from special interest political action committees has risen. Because most PAC money goes to incumbents, this trend not only strengthens the link—already too cozy—between PACs and officeholders, it increases the many advantages of incumbency.

The president can benefit himself, the Congress and the American political process by signing the campaign reform bill. He should do so.

[From the Everett (WA) Herald, Apr. 24, 1992]

CAMPAIGN FINANCING NEEDS REFORM, LIMITS

George Bush has said he's committed to repairing the nation's broken-down political system. But the proof lies with his presidential pen. And it is poised to scrawl a veto message on the only comprehensive, meaningful fix to come along in the 20 years since the Watergate scandal.

The fix, a congressional campaign finance reform bill known as S.3, most importantly would limit campaign spending in House and Senate races. It would provide some public campaign resources for congressional candidates, such as presidential contenders already enjoy. It would establish new restrictions on special-interest political action committee (PAC) contributions. And it would end the so-called "soft-money" abuses that have brought huge influence-buying contributions back to the White House. Recall the recent news about President Bush's multi-million dollar "Team 100" supporters. No wonder he—and they—don't like S.3.

But voters should like it. And if they are serious about wanting political campaigns to revolve more around issues and less around dollars, they should write or phone the White House to encourage President Bush's support of the campaign finance reform bill.

The landmark legislation already has cleared a House-Senate conference commit-

tee and has passed the full House in a 259-165 vote. Approval also seems assured in the Senate. Indeed campaign reform is likely to be the top priority for senators returning to Washington next week after time at home among plenty of angry, frustrated constituents.

And those constituents of senators also are constituents of the president a fact surely not lost on either the electorate or Mr. Bush.

S.3 is not perfect. But it is the closest Congress has come to enacting real and fundamental campaign reforms since the Watergate scandal. Even in this current climate of voter unrest, common political ground has been hard to find. Though the plan has substantial bipartisan support in Congress, neither chamber seems capable of amassing the two-thirds supermajority needed to override a Bush veto which is why it's important to change the president's mind on the matter.

Mr. Bush has threatened to veto S.3 for several reasons, none of them credible.

The president objects to spending limits, on the grounds that they would stifle challengers' abilities to outspend incumbents. But in fact incumbents routinely raise and spend much more money than challengers. Spending limits simply would make campaigns more equitable. S.3 would establish generous voluntary limits of \$600,000 for each House candidate and population-based limits of between \$1.5 million and \$8.25 million for each Senate candidate. Candidates who abide by the limits would be eligible for some public resources.

The president also does not favor public financing of elections. Yet, by November 1992 he will have benefited from the use of more than \$200 million in public funds to run president and vice president, according to Common Cause, a citizen lobby group.

And, given the massive political wealth Mr. Bush has reaped from his "Team 100" contributions, it's no wonder he opposes S.3 specific ban of the corrupt soft-money process. Nonetheless, it's wrong. Perhaps voters can help him realize it.

If President Bush wants to help clean up Congress, as he claims, then he ought to help Congress clean up the money-grubbling election process. S.3 deserves a presidential seal of approval, not a presidential veto.

[From the Fort Lauderdale Sun-Sentinel, Apr. 7, 1992]

FLAWED BILL RATES HIGH PRIORITY TO REFORM CAMPAIGN FINANCE MESS

Congress has never been as close to bringing down the gavel on the Great American Election Auction as it is now, but the most important potential buyer remains unsold.

A major campaign-finance reform bill has cleared a House-Senate conference committee and could be debated on the floor of the House of Representatives this week. The Senate is not expected to take up the proposal until after the Easter recess.

Supported by Senate majority leader George Mitchell, D-Maine, and House Speaker Tom Foley, D-Wash., the bill would place new restrictions on campaign spending, apply limits to contributions by political action committees and extend public financing to congressional campaigns.

Unfortunately, the bill contains numerous loopholes. For example, House candidates still would be allowed to spend from \$600,000 to \$750,000 and Senate candidates from \$2 million to \$10 million—depending on the state's population.

Despite its shortcomings, the bill has a chance of passage. But it will never become law because President Bush has promised to

veto any measure containing spending limits and partial public financing.

There is more than a little hypocrisy in Bush's position, because he is the all-time leader in accepting public money to underwrite his vice presidential and presidential campaigns. At some point this year, he will top the \$200-million mark.

Taxpayers should take that into account when Bush piously talks about "leveling the playing field for challengers."

Several provisions make the bill worth fighting for. Limiting PAC contributions to 20 percent of Senate campaigns and 33 percent of House campaigns is a step in the right direction. Equally important is the limitation on "soft-money" contributions that now find their way into federal campaigns after being funneled into state organizations as a means of evading federal ceilings.

The compromise bill is at least a meaningful attempt to address the problem of the money flood that now swamps the election process. Candidates spend far too much time begging for campaign funds. An excessive amount of this money comes from PACs, the special-interest groups whose profit-making initiatives seldom coincide with the best interests of the people. The system unfairly favors incumbents, whose seniority and ability to grant "access" make them much more attractive to major contributors than challengers.

A growing, but not yet veto-proof, majority in Congress recognizes the urgency of these changes. Both houses should pass this bill and call Bush's bluff by forcing him to rationalize his veto on the record.

[From the Fort Worth Star-Telegram; Apr. 12, 1992]

POLITICS CLOUD REFORM BILL'S PROSPECTS

The hardest reform is self-reform, and Washington, D.C., is living proof.

Another stab at congressional campaign finance reform—perhaps the single most vital issue facing America's system of government—is going down in flames.

The House has passed the House-Senate compromise bill which is founded on public financing—but without providing any money for it—and is further flawed by allowing everyone to protect his or her own favorite source of campaign funds—PACs, for instance.

Even so, it is a major effort. Unfortunately, it is snarled in the same unreasoning partisanship that has made the federal government largely inoperative this year. Everything is Democrat vs. Republican.

The bill will be vetoed.

Saddest of all is President Bush's reasoning as he prepares his veto.

He is opposed to any legislation that even proposes a little bit of public financing of congressional campaigns—even when that is the only way to eliminate the crass cynicism of special interest control of our national legislature.

Bush knows better, but he seems to have his feet and his brain set in concrete this election year.

[From the Fresno Bee, July 7, 1989]

TOO LITTLE REFORM

President Bush deserves credit for stepping into the campaign reform fray at all. If anything positive is to come out of the current ethics crisis in Congress the president's leadership will be essential. Unfortunately, the Bush reform package falls badly short of what is needed.

At the heart of the proposal is what amounts to a ban on political action committees controlled by corporations, unions and trade associations. Such groups contributed roughly half of all the campaign funds raised during last year's federal elections and represent an increasingly powerful force in national politics.

But because there is nothing to prevent such groups from re-forming themselves in a somewhat different guise. It would be easy, for example, for the PAC controlled by corporation X to reappear as a "free trade" PAC. It's hard to see how the plan will greatly weaken the influence of their union and industry sponsors. In fact, it might make matters worse by encouraging dissimulation and thus weakening the effectiveness of disclosure laws.

The president does advance worthwhile proposals aimed at lessening the huge advantage of incumbents over challengers. Unlimited franking—by which members of Congress communicate through the mail to constituents free of charge—invites nonstop campaigning at public expense and should be restricted as the president suggests, although stopping the abuses without stifling legitimate communication may require a different solution than the one Bush outlined. Similarly, the president's proposed ban on retaining leftover campaign funds for use in future elections should help unlock the incumbent stranglehold on Congress.

Democrats complain that the measures Bush proposes are blatantly partisan, and while those complaints are not an adequate reason to reject any particular element, the charge is probably true.

Almost everything Bush proposes helps Republicans and hurts Democrats. There is no limit on the amount of money a candidate may spend—perhaps the single most important element of any real reform—and no call for public financing, without which no such limit can be constitutionally imposed.

Nor does the president propose any ban on so-called "soft money"—funds that are raised by independent groups working in behalf of candidates. Millions of dollars of soft money were used by Republicans to evade campaign spending limits in the presidential election last year, and nothing in the Bush proposal prevents that from happening again.

All of that makes Bush package both unfair and unrealistic. Nothing as one-sided has a chance of enactment in a Democratic Congress. If the president is sincere in wanting, as he puts it, "to free our electoral system from the grip of special interest" he will have to offer a great deal more.

[From the Gainesville Sun, Apr. 8, 1992]

THE BEST POLITICAL JOB

The public's anger over congressional check kiting notwithstanding, being a member of Congress is still the best political job in America.

The pay is excellent. The pension is world class. You get a huge staff to do your bidding, and there is very little personal accountability involved. (After all, in a House of 435 members, who can hold one representative responsible for anything?)

Oh yes, and then there is the best thing of all about the job: Perfect strangers come around by the dozens to hand you checks upon checks (none of which bounce, by the way), which can soon add up to hundreds of thousands of dollars—just because you are a member of Congress.

And of course, they don't expect anything in return. They just want you, Mr. or Ms. Congressman, to be you.

Case in point: According to Common Cause, nearly 400 House members who are seeking reelection this year collected more than \$69 million in campaign contributions in 1991. Of that total, \$33 million, almost half, came from political action committees.

Even considering the angry mood of the American voters, that kind of money will provide a lot of incumbent protection.

"The most scandalous perk in Congress today is the campaign finance system, which has protected incumbents with a wall of special-interest influence money," says Common Cause President Fred Wertheimer. "The current campaign finance system undermines Congress' integrity and the right to fair, competitive elections."

Among other things, Common Cause points out that 219 incumbent representatives have raised at least half of their 1991 campaign funds from special interest PACs, as opposed to, say, individual donations from the folks back in the districts.

For instance, Pete Peterson, the freshman Democrat from the Florida Panhandle, has collected more than \$100,000, or 78 percent of his total campaign funds, from PACs, according to Common Cause.

Stung by scandals like the Keating Five affair and defensive over the increasing anti-incumbent mood among the body politic, members of Congress have been promising to reform their rotten campaign finance system for years now. And as it happens, legislation is currently making its way through Congress that would at least begin to limit the corrupting influence of big money donations on the people's Congress.

There's just one problem: The legislation hasn't a chance of becoming law.

The campaign finance reform bill that has emerged from a House and Senate conference would establish for the first time voluntary campaign spending limits in return for public financing of congressional campaigns. It would outlaw "soft money" contributions, which are donations that are essentially laundered through the political parties in order to duck federal reporting requirements. And it would, for the first time, limit the amount of PAC money that a congressional candidate can accept.

"The legislation is not perfect—no bill ever is," Wertheimer observes. "But it constitutes real and fundamental reform. This is the most important anti-corruption reform legislation passed since the Watergate years."

The campaign finance reform bill may clear Congress as early as this week. But President Bush has already promised to veto it because he objects to the public financing provisions of the bill.

That's a fine objection coming from Bush, who will have by the end of this election cycle received more public financing than any other candidate in the history of the Republic. By the end of 1992, Bush will have collected more than \$200 million in public funds for his various races for president and vice president.

The truth is, neither the Democrats nor the Republicans have been particularly eager to turn off, or even slow down, the flood of special interest money that keeps incumbents in office. If they are unable to reform the campaign finance system during a year when Americans seem more disgusted than usual with Congress, it's doubtful that they ever will.

Special interest money has paralyzed Congress and insulated its members from the people who elected them. It's time to strip away that insulation, in the public interest.

[From the Grand Forks (ND) Herald, July 8, 1989]

**LET'S CLEAN UP THE CONGRESSIONAL MESS:
REFORM THE REFORMS**
(By Tim Fought)

A generation ago, in the mid-1970's, the Congress undertook to reform campaign laws. This was after the Watergate scandals. The reforms didn't work as well as the reformers hoped. The evidence is that one of the main "reforms" were the political action committees, or PACs, whose money has distorted American politics and government.

Now the cry has arisen again for campaign reform, this time touched off by scandal in the legislative branch.

The liberal lobby group Common Cause has proposed four sensible principles for campaign reform. The principles hang together. Only reform that reflects all of them has a chance not to become the next generation's scandals.

Reduce PAC contributions.

In its least pernicious form, the PAC system allows special interest groups to gain access to candidates in exchange for campaign contributions. In the Congress, getting the ear of a member is a small edge. Of such small advantages are great legislative victories won—often at the expense of the general welfare.

At its worst, the PAC system is a rather straightforward way of buying votes.

PAC contributions should be limited, if not abolished. The current \$5,000 limit for each election could be cut to \$1,000 or \$500, and the republic would be lots better off.

Limit spending.

It takes too much money to run for the Congress, and not enough of it gets to challengers.

Overall, according to Common Cause's accounting, incumbents in the 1988 House races raised more than \$200 million while challengers raised \$36 million—an advantage of 6 to 1.

Money isn't everything in political campaigns, but it's a lot. Clearly, in the aggregate, incumbents will win most of the races if they have most of the money.

The reform can be close to simple with regard to spending limits: Allow congressional campaigns to spend only so much per voting-age resident of their states. A side benefit would be to reduce the advantages enjoyed by millionaire candidates.

Provide alternative financing for campaigns.

Mainly, this means public financing for campaigns. Federal funds would be used to match private contributions.

That's not a popular proposal, according to the public opinion polls, but public finance is the only way to fill the gap between what the special interests now provide and the expense of modern political campaigns. The alternative to some form of public finance is continued private corruption.

Enact tougher laws against "soft" political contributions.

"Soft" money is raised by presidential campaigns through proxies—such as a state party committee. Such money is largely uncontrolled, and in some states the raising and spending of "soft" money was a popular dodge in the 1988 presidential elections.

Curbing PACs, and limiting spending will create great opportunities for "soft" money in congressional campaigns.

It will have to be outlawed.

There are other abuses of campaign cash that ought to be addressed. Limiting or abolishing free mail for members of the Congress is one. Another is repealing the law that al-

lows members of the Congress to pile up big campaign treasures—and then retire and turn the political contributions into personal wealth.

But the main thing is to reduce the volume of money flowing into political campaigns and thus the influence that the money has on the work of the Congress

[From the Green Valley (AZ) News & Sun, July 14, 1990]

LIMITING PAC'S IS START

When 98 percent of House incumbents are returned to office, when a candidate for the House must spend nearly \$400,000 and for the Senate nearly \$4 million, when special-interest political action committees provide the lion's share of campaign funding, then something obviously is wrong.

Our system of choosing our representatives has gone badly off track.

President Bush, to his credit, has acknowledged the problem and recently proposed remedies.

The president's campaign reform package by itself isn't going to solve the campaign-finance scandal, but as a starting point it's welcome.

What's needed in the coming weeks is bipartisan negotiation toward ending Congress serious addiction to special-interest influence money.

Bush offered an 11-point package, including a proposal that Congress limit its chief source of outside income, honoraria. Members of Congress took in more than \$9 million in speaking fees last year—that averages out to more than \$15,000 per member. The groups that pay these fees understand they are getting more for their money than just a speech.

In return for an honoraria ban, the president promised to endorse a 25 percent pay raise for Congress, federal judges and some surgeons and scientists in the executive branch. Both the ban and the increase are worthy proposals.

Much more controversial is the president's proposal to ban contributions by PACs supported by corporations, unions or trade associations.

PACs, special-interest money conduits, contributed approximately 50 percent of the money spent on congressional campaigns last year. That amounted to more than \$170 million.

In the past six years, PACs have invested more than \$400 million in government decision-making. PAC donors, without question, see these contributions as investments.

If Bush really wants to help Congress reclaim its integrity, he will push for overall limits on campaign spending.

And, he will work with Congress to forge a public-financing plan for campaigns, a plan that is both politically and constitutionally accepted.

Comprehensive reform would go a long way toward calming that crisis.

[From the Greensboro (NC) News and Record, May 9, 1992]

THIS IS THE CHANCE FOR CAMPAIGN REFORM

With unprecedented numbers leaving Congress, the country has its best shot in 20 years at campaign finance reform. Public financing is truly a more economical system in the long run. If President Bush vetoes the legislation, Congress should override it.

Congress sent President Bush a sweeping campaign finance reform bill Thursday that could do much to clean up politics. But a presidential veto is all but certain. Bush is

not going to support closing loopholes in limits on presidential campaign financing when he has long benefited from money flowing through them.

The focus should be on Congress. While the Congressional Campaign Spending and Election Reform Act of 1992 didn't pass with enough votes to override a veto, an override is still possible.

This is not a typical election year. Many congressmen either have decided not to stand for reelection or else have lost in primaries. That leaves many free agents in Congress, lame ducks unencumbered by fundraising worries.

Campaign finance reform has gotten nowhere in 20 years, primarily because the parties have split on the issue. Democrats generally have favored spending limits and supported public financing. Republicans have not.

However, times are changing. With the bulk of special-interest money flow to incumbents, some in the Republican minority see limits on campaign contributions working to their advantage. Indeed, some retired Republican congressmen and current Republican congressional challengers have banded together to lobby for campaign finance reform.

The reform bill has problems. Among the biggest is that it authorizes public funding for House and Senate candidates but doesn't provide for any. Additional legislation would have to be passed.

Still, the bill is a good one. Besides banning "soft-money" contributions (indirect, funneled through party organs) to presidential and other federal candidates, it sets spending limits for both House and Senate races. It also sets limits both on the amount political action committees can give to a candidate as well as on the amount of PAC money each candidate can collect.

Some may cringe at the idea of financing congressional elections with tax money. They may think no harm comes from PACs and wealthy individuals underwriting campaigns. But that's not true. The public pays, one way or another.

Without change, both Congress and the president will continue to spend an inordinate time fund-raising for congressional races. It also means they will continue to shape policy in response to the short-sighted interests of big check writers instead of voting for what's in the best long-term interest of the country. As the S&L debacle showed, pleasing special-interests can end up costing taxpayers billions.

Campaign finance reform and public financing aren't extravagances. They are sound investments in good government. If the president can't see that, maybe a lame-duck Congress can.

[From the Hackensack Record, Jan. 7, 1991]

MONEY TALKS IN CONGRESS

Campaign finance reform should have top priority in the new session of Congress. The flow of money from favor-seeking donors to incumbents pollutes the political process. Even lackluster members of Congress are hard to defeat, partly because of their fundraising edge. And voters aren't stupid. They know something's wrong with a system that allows big-money donors to buy "access" not available to the rest of us.

Last November's congressional election provided sickening new examples of moral bankruptcy. PACs, the money-giving arms of labor unions, large corporations, and other interest groups, contributed \$24.5 million to incumbent senators, and only \$6.2 million to

challengers. Figures for House races were even more telling. Many PACs care more about winning favor with a winner than about voting records, so they freeze out even the ablest and brightest challengers. The more money an incumbent rakes in from PACs and other donors, of course, the greater the odds of victory. The losers are the voters, who are deprived of a meaningful choice between two viable candidates.

Congressional leaders promise reform of campaign financing. They have been doing that for years. But they never deliver. Last year, Sen. Majority Leader George J. Mitchell, D-Maine, issued this lofty pronouncement: "I'm convinced beyond a shadow of doubt that we're going to pass a meaningful campaign reform law in the near future." Yet the last session of Congress—like the session before it—adjourned with no action.

The remedies are clear. Candidates for office must agree to limit what they spend in campaigns. Court decisions have made clear that candidates can't be forced to accept a spending limit. They must do so voluntarily, if at all, since courts have held that expenditures for ads, brochures, and other items are a constitutionally protected form of free speech. One way to encourage candidates to accept spending limits would be to offer something in return. Congress should consider offering partial public campaign financing for candidates who agree to limit spending. In addition, contributions from individual PACs should be limited.

Opponents of public spending argue that spending limits would make it impossible for a challenger to spend enough money to oust an incumbent. But that argument defies logic. Challengers are free to spend as much as they like under the present system, but they seldom succeed in raising enough funds because they're viewed as certain losers. Other critics charge that changes in the law will simply lead to unforeseen new abuses. Yet the experience with presidential elections, and with New Jersey gubernatorial elections, suggests that a mix of spending limits and partial public financing works well and draws little opposition.

The real opposition to change comes from Democrats whose control of Congress is tightened by present fund-raising practices. Republicans, when they offer alternatives, focus on ideas they think would help the GOP, rather than serious reform. Both sides should knock it off, and work together to devise a respectable way to finance campaigns. The present system is shameful. That seems to be obvious to almost everyone but members of Congress themselves.

[From the Hartford Courant, Apr. 18, 1992]

A CLEANUP OF CAMPAIGN FINANCING

The campaign-spending measure passed by the U.S. House of Representatives doesn't go far enough, but it represents the most comprehensive reform in nearly 20 years. It would help to reduce the influence of special-interest money on elections. Now the Senate should pass it.

Unfortunately, President Bush's veto threat probably means there will be no political reform. Mr. Bush has yet to be over-ridden by Congress on any veto.

Reform-minded members of Congress—including Rep. Sam Gejdenson of Connecticut, who was the major force behind changes on the House side—deserve credit nonetheless. Until now, Congress has refused to change a system that generously rewarded incumbents. Political action committees rarely pump a lot of money in the campaigns of challengers.

Here's what the bill would do:

Establish voluntary spending limits of \$600,000 for House races per election cycle and a sliding scale for Senate races depending on the size of the state. House and Senate candidates would get public funds if they agreed to a voluntary spending limits. This would help challengers.

The public resources would be in the form of vouchers for free or discounted television time for Senate candidates, substantial postage discounts for candidates for both chambers and matching payments for small contributions from individuals to House candidates.

Ban so-called soft money contributions that have been laundered through political parties in support of presidential campaigns.

Limit PAC contributions to no more than 20 percent of the Senate campaign spending limit and no more than one-third of the House limit. The total of large individual contributions to House candidates would be similarly limited. These aggregate limits would be a first. In addition, the amount that a Senate candidate could accept from an individual PAC would be cut in half to \$2,500.

The influence of special-interest money on government probably will never be eliminated but it can be limited substantially. These proposals would help in cleaning up government.

Mr. Bush promises a veto because he does not like spending limits and the use of public funds in congressional elections. His aversion to public financing of elections is ironic, considering that according to Common Cause, the president probably will have used a total of more than \$200 million in public funds by the end of this year to run for president and vice president.

Mr. Bush has had a field day denouncing Congress as a broken institution in need of improvements. But on the question of campaign-financing reform, the president, not Congress prefers the cozy status quo.

[From the Hattiesburg (MS) American, Mar. 24, 1991]

CAMPAIGN FINANCE REFORM NECESSARY FOR FAIR ELECTIONS

Already, candidates are lining up for the 1992 elections. But how fair those elections will be is more likely to be decided within the next few weeks than on election day, 1992.

We had high hopes that the Senate Ethics Committee would live up to its name and dish out appropriate punishment to the Keating Five. When they disposed of four cases and recommended further action only in the case of Sen. Alan Cranston (D-CA), they only added to a growing wave of public disillusionment in our lawmakers.

The committee said they didn't find that the four had violated any laws. But it wasn't a criminal trial. The four were charged with unethical behavior. Should we believe that skirting laws and taking huge sums of special influence money is the right thing to do?

In the 1990 elections, the people expressed their anger at lawmakers in a nationwide call to "throw the rascals out." But the very situations that angered voters are the ones that make it all but impossible to get rid of incumbents. Until significant campaign financing reforms are passed, we'll see little change in the system.

Currently, laws limiting PAC and other campaign contributions have so many loopholes that wealthy individuals, industries, special interest groups and PACs are able to give to—and influence—our lawmakers at will.

Take it from Charles Keating, owner of the failed Lincoln Savings & Loan, whose hefty contributions tainted the Keating Five. When asked whether his contributions influenced their votes on his behalf, he said, "Let me say in the most forceful way that I can, I certainly hope so."

The answer to the problem, however, is not in limiting terms, but in cleaning up campaign financing to prevent future Keating-type scandals.

Campaign finance reform legislation passed the Senate in 1990 by a vote of 59-40 but died in a Senate-House conference committee. Mississippi Senators Thad Cochran and Trent Lott, also a member of the Senate Ethics Committee, voted against the reform.

Another comprehensive campaign reform package, S.3, the Senate Elections Ethics Act, is expected to reach the Senate floor for action in early April. The act would provide candidates who adhere to spending limits with clean campaign resources in the form of publicly-provided funding and vouchers to purchase TV time at 50 percent off. It would "abolish special-interest political action committees (PACs) and close off the ways Keating and other influence-seekers have exploited the system to funnel vast sums of political money to the nation's top elected officials," according to Common Cause.

Aside from the corrupting influence of such money, the current system is rigged to favor incumbents. Common Cause said that in the last three elections, "congressional incumbents received three times more in campaign funds than challengers did, or \$862 million to \$266 million. During the 1990 Senate elections alone, incumbents outspent challengers by \$129 million to \$47 million, a nearly 3-to-1 advantage, leading to the highest reelection rate for incumbents since 1960—only one incumbent was defeated."

The reforms would give challengers a fighting chance. They would help assure that our elected lawmakers represent us instead of the special interests. And they would help restore voters' faith in their elected officials.

The upcoming vote on S.3 will be a key test for Senators Lott and Cochran. A "yes" vote will show they want to adopt guidelines to abolish this corrupt system. A "no" vote will tell us they favor doing business as usual.

We hope you'll let them know how you feel. They can be contacted at: Sen. Thad Cochran, 326 Russell Senate Office Building, Washington, D.C. 20510; phone, (202) 224-5054; Sen. Trent Lott, 487 Russell Senate Office Building, Washington, D.C. 20510; phone (202) 224-6253.

[From the Huntington (WV) Herald-Dispatch, Nov. 25, 1989]

KEATING PROVES PROBLEM WITH PAC'S

It is too soon to tell whether the five senators involved in the Lincoln Savings and Loan scandal have been guilty of violating the law, Senate rules or accepted standards of political ethics.

But it is not too soon to draw one conclusion from this sorry episode: The system of financing American political campaigns stinks.

Whatever the culpability of the five senators, there can be no reasonable quarrel with the proposition that they wouldn't have pressured the bureaucracy on behalf of Charles Keating, the head of Lincoln, if he had not arranged to channel more than \$1.3 million to the election campaigns and political action committees.

Up to this point, the explanation offered by the five senators has been the one legislators

always use when accused of bringing unseemly influence to bear in behalf of a contributor—that is, that they were performing a service they would have performed for any constituent.

Sure—and anybody who believes that surely also believes in the tooth fairy.

Keating himself never made any bones about what he was doing. At a press conference after Lincoln was seized by federal regulators, he put it bluntly: "One question, among many others raised in recent weeks, had to do with whether my financial support in any way influenced several political figures to take up my cause. I want to say in the most forceful way I can: I certainly hope so."

The defenders of political action committees—the so-called PACs—always insist that contributors don't buy influence, only access with their money. The Keating case shows how ridiculous such assertions are.

There is a solution to this problem that has been on the table in Congress for more than a decade—public funding of Senate and House campaigns coupled with strict limits on private and PAC contributions. Opponents always argue that this would amount to passing an Incumbents Protection Act because it would vastly increase the natural advantage that incumbents already enjoy.

But it is hard to imagine an incumbent's advantage greater than the ability to be able to raise huge sums from a Charles Keating because they are willing to put the arm on federal regulators.

[From the Ithaca Journal, Apr. 7, 1992]

WILL BUSH STYMIE CAMPAIGN REFORM?

The public's anger over the House Bank has launched a frenzy of reform in Congress. Traditional perks are vanishing by the dozens. No longer will legislators enjoy "fixed" parking tickets, free medical care, and the cheap meals and haircuts that they'd come to regard as privileges of office.

The best news of all was last week's move by Democratic leaders toward the adoption of long-awaited campaign finance reforms. Perks look trivial in comparison with the excesses of campaign finance, which corrupt the election process and weaken democracy itself. Yet President Bush promptly said he'd slap a veto on the Democrats' proposal.

Bush should think again. The Democrats' plan has several strong features. It provides some degree of public financing, if House and Senate candidates agree to limit their campaign spending. A common abuse would be outlawed, in that donors have aided campaigns by giving huge sums to political parties, thus skirting the legal limits on the gifts to candidates. And the amount that candidates could accept from political action committees (PACs) would be capped, at 20 percent of campaign spending in the Senate, 33 percent in the House.

Bush sees this package as favoring incumbents, who too often for his taste are Democrats. Instead he'd abolish the corporate and union PACs, allow the parties to give more, not less, to candidates, and limit congressional terms to a total of 12 years.

Those positions are hypocritical as well as partisan. It's easy to see why Bush would allow party-laundered donations, since his last campaign netted more than \$20 million this way. He opposes public financing of congressional campaigns, but requested and accepted huge chunks of public money himself. The total for his two presidential campaigns is expected to top \$114 million.

But do spending limits put challengers at a disadvantage? Common Cause, which has

lobbied for campaign reforms for years, believes the Democrat-proposed limits—\$600,000 in the House, \$1.5 million or more in the Senate—are generous enough to give challengers a fair chance against incumbents.

President Bush can kill the reform package with a stroke of his pen, since the Democrats are unlikely to muster the votes to override a veto. But that could end the chances of reform this year. That in turn would make Bush not the agent of "change," as he presents himself, but an agent of continuing corruption.

[From the Jackson (MS) Clarion-Ledger, Feb. 18, 1989]

PAC'S—FAT CATS' INFLUENCE MUST BE REINED IN

Common Cause is leading the fight to try to rein in the influence of big political action committees in Congress.

The citizen's action group is circulating a flier that presents a compelling argument. Citing the case of the failed Lincoln Savings and Loan Association, the most expensive failure in S&L history, Common Cause points to money given candidates by Charles H. Keating Jr.

Keating, Lincoln's principal owner, gave large contributions to the political campaigns of five U.S. senators, dubbed the "Keating Five." The senators in April 1987 intervened on Keating's behalf with government regulators who were examining alleged violations by Lincoln.

It took two years then for examiners to seize Lincoln—a delay that will cost taxpayers an estimated \$1.3 billion.

Asked if his political contributions influenced political figures to take up his cause, he said, "I want to say in the most forceful way I can: I certainly hope so."

As another example, the 275,000-member group notes the lost rebates ratepayers lost on utility bills. It said more than a half-million dollars in PAC contributions from the utilities industry helped kill a measure that would have immediately returned to consumers \$19 billion, or roughly \$100 per family, which utilities had collected to pay for future taxes—which were no longer due.

Also noted is the increasing amount of cash handed candidates by PACs: from \$55 million in 1980 ballooning to \$148 million in 1988.

As a result, the organization urges citizens to write their representatives to support a comprehensive "Keating Five Campaign Reform Bill" to:

Limit campaign spending.
Slash the role of special-interest political money.

Provide alternative campaign funds.
Shut down the "soft money" system bringing huge fat cat contributions back into federal campaigns.

Representatives should represent the people, not the powerful few. Mississippians can call the U.S. Capitol to tell their views at (202) 225-3121, or write c/o U.S. House of Representatives, Washington, D.C. 20515.

[From the Janesville (WI) Gazette, Feb. 17, 1990]

HAVE POLITICIANS BOTTOMED OUT?

The American public should be wondering if our politicians have hit rock bottom yet. In the past year, both the speaker of the House and the next-highest-ranking House Democrat resigned their seats amid a flurry of allegations of financial shenanigans.

More recently, a handful of U.S. senators have come under investigation after claims

that they gave favorable treatment to a savings and loan executive who poured money into their campaign coffers.

Asked if his contributions influenced the politicians, the S&L executive, Charles Keating Jr., brashly responded: "I want to say in the most forceful way I can—I certainly hope so."

What have we come to? Government of the rich, by the rich and for the rich?

Money is the root cause of the problems that have caused many of our elected officials to lose touch with the voters who sent them to Washington.

Just look at the numbers: Average spending by Senate winners nearly doubled from 1982 to 1988, when it took an average of \$3.7 million to win a seat. That works out to more than \$12,000 a week for every week of a six-year Senate term.

Now, after years of resistance, Congress appears poised to consider meaningful reform of finance laws. Could it be that the public perception of politicians has sunk so low that our lawmakers finally feel compelled to act?

Common Cause, a Washington-based group that has hammered for years on the need for reform, has offered a no-nonsense plan that it is urging Congress to adopt.

Some parts of the plan may seem radical to members of Congress who are used to the perks of incumbency that virtually assure their re-election. That is precisely the reason why Common Cause's suggestions should be adopted in full.

The key parts of the plan would: shut down "the soft money system" that allows huge, illegal campaign contributions; dramatically reduce the amount and influence of special-interest political contributions; set congressional spending limits that permit competitive campaigns; and establish alternative resources that allow candidates to compete with those who do not choose to abide by spending limits.

You can be sure this plan will not be passed unless we, the voters, hold politicians' feet to the fire.

The addresses of Wisconsin's congressmen and senators are printed on this page and the next. Write a letter to your elected representatives.

Tell them, in no uncertain terms, that it is time to close the loopholes, turn off the fat-cat money spigot and level the playing field.

[From the Johnson City (TN) Press, Jan. 28, 1993]

ADDRESS ETHICS EARLY

President Clinton, prior to inauguration, promised many things. One of those dealt with ethics in his new administration.

There's no question of where the buck stops—the desk in the Oval Office. And President Harry Truman put it succinctly: "If you can't stand the heat, get out of the kitchen."

There is heat attached to this business of establishing ethics on the federal level. The unrepentant hacks who sip from the public trough, no matter who's in charge, Democrat or Republicans, are already plotting ways to strike down real change.

Hence, if President Clinton is serious about reclaiming the nation's politics from the grip of rich special interests, there's no time to lose. After all, as part of his inaugural address, he declared: "Let us give this capital back to the people to whom it belongs."

Clinton has promised early action on campaign finance reform. But advocates of reform warn that he must quickly move it to the top of his legislative agenda or the

Democratic congressional leadership will be quite happy to follow its traditional habit of promising to clean up politics "soon." But "soon" never seems to arrive.

Some suggestions for reform include placing a cap on campaign spending and providing up to \$200,000 in matching funds to candidates who agree to abide by it. Moreover, the president needs to insist on adding tougher measures designed to reduce members' unseemly reliance on PACs—the special-interest political action committees that now supply half the campaign money raised by House incumbents.

Indeed, Clinton has already offered some good ideas on this score: for example, limiting the amount a PAC may give to a candidate to \$1,000 instead of the present \$5,000.

While many Americans resist the idea of spending taxpayer money on politicians, the alternative is worse: non-competitive elections and further mortgaging of government to big-money contributors.

[From the Kalamazoo Gazette, Nov. 18, 1992]

THE TIME HAS ARRIVED FOR CAMPAIGN REFORM

In 1990, Charles H. Keating Jr., the symbol of all the worst elements of the Savings and Loan debacle, said: "There's nothing wrong with the current (campaign finance) system."

Keating, principal owner of the failed Lincoln Savings and Loan Association, was bluntly honest about what he was up to in making hundreds of thousands of dollars in campaign contributions to the "Keating Five" senators who intervened on his behalf with federal regulators. When asked whether his contributions influenced politicians, he said: "I want to say in the most forceful way I can: I certainly hope so."

And there are a lot of other influential organizations and individuals with a lot of bucks who don't say much about it but feel exactly the same way as Keating.

For nearly 20 years, ordinary Americans have been increasingly troubled by the sense that their government has been out of their grasp, that it has been a captive of the special interests and the wealthy donors such as Keating who overflow campaign coffers.

Every four years, as soon as the national elections are over, there is a call for campaign reform aimed, in particular, at cleaning up the financing of congressional campaigns and cutting off the flow of "soft money" which pads presidential campaigns as well.

Since the post-Watergate reforms, however, each time the fine-sounding bugle call for action sounds, it soon goes flat and trails off into oblivion.

Look at what happened earlier this year when the most far-reaching attempt to reform federal election law in nearly two decades finally made it through Congress. President Bush vetoed it and the veto stood.

However, maybe it will be different this time.

Come January, there will be a Congress and a president who are in agreement on the need for campaign finance reform.

As President-elect Clinton has pointed out, there is nothing wrong with lobbying, nor in special interest groups attempting to get their message across to the people who make decisions affecting them. Nor is it unreasonable for individuals and groups to financially support the incumbents or challengers whose views they endorse. The harm is in the use of a torrent of campaign money seeking to ensure "access" and a sympathetic ear.

Needed reforms include:

Shutting down the soft money system so that fat cat contributors, whether individuals, corporations or labor unions, will be prevented from making contributions of \$100,000 or more, laundered through state parties, to support presidential and congressional candidates.

Reducing the role and influence of political action committees (PACs). The problem with PAC giving is that it tilts the playing field steeply in favor of incumbents since an overwhelming share of PAC money goes to incumbents. In 1988, PACs gave incumbents \$115 million compared to only \$17 million to challengers. Despite all the anti-incumbency sentiment this year, when the final figures on campaign spending and PAC donations are in, they likely will show a similar pattern.

Establishing spending limits.

Providing alternative, "clean" resources such as public matching funds and low-cost mailings for candidates to run their campaigns.

Putting safeguards and limits on independent expenditures in which advertising or communications supporting or opposing a candidate are paid for without the direct participation or cooperation of that candidate or campaign.

Limiting who could serve as a conduit for and requiring disclosure of "bundling," in which an organization or individual raises money for a candidate, usually from associates, members of an organization or its employees.

Throughout his campaign, Clinton called for strong campaign finance reform legislation, and on election night welcomed the prospect of support from Ross Perot and his adherents in enacting it.

And when the 103rd Congress convenes in January, a clear majority in both chambers—266 of 435 representatives and 56 of 100 senators, Republicans and Democrats—will be publicly on record in support of campaign finance legislation such as that outlined above.

In electing a new president and a new Congress, American voters sent a message that they want leaders who are more in touch with their concerns, and who know and understand what ordinary citizens are feeling.

Although much of the early focus will be on the economy, and appropriately so, campaign finance reform ought not be pushed aside or forgotten. If their government is to be the vehicle for sought-after change, Americans have to know that they, not the fat cats or special-interest groups, are in the driver's seat.

[From the Kingsport (TN) Times-News, Mar. 26, 1991]

GETTING SERIOUS ABOUT ELECTION FUNDING REFORM

Common Cause reports that U.S. House incumbents seeking reelection in 1990 had available to them nearly seven times the campaign contributions of challengers—a total of \$240 million.

Imagine what \$240 million would buy in terms of research to end disease. Instead, it was handed to incumbent politicians to curry favor. And the politicians took it.

There are some disturbing trends in the Common Cause report:

Incumbents received 13 times the amount of contributions received by challengers.

More than half the 1990 House winners received 50 percent or more of their total receipts from political action committees—the first time a majority of winners got more than 50 percent of their funds from PACs.

The huge fund-raising gap between incumbents and challengers continues to grow. Spending by House incumbents, on average, increased 5 percent over the previous election. In contrast, spending by challengers decreased 5 percent.

These figures support the contention that Congress in general and the House in particular is becoming institutionalized in its membership; that a Congress that has failed miserably to do anything about runaway spending and federal deficits is being bought and paid for by special interests and is unbeatable by those who would do something about it.

It is becoming a permanent Congress, where members cannot be defeated because they have incredible amounts of money available to, in effect, buy votes through Madison Avenue advertising campaigns. It won't be long before incumbents won't have to bother to hit the campaign trail because they'll have no opposition at all. Only a multi-millionaire will be able to mount a credible opposition campaign.

What can be done about it?

The House now has before it a comprehensive campaign finance reform bill that advocates say would clean up the system effectively. This bill gives House members an opportunity to take a stand in support of real reform. It allows them to match action with the rhetoric they dish out every year at election time about cleaning up the campaign financing mess.

The bill, H.R. 1177, would dramatically reduce the role of political action committee contributions and other private-interest money to Congress. It would cap campaign spending, provide clean campaign resources to replace private-influence money and shut down soft money abuses by which huge, federally-illegal contributions flow into federal elections through the state parties.

The need for campaign finance reform is obvious and urgent. The bill merits the support of Reps. Rick Boucher and Jimmy Quillen—the latter of whom is among only seven members of the House who at year's end had more than \$1 million in cash in their campaign funds.

[From the Lake Charles (LA) American Press, Nov. 30, 1992]

MONEY IN POLITICS EQUALS CORRUPTION

"Change" is a word we heard frequently during the 1992 campaigns. But what will it take to really make a fundamental change in the way things are currently being done in Washington?

The answer to that question isn't difficult. We must change the way money influences politics. The current mess in the nation's capitol is being fueled by the corrupting influence of money in politics.

Fred Wertheimer, president of Common Cause, summarized the problem in a recent speech. He said, "The huge economic stakes involved in government decisions, the ever-increasing amounts necessary for political campaigns and the willingness of people in Washington to treat as acceptable practices that most people see plainly wrong, have all combined to make influence-seeking money a pervasive force today in the nation's capitol."

In effect, corruption has been legalized in Washington. Typically, money from Washington lobbyists and special interest political action committees (PAC's) is laundered through the political parties to evade federal laws. Lobbyists also shower elected officials with payments for travel and vacation trips, payments for Super Bowl tickets and Broad-

way shows, and payments for meals and entertainment, all perfectly legal.

Rules prohibiting conversion of campaign contributions to personal use are widely ignored and are used to buy cars, clothes, meals, entertainment, private clubs and even direct (per diem) cash payments to officeholders. In one case, campaign contributions were even used to pay off gambling debts.

Not all elected officials are corrupt. Many are honorable and do their best to stay clean. But the corrupting influence of special interest money has become so pervasive in Washington that it has become increasingly difficult for even the most well intentioned lawmakers to keep from becoming tainted.

President-elect Bill Clinton and the many newly elected Congressmen and women have pledged meaningful campaign reform as a high priority. If they truly mean business, here's what needs to be done.

Campaign spending limits should be set. "Clean" public campaign resources for congressional elections should replace private influence-seeking contributions. Challengers should be provided with greater resources. There should be new and more stringent restrictions of PAC contributions. There should be a ban on \$100,000 campaign contributions in presidential campaigns. And the widespread abuse of converting campaign money to personal use should be ended.

The problem is obvious, the solutions are known. All that is needed to make meaningful "change" is the will, both on the part of the officeholders to keep campaign promises, and on the part of the voters to hold their representatives accountable.

[From the Lakeland (FL) Ledger, Feb. 8, 1991]

THE THREE-DAY-OLD FISH

President Bush dwelled on the war and the economy during his State of the Union address to the nation last month. Important subjects, to be sure, that overshadowed others. But one paragraph of that speech should gain much attention in coming months:

"It's time to give people more choice in government by reviving the idea of the citizen politician who comes not to stay, but to serve. One of the reasons there is so much support for term limitations is that the American people are increasingly concerned about big-money influence in politics. We must look beyond the next election, to the next generation. The time has come to put the national interest above the special interest—and totally eliminate political action committees."

Total elimination of PACs—which contributed more than \$100 million to candidates during last year's elections—is a start in cleaning up America's funding system for campaigns. Public financing, lower contribution limits and enforcement of existing campaign laws designed to curb independent—but coordinated—expenditures on behalf of candidates will be needed, too.

"If you have any doubt that our campaign-finance system reeks like a three-day-old fish, look no further than the 'Keating Five' scandal," proclaimed a recent fund-raising letter from Joan Claybrook, president of Public Citizen, a citizens group founded by Ralph Nader.

Last year, said Fred Wertheimer, president of Common Cause, "A tide of campaign money, swelled by special-interest political action committee (PAC) contributions, flowed overwhelmingly to incumbents, skewing the elections and corrupting the congress."

Just before the elections, House incumbents had a lopsided 16-to-1 advantage over

their challengers in PAC money. Is it any wonder, then, that 96 percent of the incumbent House members running for reelection were returned to office, despite a strong "throw the rascals out" sentiment among voters?

Wertheimer said the savings-and-loan scandal was a "classic example of special interest money at work," and maintained that "when it comes to the S&L crisis and high-flying influence money, the 'Keating Five' scandal is the ultimate smoking gun."

The National Association of Business Political Action Committees takes exception to these remarks. The PAC association complained that Common Cause and others have "unfairly attempted to tie PACs" to the Keating case. Nowhere in the \$1.5 million that Keating and his associates lavished on the five senators was there a contribution from a political action committee.

Keating was, in effect, a one-man political action committee. And his goals were the same as a PAC: Rent access to congressmen.

Some PACs even give contributions to Democratic and Republican nominees in the same race. By hedging their bets, they gain access to the office no matter who wins.

Campaign-reform legislation proposed by Senate majority Leader George Mitchell, D-Maine, and Sen. David Boren, D-Okla., will be considered in March. The bill attacks PAC money, but also proposes limits on campaign spending, establishes public funding and bans funds spent on a candidate's behalf.

Even if it passes the Senate, the House could block the legislation—as it did during the last session. It shouldn't. Nor should Congress settle for the total elimination of PACs as the only needed campaign-finance reform.

To approve that alone is to spray air freshener on the rotting three-day-old fish.

[From the Las Vegas Sun, Feb. 9, 1993]

CAMPAIGN SPENDING LONG OVERDUE FOR REAL REFORM

President Clinton is prodding Congress to move quickly on campaign spending reform. And well he should. A delay could cost voters any meaningful reform as veterans and freshmen in Congress start to have second thoughts about cutting off their money supply.

Campaigns have become obscenely expensive. In Nevada, costs for the winners in the two Senate races since 1988 have approached \$3 million each. The House races are not much better. Reps. James Bilbray and Barbara Vucanovich spent more than \$600,000 apiece in their races last year.

That does not include expenses entailed by challengers in those races, costs which approach, and sometimes exceed, that spent by the incumbents.

Runaway spending forces the candidates to woo interest groups. That raises a serious question on what price the candidate must pay for interest-group support. A special-interest group expects political support in exchange for financial support.

Clinton has called for an overhaul of campaign financing with \$1,000 caps on PAC contributions. He probably won't get that, but a bill advanced by Democrats in the Senate would cap PAC gifts at \$2,500. They are now limited to \$5,000.

This plan, spearheaded by Nevada Sens. Harry Reid and Richard Bryan, would voluntarily limit campaign expenses in a formula based on the size of the voting-age population. Larger population states would allow candidates more money than states like Nevada. Candidates who stick to the limits

would receive taxpayer-financed perks and generous matching funds. Public funds would be available for runoff elections and to fend off third-party campaigns.

A Republican version would be less restrictive, allowing for support from the national party organizations and generous gifts from individuals.

In the Democratic plan, Senate races in Nevada would be held to about half the cost they incur now, and the House races would see a minor reduction from the present level.

But one wonders if there'll be any reform if this important issue is delayed. House Speaker Tom Foley already has dropped his support, asking for a delay until 1995. Other congressmen are less than enthusiastic.

Fred Wertheimer, president of Common Cause, sent a personal appeal to 48 freshmen congressmen, asking for their immediate support of campaign reform. Wertheimer apparently thinks the best hope for this legislation is through the newcomers, since many incumbents have come to rely on big campaign money to keep them in office.

Campaign reform is the key to keeping elections fair. Critics of the public financing provision should understand the alternative is far worse: political loyalties to private donors.

Obviously much more needs to be done on Capitol Hill. Out-of-state contributions need to be examined. Politicians with large war chests passing money on to colleagues for their campaigns also has come under fire.

Both the Republican and Democratic proposals contain loopholes that candidates will undoubtedly take advantage of. The best version of the two, supported by Senate Democrats, can only be called modest in terms of what needs to be done.

But campaign reform must start somewhere. Clinton is right to push for this legislation. It would raise the public's confidence in the White House and Capitol Hill.

Election reform means keeping politicians loyal to their constituents, not to a few people with a cause and a lot of money to spend.

[From the Lawrence (KS) Journal-World, Mar. 17, 1991]

BENEFITS OF REFORM

"Follow the money," Deep Throat advised the Watergate reporters.

Especially in politics, if you find the money, you find the power. And increasingly in American politics, that money and power is in the hands of political action committees and special interests.

Both the U.S. Senate and House are considering campaign finance bills that would wrest some of that power away from special interests by cutting off their pipeline of donations to political candidates. The goal of such campaign reform is both to limit spending by candidates and to limit the ties of officeholders to the special interests they now depend on to finance their campaigns.

The urgency of campaign reform has been emphasized by the recent Keating Five case in which five senators were investigated for accepting contributions from Charles Keating and allegedly allowing those contributions to influence their support of Keating's savings and loan interests.

The idea is to get politicians back in touch with their constituents by making them more responsive to the needs of their districts and less responsive to the whims of special interests. The most logical way to do that is to shift the source of their funding from special interests to the public, which is the goal of the campaign finance legislation.

Among other things, the bill currently under consideration by the Senate would es-

establish campaign spending limits and reward candidates who adhere to those limits with free vouchers for television advertising time. The vouchers would be paid for by the public.

It would also abolish PACs, but in case such a provision is found to be unconstitutional, it would provide an alternative that would severely reduce the flow of PAC money to the Senate.

There would be some obvious benefits from such a plan. First, it would help even the playing field between congressional incumbents and challengers. An analysis by Common Cause, an independent lobbying group, shows that in the 1990 elections, Senate incumbents raised almost three times as much money as their challengers, with a large portion of that funding coming from PACs. Such unbalanced fund-raising is an underlying reason that many Americans are looking more favorably at term limits as a way to force incumbents out of office—an artificial means for accomplishing the end of ensuring that members of Congress don't have such a lock on their offices that they can virtually ignore the will of their constituents.

Another key benefit is to cut some of the ties between Congress and strong lobbying groups. Common Cause says that the average incumbent Senate candidate in 1990 spent more than \$4 million on his or her election campaign. The pressure of raising that kind of money makes it easy to see why some members of Congress become preoccupied with fund-raising and might be more willing to cut some ethical corners.

The main concern many Americans have for campaign reform proposals is the cost to taxpayers. The price tag is high. Common Cause estimates the Senate plan would cost the taxpayers \$32 million a year.

It seems like a lot of money. It is a lot of money. But it pales when compared to the estimated \$50 billion government officials think the savings and loan bailout will cost U.S. taxpayers in the next fiscal year. If campaign reform could eliminate such costly mistakes, there is little doubt it would pay ample dividends down the road.

[From the Lebanon (NH) Valley News, Apr. 6, 1992]

CAMPAIGN FINANCES

Republicans are probably doing themselves no political harm by opposing the campaign-finance measure now being considered in Congress. Whether they're doing the political system any good is a different question.

The measure, which President Bush has said he will veto if it passes, represents a significant step in trying to pry the political system loose from the pervasive influence of special-interest money. It would reduce the amount of money wasted on political campaigns by establishing voluntary spending limits of \$600,000 for House seats and \$5.5 million for Senate races. Senate candidates who agreed to the limits would be eligible for federal funds for as much as 20 percent of their campaign expenses; House candidates could receive funds for as much as 30 percent. Candidates would also receive subsidies to help pay for mailing and broadcast-advertising costs.

At the same time, limits would be established on the amount of money candidates could accept from political action committees (\$200,000 for House candidates and \$825,000 for Senate candidates).

In general, the measure aims to wean the political system from its dependence on money, specifically money provided by special-interest groups. Limits on overall spending would make fund-raising a less impor-

tant part of political life and give incumbents more time for legislating and serving their constituents. Limits on PAC contributions would constrict—although not eliminate—some of the influence exercised by special-interest groups.

Similar versions of the measure have passed both House and Senate despite strong Republican opposition. GOP leaders have complained that spending limits favor incumbents because challengers often have to spend more money to offset the greater name recognition and political advantages of incumbents.

That's a potent complaint to make at a time when anti-incumbent sentiment is said to be running strong. It's not a complaint that's supported by evidence, however. Numerous studies have shown that the vast majority of money that flows into the political system is channeled to incumbents. Campaign contributors, especially those representing special-interest groups, want a return on their investment, which is to say they want to back a candidate who is likely to win and provide them the influence they seek. Incumbents usually win, in part because of the self-fulfilling nature of the campaign-finance system.

Republicans also have complained that the last thing the public wants to do is fork over money to politicians to run campaigns. "Take your political tin cup to the taxpayers on that one, and see what you come back with," said Sen. Bob Dole, R-Kansas. "My guess is, a black eye and a fat lip."

His guess is probably right, if only because many political campaigns are so atrocious that voters can't help but want to keep a distance from them. But public financing of campaigns should be viewed more as a defensive measure than a gesture of approval. The public would pick up part of the tab not because it likes the notion of paying for campaigns but because it deplors what happens when it doesn't. By agreeing to spend tax money on campaigns, the public gets greater control over the process, both in terms of how much is spent and who does most of the spending.

At this point, though, it's virtually certain that the Democrats won't muster enough votes to override Bush's promised veto. That means the politicians will be taking their tin cups back to their well-established network of donors. Taxpayers won't be burdened with the cost of subsidizing campaigns, but that doesn't mean they'll be getting a good deal.

[From the Leesburg (FL) Daily Commercial, Feb. 15, 1991]

IT'S NOT JUST THE PAC'S—STEARNS AND MCCOLLUM SHOULD BACK FULL REFORM

It wasn't much noticed last month during the State of the Union address, but it's impact on government and American society may last long after the Persian Gulf war.

Said President Bush: "It's time to give people more choice in government by reviving the idea of the citizen politician who comes not to stay, but to serve. One of the reasons there is so much support for term limitations is that the American people are increasingly concerned about big-money influence in politics. We must look beyond the next election, to the next generation."

"The time has come to put the national interest above the special interest—and totally eliminate political action committees."

Total elimination of PACs—which contributed more than \$100 million to candidates during last year's elections—is a start in cleaning up America's funding system for campaigns.

Public financing, lower contribution limits and enforcement of existing campaign laws designed to curb independent—but coordinated—expenditures on behalf of candidates will be needed, too.

"If you have any doubt that our campaign-finance system reeks like a three-day-old fish, look no further than the 'Keating Five' scandal," proclaimed a recent fund-raising letter from Joan Claybrook, president of Public Citizen, a citizens group founded by Ralph Nader.

Last year, said Fred Wertheimer, president of Common Cause, "A tide of campaign money, swelled by special-interest political action committee (PAC) contributions, flowed overwhelmingly to incumbents, skewing the elections and corrupting the Congress."

Just before the elections, House incumbents had a lopsided 16-to-1 advantage over their challengers in PAC money. Is it any wonder, then, that 96 percent of the incumbent House members running for re-election were returned to office, despite a strong "throw the rascals out" sentiment among voters?

Wertheimer said the savings-and-loan scandal was a "classic example of special-interest money at work," and maintained that "when it comes to the S&L crisis and high-flying influence money, the 'Keating Five' scandal is the ultimate smoking gun."

In truth, Keating and associates gave their \$1.5 million independent of any PAC. But Keating was, in effect, a one-man PAC. And his goals were the same as a PAC: Rent access to congressmen.

Some PACs even give contributions to Democratic and Republican nominees in the same race, by hedging their bets, they gain access to the office no matter who wins.

Campaign-reform legislation proposed by Senate Majority Leader George Mitchell, D-Maine, and Sen. David Boren, D-Okla., will be considered in March. The bill attacks PAC money, but also proposes limits on campaign spending, establishes public funding and bans funds spent on a candidate's behalf.

Even if it passes the Senate, the House could block the legislation—as it did during the last session. Both Congressmen who represent the Lake-Sumter area, Reps. Cliff Stearns, R-Ocala, and Bill McCollum, R-Altamonte Springs, have not been advocates of campaign reform. But they should now support the Mitchell and Boren proposal.

They should see that Congress does not just settle for the total elimination of PACs as the only needed campaign-finance reform, but also attacks the other ways in which government is sold to the highest bidder.

To only go after PACs alone is to spray air freshener on the rotting three-day-old fish.

[From the Bucks County (PA) Courier Times, Mar. 12, 1990]

CAMPAIGN REFORM—STEP IN THE RIGHT DIRECTION

We have to crawl before we can walk. For the past two years the U.S. Senate wasn't even crawling toward campaign reform—until last week.

What finally wormed its way to the surface was a bipartisan panel's proposal that includes flexible spending limits. Strict limits on campaign spending or a publicly financed system are what's really needed. But we have to take what we can get.

Senate Republicans have opposed strict spending limits because the special-interest largess that flows into GOP campaigns far exceeds what Democrats get. That's why reform involving strict limits hasn't gone anywhere.

The deadlock finally was broken by a proposal for relatively high limits and exemptions from restrictions for certain activities. It also calls for free broadcast time for political advertising; proposes ways of encouraging more individual contributions while restricting excessive campaign financing by PACs; and calls for curbs on practices that have led to evasion of campaign rules and which have increased special-interest influence.

Such measures are steps in the right direction. But they are only first steps. More meaningful steps will have to be taken in the future. For the present, we'll just have to settle for crawling.

[From the Lincoln Courier, July 10, 1989]

TRIM CAMPAIGN COSTS

When 98 percent of House incumbents are returned to office, when a candidate for the House must spend nearly \$400,000 and for the Senate nearly \$4 million, when special-interest political action committees provide the lion's share of campaign funding, then something obviously is wrong. Our system of choosing our representatives has gone badly off track.

President Bush, to his credit, has acknowledged the problem and last week proposed remedies.

The president's campaign reform package by itself isn't going to solve the campaign-finance scandal, but as a starting point it's welcome. What's needed in the coming weeks is bipartisan negotiation toward ending Congress' serious addiction to special-interest influence money.

Bush offered an 11-point package, including a proposal that Congress limit its chief source of outside income, honoraria. Members of Congress took in more than \$9 million in speaking fees last year—that averages out to more than \$15,000 per member. The groups that pay these fees understand they are getting more for their money than just a speech.

In return for an honoraria ban, the president promised to endorse a 25 percent pay raise for Congress, federal judges and some surgeons and scientists in the executive branch. Both the ban and the increase are worthy proposals.

Much more controversial is the president's proposal to ban contributions by PACs supported by corporations, unions or trade associations. PACs, special-interest money conduits, contributed approximately 50 percent of the money spent on congressional campaigns last year. That amounted to more than \$170 million.

In the past six years, PACs have invested more than \$400 million in government decision-making. PAC donors, without question, see these contributions as investments.

The president insisted—and we agree—that PAC contributions improperly and unfairly magnify the voices of special interests at the expense of representative government. But to ban PACs—or to ban all but "ideological" PACs, as the president suggests—does not get to the root of the problem. It does nothing to rein in the soaring costs of financing a campaign. Those costs have gone up exponentially, primarily because of expensive television advertising.

If Bush really wants to help Congress reclaim its integrity, he will push for overall limits on campaign spending. And, he will work with Congress to forge a public-financing plan for campaigns, a plan that is both politically and constitutionally acceptable. Congress instituted a public financing mechanism for presidential elections, and it has worked just fine.

Congress' own system of campaign funding is not working just fine. In fact, the current corrosive system is a major reason Congress finds itself embroiled in an ethics crisis. Comprehensive reform would go a long way toward calming that crisis.

[From the Lincoln (NC) Times-News, July 21, 1989]

PRICKING PAC'S IS ONLY A START

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[From the Long Island Newsday, April 14, 1992]

MAKE 'EM RUN ON PUBLIC FUNDS AND TAKE BACK THE CONGRESS

The campaign finance legislation the House passed last week was derided by Republicans as an incumbent protection bill. But which is more likely to keep incumbents coming back to Congress term after term:

a). A system that forces members to hustle for private funds to finance their campaigns and encourages heavy special-interest contributions to those with the power to grease the legislative wheels—or gum them up if that's what the big spenders want?

b). A law that provides public funds to match small contributions for both incumbents and challengers if they agree to limit their special-interest funding as well as overall campaign spending?

If you answered a, you've lined up with President George Bush and House Republicans, who voted almost unanimously last week against b. They contend that spending limits would prevent well-financed challengers from overcoming the undoubted advantage that incumbency confers on a candidate.

Bush—whose four national campaign have benefited from about \$200 million in public funds—promises to veto the legislation which was guided through the House by Rep. Sam Gejdenson (D-Conn.).

The Republicans' position on this bill is nonsensical. The truth is, of course, that the present system protects incumbents by giving them first crack at contributions from the political action committees of industries for which a single paragraph in some lengthy appropriations bill may be a matter of life and death.

Yet in the current atmosphere of public distaste for check-bouncing, perk-grabbing, pay-hiking incumbents, intelligent members from both parties should be stampeding to ingratiate themselves with voters by packing a genuine reform bill. The Senate vote will be held after Congress returns to Washington late this month.

Opponents suggest that it's wrong to stick the taxpayers with the tab for congressional campaigns.

But if congressional campaign expenses dwarf members salaries—and they do, even after the pay raises some voters find so objectionable—it's only natural for members to be responsive to the lobbies that provide the money they need to stay in office.

If the taxpayers want a Congress that will respond to them, they should be prepared to pay for it.

[From the Los Angeles Times, Feb. 5, 1993]

REFORM THAT'S THE KEY TO WASHINGTON

"Lord, grant me chastity," St. Augustine prayed, "but not now." "Lord, grant me campaign reform," Congress prays, "but not now. I need one more election under the old rules."

Whether the prayer of the corrupt congressional heart will be answered may depend less on the Lord than on the President. Will President Clinton, who campaigned on a platform in which campaign reform was a key plank, do the right thing? Or will he do the prudent thing?

The prudent thing, a tempter with money on his breath whispers into the President's left ear, is to hoard that tiny, precious dowry of honeymoon goodwill. "Spend it where it counts, Bill" the crooning, savvy voice coaxes. Spend it on health care, spend it on your economic package. Blow it on a non-

starter like campaign reform and your honeymoon is really over. Do yourself a favor."

The right thing, a better angel speaks into the President's right ear, is to worry less about a honeymoon with Congress and more about a stable relationship with the voters. "Mr. President," the plain-spoken messenger begins, "remember gridlock? God did not create gridlock when he created Republicans and Democrats. Gridlock results from the separate imprisonment of each legislator to a different set of bankrolling special interests. Free the legislators, and they will free you. Leave them trapped in gridlock, and their gridlock will trap you too."

Odd language for an angel, but then for most angels English is a second language. Language aside, the better angel has the better longterm strategy. Bill Clinton's victory stood on two legs. The economy was one. Change was the other. And change in Washington means a reduction in the buying and selling of legislation or it means nothing.

Clinton is not, repeat not, in trouble because two weeks after his inauguration he has not placed a full-blown health plan, a comprehensive economic package and the rest of some mythical 100-days package before Congress. Here, if anywhere, the gulf between the realism of the people and the restlessness of the media yawns before us. Every administration, in its opening days, seems slow, and that was so for Ronald Reagan's Administration as much as any. Read the clips.

Clinton will be in trouble if signs of business-as-usual blossom into a revised definition of how much—that is, of course, how little—real change he represents. The Ronald H. Brown confirmation flap was one such worrisome sign. Backing out on campaign reform would be the largest imaginable such sign.

The basic requirements—funding limits, an end to loop-holes that permit "soft money" contributed to parties to escape candidate limits, and reasonable public funding for those who accept the funding limits—are known and have been known for years.

The President needs to preserve his reputation as an honest man prepared to put the national interest first more than he needs to preserve goodwill with the Kings of the Hill. The same people elect them who elected him.

[From the Los Angeles, *Noticias del Mundo*,
July 12, 1989]

A NEEDED REFORM

When 99 percent of House incumbents are returned to office, when a candidate for the House must spend nearly \$400,000 and for the Senate nearly \$4 million, when special-interest political action committees provide the lion's share of campaign funding, then something obviously is wrong. Our system of choosing our representatives has gone badly off track.

President Bush, to his credit, has acknowledged the problem and has proposed remedies.

Three president's campaign reform package by itself isn't going to solve the campaign-finance scandal, but as a starting point it's welcome. What's needed in the coming weeks is bipartisan negotiation toward ending Congress's serious addiction to special-interest influence money.

Bush offered an 11-point legislative package, including a proposal that Congress limit its chief source of outside income, honoraria. Members of Congress took in more than \$9 million in speaking fees last year—that averages out to be more than \$15,000 per member. The groups that pay these fees understand

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If Bush really wants to help Congress reclaim its integrity, he will push for overall limits on campaign spending. And, he will work with Congress to forge a public-financing plan for campaigns, a plan that is both politically and constitutionally acceptable. Congress instituted a public financing mechanism for presidential elections and it has worked just fine.

Congress' own system of campaign funding is not working just fine. In fact, the current corrosive system is a major reason Congress finds itself embroiled in an ethics crisis. Comprehensive reform would go a long way toward calming that crisis.

[From the *Courier-Journal*, June 2, 1989]

HOPING FOR MIRACLES . . .

Americans were cynical about Congress long before Jim Wright appeared on the scene. Barring a miracle, they likely will remain cynical long after he has returned to Texas.

It would take a miraculous display of courage by lawmakers to persuade the public to forget all the jokes about "the best Congress money can buy." It would require, for starters, that members of Congress openly vote themselves a pay raise and quit accepting speaking fees and other favors from special-interest groups.

It would require public financing of congressional campaigns, so incumbents no longer could shake down PAC contributions and accumulate war chests that discourage all challengers.

The problem is not so much that Congress is more corrupt these days as that the public, for all its cynicism, is demanding higher standards. Mark Twain once described Congress as the only "distinctly native American criminal class." Yet Congress today is almost surely less corrupt than it was in the 19th Century—or even during most of this century. Fewer members take money under the table. There are fewer drunks and outright incompetents.

It can even be argued that lawmakers are more sensitive to ethical issues—or at least to the danger that scandals pose to Congress as an institution. The fate of Jim Wright is a case in point. He is the first Speaker of the House ever to be forced to resign at mid-

term. Majority Whip Tony Coelho is stepping down, too, rather than face a likely investigation by the same House ethics committee that got the goods on Mr. Wright.

This sudden flurry of housecleaning is a healthy trend, even if it is prompted in large part by Republican attacks on high-visibility Democratic targets. Partisan warfare—though it was deplored by Mr. Wright in his alternately angry and unctuous address to the House Wednesday—serves a useful purpose when it exposes corruption and forces lawmakers to examine their consciences, and their financial records.

Critics of the "ethics obsession" on Capitol Hill argue that too much attention is being paid to petty rules and financial disclosure forms and too little to the main business of Congress: legislation. But how can the public have confidence in the legislative process if lawmakers receive special favors from those most directly affected by that process? It's outrageous, for instance, to read of all the honoraria and campaign contributions flowing from the savings and loan industry to key lawmakers at a time when taxpayers are being asked to pony up billions of dollars to bail out that industry.

As we said, it will take a miracle to inspire public trust in Congress. Thomas Foley, who will succeed Mr. Wright as Speaker, and Senate Majority Leader George Mitchell must put miracle-working at the top of their legislative agenda.

[From the *Lubbock Avalanche-Journal*, May 13, 1992]

WASHINGTON CHARADE

George Bush told the American people he wanted to be the environmental president. Then he said he wanted to be the education president.

Mr. Bush did not say he wanted to be the hypocritical president, but the reasons he gave for vetoing the campaign finance reform bill Congress sent to his desk last week suggest that such a label is appropriate.

"I cannot accept legislation . . . that contains spending limits or public subsidies or fails to eliminate special interest PACs," the president said, in the midst of a presidential campaign subsidized by public funding, special interest groups and unlimited soft money.

One provision of the bill called for limited public financing for congressional races. That feature is a "taxpayer-financed incumbent protection bill," the president explained.

Mr. Bush diplomatically refrained from mentioning that he has reaped approximately \$200 million from the publicly financed presidential campaign system that has been in place for almost 20 years.

The President said he feared that Congress, by failing to provide a mechanism to pay for the public financing, would create legislation that would "inevitably lead to a raid on the Treasury." The presidential public financing system is paid for by the \$1 voluntary check off on individual income tax returns.

Could not a similar system have been devised to pay for the limited public financing system for congressional campaigns, as well?

Although the measure would have limited the amount of money candidates could accept from political action committees, the president said one reason he vetoed the bill was because it did not eliminate PACs altogether.

The bill also would have capped the amount of soft money both political parties could spend during an election year, a provi-

sion that could have reduced contributions significantly.

The President does not necessarily bear the entire responsibility for the death of campaign finance reform in the United States, although his pen did deliver the final, fatal, blow.

Members of Congress apparently did not believe in the necessity for cleaning up the process of financing their own campaigns strongly enough to pass a bill that would override a presidential veto.

But Congress can point to the failed legislation—which was a good beginning toward making some substantive changes in campaign funding—as evidence that it tried its best to effect significant reform.

To the undiscerning eye, the failure of the bill makes them look good and the president look—hypocritical.

[From the Macon Telegraph and News, June 2, 1989]

WRIGHT'S FALL MIGHT STRENGTHEN CONGRESS

Where will it end? ask worriers about Washington. Within less than a week, the No. 1 and No. 3 congressmen in the House announced their resignations under ethical clouds. There had been no comparable cataclysm since August 1974, when a president resigned rather than face impeachment.

Well, the executive branch survived Richard Nixon, albeit in slightly weakened condition. It regained considerable strength *vis-à-vis* Congress under Reagan.

Congress may well emerge on the other side of its ethical cloudbank purged. It could regain as much public respect as legislators can reasonably expect if certain things happen:

1. If it is made clear that Jim Wright, Tony Coelho and even the other "nine or ten" Democrats on GOP whip Newt Gingrich's list for investigative attention altogether constitute only a very small percentage of Democratic House members. Those who remember the bad old days testify that the general level of honesty and openness in Congress is much, much higher today. Jim Wright is not typical.

The best way for Congress to parade its honesty is not to pass new and complex House rules of ethics. It is to go on doing what it has done for the past year. Make a reasonable effort to enforce the existing ones passed in the wake of Watergate. For doing that, even against the highest powers in the House, the House Ethics Committee deserves the nation's gratitude.

2. If the public rejects the claims by Wright and others that a runaway press and partisan vindictiveness, not their ethical violations toppled them from power.

It may well be that Gingrich would love to visit upon the Democrats the kind of defeats they inflicted on Robert Bork, John Tower, Ed Meese, Anne Burford and others. As he well realizes, any group of legislators long in power is apt to contain those who have fallen to special-interest seduction. But it's not the motives of accusations, but whether they stick after bipartisan investigation, that matters. Let us not forget that the "liberal" Common Cause asked the House Ethics Committee to probe Wright eight days before Gingrich jumped in with his formal charges May 26, 1988.

While there may have been random press excesses, in the matters of reporting rumors and insufficient attention to the motives of leakers, for the most part the news media have merely carried out their "watchdog duties," the ones the First Amendment was meant to protect.

3. If the Congress is willing to forbid its members honoraria and make reforms in campaign financing (probably with a measure of public funding), thus reducing two major holes in the dike of financial propriety through which special interest money is now allowed to flood.

Elimination of honoraria, of course, must be matched with an increase in salary. Members of Congress are badly paid for what they must do and now they must live. Unless it is to become a club for rich men's sons and daughters, the institution must afford a living to its members.

Jim Wright had a long, partisan and powerful career in the House. But he could not adjust to the new, post-Watergate rules of political and financial morality. He bent them. He broke them. The few charges retained by the committee, in which relatively small amounts figure, were but the tip of the iceberg. The House Democrats will be well rid of him.

[From the Marlboro (MA) Enterprise/Hudson Daily Sun, July 24, 1989]

ENDING THE PAC ADDICTION

When 98 percent of House incumbents are returned to office, when a candidate for the House must spend nearly \$400,000 and for the Senate nearly \$4 million, when special-interest political action committees provide the lion's share of campaign funding, then something obviously is wrong. Our system of choosing our representatives has gone badly off track.

President Bush, to his credit, has acknowledged the problem and the other day proposed remedies.

The president's campaign reform package by itself isn't going to solve the campaign-finance scandal, but as a starting point, it's welcome. What's needed in the coming weeks is bipartisan negotiation toward ending Congress' serious addiction to special interest influence money.

Bush offered an 11-point package, including a proposal that Congress limit its chief source of outside income, honoraria. Members of Congress took in more than \$9 million in speaking fees last year—that averages out to more than \$15,000 per member. The groups that pay these fees understand they are getting more for their money than just a speech.

In return for an honoraria ban, the president promised to endorse a 25 percent pay raise for Congress, federal judges and some surgeons and scientists in the executive branch. Both the ban and the increase are worthy proposals.

Much more controversial is the president's proposal to ban contributions by PACs supported by corporations, union or trade associations. PACs, special-interest money conduits, contributed approximately 50 percent of the money spent on congressional campaigns last year. That amounted to more than \$170 million.

In the past six years, PACs have invested more than \$400 million in government decision-making. PAC donors, without question, see these contributions as investments.

The president insisted—and we agree—that PAC contributions improperly and unfairly magnify the voices of special interests at the expense of representative government. But to ban PACs—or to ban all but "ideological" PACs, as the president suggests—does not get to the root of the problem. It does nothing to rein in the soaring costs of financing a campaign. Those costs have gone up exponentially, primarily because of expensive television advertising.

If Bush really wants to help Congress reclaim its integrity, he will push for overall limits on campaign spending. And, he will work with Congress to forge a public-financing plan for campaigns, a plan that is both politically and constitutionally acceptable. Congress instituted a public financing mechanism for presidential election, and it has worked just fine.

Congress' own system of campaign funding is not working just fine. In fact, the current corrosive system is a major reason Congress finds itself embroiled in an ethics crisis. Comprehensive reform would go a long way toward calming that crisis.

[From the Miami Herald, Apr. 14, 1992]

REFORM CAMPAIGN FUNDING

Just look at what a little scandal will do: After years of Congress' self-serving procrastination, a House-Senate conference finally has gotten around to clearing campaign-finance legislation. It's the first of many badly needed reforms that can change the way Washington conducts its business.

This feat has been accomplished in the year of the check-overdraft scandal. Apparently the outcry from the scandal has pushed Capitol Hill toward passage of campaign finance reform.

The House has passed the revised bill, whose fate now rests with the Senate. The legislation does not provide for the profound changes that groups such as Common Cause rightly advocates. Still, it's as good as any reform that Congress is likely to pass. The last time it tried its hand at significant campaign finance reform, in 1974, Congress tried to diminish the influence of slush funds and "fat cats." Alas, it ended up replacing them with "fat PACs."

This bill changes the way that political action committees do business, thereby limiting their influence. It also encourages public financing of campaigns, provides for voluntary spending limits, and eliminates "soft money" from federal elections.

President Bush awaits, veto pen in hand, should the Senate pass this bill. This is the same president who has criticized Congress in the harshest terms and has called for deep changes in how legislators conduct their affairs.

Mr. Bush says that he opposes "public financing" of elections. But his opposition has not prevented him from accepting millions of dollars in public funds for his own presidential campaigns.

Congress should force his hand on campaign finance reform. If the President doesn't sign the bill, he is going to face more damaging accusations of passive-aggressive leadership in the fall.

As former Sen. Barry Goldwater, an elder statesman of the president's party, said some time ago: "PAC money . . . creates an impression that every candidate is bought and owned by the biggest givers." Without campaign finance reform, it will be hard to change that impression. The electorate, however, will know where to place the blame.

[From the Middletown (CT) Press, Jan. 11, 1993]

GIVE CAMPAIGN REFORM TOP PRIORITY

Here's a frightening thought: With enough money, anyone could be an H. Ross Perot. The proposition is arguable; more than one millionaire with no civic background has failed to buy his or her way into politics. But there's no denying that Perot's deep pockets—and the deep pockets of congressional incumbents—give the impression that government is for sale.

Big money, however, does not buy efficient, responsive government, and significant campaign-finance reform is needed to prevent our democracy from becoming a cashocracy. The need grows as the cost of running a political campaign mounts and political races become even more vulnerable to the much-derided "special interests" that contribute to government gridlock.

The situation can only get worse. The Federal Election Commission reported this week that spending for U.S. House races in 1992 increased 41 percent over 1990, with spending jumping to \$313.7 million from nearly \$220 million.

President-elect Clinton can keep his campaign promise to enact significant reform legislation by limiting contributions and increasing public funds. So-called "soft money," huge sums given to organizations and political parties that are not subject to the same limitations as donations to individuals, should be banned. Setting more stringent limits on PAC and other special-interest contributions would help to make politicians less hamstrung by their financial backers and encourage newcomers to challenge incumbents. Incumbents should also be severely constrained from using their staffs and franking privileges to campaign for reelection.

Public funds for campaigns can be increased by repealing the tax deduction on lobbying expenses, which Clinton endorsed during his campaign, and adding that money to the public-funding pool. The \$1 checkoff on income-tax returns might also be raised.

The 1992 elections showed how disgusted many people are with a government they perceive as being out-of-touch, inefficient and ruled by wealthy special interests. The only way out is to change fundamentally the way politicians are elected and by doing so, change the way government operates.

[From the Milwaukee Journal, Apr. 19, 1992]

WILL BUSH VETO WRECK REFORM?

Go ahead and rail at House members who until recently could bounce checks with impunity at their private bank: they deserve the rap. But give the entire Congress credit for moving to clean up a much bigger scandal: the putrid campaign-finance system. If George Bush wanted to look truly presidential he'd sign on to the cause.

Alas, Bush threatens to veto a House-passed measure viewed as the most significant anticorruption legislation since Watergate. The bill, the product of a House-Senate conference committee, limits spending for congressional campaigns and expands public financing—the keys to fixing a system that unfairly bolsters incumbents and tightens the stranglehold of special interests.

Among the reforms are voluntary spending ceilings of \$600,000 for House candidates and population-based limits ranging from \$1.5 million to \$8.2 million for Senate candidates. In return, Senate candidates would get free or discounted TV time; House hopefuls would get federal matching funds; and all candidates would get lower postal rates for campaign mailings.

Contributions from political action committees would be sharply limited and "soft" money—the unregulated funds raised by the two major political parties—would be virtually excluded.

The measure isn't perfect. The ceilings themselves are higher than many candidates already spend. And Congress cravenly failed to say where the money for expanded public financing would come from. Nor did it overhaul one of the most egregious of all incum-

bent-protection perks: the year-round free mailing privileges for House and Senate members.

Still, as reforms go, this is a biggie. And the objections of Bush and other Republicans don't stand up under scrutiny. They argue, for example, that taxpayers shouldn't have to finance elections. But as Common Cause points out, Bush himself has used more than \$200 million in public funds since 1980 to finance his campaigns for vice president and president. Why is what's good for a White House campaign bad for a congressional race? Why isn't the cause of cleaner elections worth a public investment?

As for the GOP claim that spending limits would only help incumbents, if anything the opposite is true. Incumbents already have a giant fund-raising advantage. The new limits would help level the playing field.

Sad to say, if Bush makes good on his wrongheaded veto threat, there won't be enough votes in either house for an override. The president doubtless will go on making political hay out of congressional corruption. But voters oughtn't to be fooled: Bush will have had his chance to clean up the squalid fund-raising system he professes to deplore and he will have blown it.

[From the Minneapolis Star Tribune, Apr. 26, 1992]

A FEDERAL PRESCRIPTION FOR BETTER POLITICS

This week, the U.S. Senate will vote on the first comprehensive campaign finance reform bill since the Watergate era. It's expected to pass, then go to President Bush for a promised veto—unless some principled and politically savvy Republican voices persuade Bush that the bill is good both for American government and for his own reelection.

Minnesota's Dave Durenberger has one such voice. Durenberger should not only vote for the bill, but also draw on his unique perspective to urge his party's president to let the bill become law.

Durenberger provided one of only four Republican votes for the original Senate bill, which was superior to the conference committee version that's been approved by the House and awaits a Senate vote. For example, the Senate bill banned political-action committee (PAC) contributions to candidates: the final bill limits PAC gifts to an overly generous 20 percent of what a Senate candidate raises and a much-too-high \$200,000 for House candidates. The changes in the bill have put Durenberger's vote in question.

The bill still has much to admire. It includes the first nationwide voluntary limit on campaign spending, with public financing available to the volunteers. Vouchers and discounts would be made available to give candidates better access to television air time and the mail. The bill would prohibit candidates for federal office from raising "soft money," funds raised to help a candidate but laundered through political parties to avoid spending limits. The soft-money game has corrupted public financing of presidential candidates. The bill even requires that all TV ads bear the visage of the candidate purchasing them—no more nearly anonymous cheap shots at an opponent.

Bush, who as a presidential candidate has benefited more from public financing than any other politician, opposes the spending of tax money for congressional campaigns. The alternative is a system that encourages officeholders to become fulltime money-grubbers. Durenberger should remind Bush that Sen. Rudy Boschwitz was defeated in 1990 in part because he let himself be so trans-

formed. More and more voters are awakening to the unhealthy influence that money plays in politics. The bill before the Senate is medicine worth taking—and Bush needs to hear that a veto could be hazardous to his own political health.

[From the Missoula (MT) Missoulian, Apr. 14, 1992]

CURB CHECKS TO CONGRESS—WHEN PACS DO THE ENDORSING, CANDIDATES FORGET WHO'S BOSS

While voters remain justifiably riled over congressional check-writing abuses, now's a good time for the public to focus its attention on congressional check-collecting abuses.

Specifically, it's time for voters to insist on an end to the corrupt way congressional campaigns get paid for. They should lean on Congress and the president to cut the strings that tie our politicians to big-money special interests.

The problem is obvious. It costs a lot of money to campaign for the Senate and House of Representatives. There also happens to be plenty of money available to candidates, too—from the political action committees (PACs) representing a wide range of industries and interest groups.

These special interests don't donate money out of some sense of civic generosity. In fact, they don't exactly look at the contributions as donations. They're investments. PACs invest money in candidates in the hope of profiting from favorable treatment once the candidates are elected.

The public-interest group Common Cause says the 393 representatives seeking reelection collected a tidy \$33.6 million from PACs last year—almost half the entire campaign funds they raised.

Says Common Cause President Fred Wertheimer: "The most scandalous perk in Congress today is the campaign financing system, which has protected incumbents with a wall of special-interest influence money."

Not surprisingly, most PAC money goes to incumbents, who are in a position to give the campaign "investors" something in return. That's perhaps the main reason why congressional incumbents have about \$13 in their campaign war chests for every \$1 challengers have managed to scrounge up. Is it any wonder incumbents enjoy almost-certain reelection in most races?

Of course, your congressman will tell you that no amount of money could buy his vote. That may be true. But a politician doesn't have to sell his vote to do somebody a favor. Remember the Keating Five senators who cost taxpayers a bundle by pressuring federal regulators to ease up on the failing Lincoln Savings and Loan?

Both the House and Senate last year passed campaign-finance reform bills that would provide taxpayer subsidies to congressional candidates who agree to abide by campaign spending limits. Also included are strict limits on the amount of PAC money a candidate could accept and elimination of a loophole in existing restrictions that allows congressional and presidential candidates to solicit contributions of up to \$100,000.

The reform measures won't eliminate the influence of big money in Congress. Public financing of presidential campaigns has yet to achieve that goal and it's unlikely public funding would be much more successful at the congressional level. However, the proposed measures will help reduce the cost of campaigns—giving challengers a better shot at getting elected.

More important, we should heed the proverb "He who pays the piper calls the tune." So long as special interests are sponsoring candidates, special interests are going to call the shots. When taxpayers are paying the freight, they'll reclaim more control over elections.

Details of the reform bills passed by the House and Senate last year have been worked out by a conference committee, and the measure will be on its way to President Bush soon. Bush must sign the bill into law. Failure to do so would be the same as endorsing business as usual, and that's intolerable.

[From the Murfreesboro (TN) Daily News Journal, May 7, 1992]

BUSH READY TO VETO BILL ON CAMPAIGN

Somebody needs to give President Bush a reality check.

The commander-in-chief is set to veto a bill that would, among other things, provide parity in campaign financing between the executive and legislative branches.

The bill, approved by both houses of Congress, would overhaul the way campaigns are financed.

Bush, who's been the beneficiary of about \$200 million in public campaign funds since he first joined the Reagan campaign back in 1980, seems to have objections to public funds going to elect congressmen.

House candidates will have to raise \$60,000 in contributions of \$250 or less to qualify for matching funds on smaller donations up to \$200,000.

Would-be senators would have to raise \$95,000-\$250,000 in contributions of \$250 or less depending on their state's population to qualify. They'd get vouchers equaling 20 percent of the general election campaign ceiling to buy TV and ad time.

If legislators can't have public funds to help their campaigns, why should presidential candidates?

The proposed law would also stop the sickening spiral of money spent on campaigns. All but the wealthiest people are virtually barred from public office by virtue of campaign costs these days.

The bill would set limits on how much could be spent on elections: \$600,000 for a House seat and between \$950,000-\$5.5 million for a Senate spot, depending on the home state's population.

Caps would also be set on the amount of money Political Action Committees could contribute: \$200,000 for representative candidates and up to \$825,000 for senatorial hopefuls.

PAC limits would be a major response to the public's perceived, and too often real, perception that political influence can be bought.

We can't understand why Bush would object to putting sensible controls on the financial angle of electing congressmen.

The president is fond of blaming the nation's problems on Congress and it seems like this bill would be the first step to putting the dreaded incumbents on a level playing field with challengers.

Perhaps the president is afraid that capping expenditures and providing public funds could result in more of the "wrong" kind of candidates being elected.

Makes you wonder.

[From the Muskegon (MI) Chronicle, Jan. 11, 1991]

PUSH FOR CAMPAIGN FINANCE REFORM, NOT TERM LIMITS

The high degree of public anger with Congress, and with politicians at all levels, was

illustrated in many ways in the voting nationally last November. But nowhere more pointedly than in voted action in two states to limit terms of office for state legislators.

We can understand the motivation: aside from the dismal 1990 elections, there are serious economic and other problems in many states, plus the Keating Five revelations, the botched congressional attempt to fashion a budget, and much more. All this has created a situation in which a large segment of the public has lost confidence in their state lawmakers and representatives in Congress.

Nonetheless, what has been proposed as a solution is a very bad idea for a lot of reasons. First, voters unhappy with their representatives in the statehouse or in Washington have a splendid mechanism for ridding themselves of those lawmakers: Vote them out. Elections are held at regular intervals for House members and senators, and there is no reason to clutter constitutions at the state or national levels with term restrictions.

In short, nothing should be done to limit the power of voters to return good lawmakers to office. Limitation drives are a simplistic attack on experience and expertise that restrict the right of the voters to determine who is qualified. Automatic ousters won't bring better government.

What, then, is the answer? Why don't the rascals get thrown out more often? The base problem is the power of huge amounts of special interest money flowing into the hands of incumbents.

Their election-time advantage is virtually insuperable. Common Cause notes that a total of \$475 million was spent during the 1988 congressional election. The total for the 1990 election is expected to exceed half a billion dollars. Almost half the Senate incumbents seeking re-election (12 of 32) had so much campaign money they were considered "financially unopposed" on election day.

For many of them, the money advantage over challengers was close to 10-to-1. Four had no opposition at all. In the House, incumbents had eight times more money available to them than did their challengers.

Getting this changed won't be easy. But a dead serious attempt is essential—well before voting starts anew on ill-considered, simplistic limitation initiatives. We can't allow continuation of a system in which public policy is decided by special interest campaign dollars and those who hand them out.

Public financing of campaigns could provide part of the answer. The public would be far better off to pay for congressional campaigns—at an estimated \$5 a person—than continuing to leave funding of politics to private interests. Beyond this, there should be a cap on campaign spending, and a big cut in the flow of political action committee (PAC) money. A total ban may not be constitutional, but limitations should be possible.

The political ferment is all to the good. But the pressure needs to be focused on the proper goal—campaign finance reform. It's been 15 years since campaign reform was seriously considered. Let's get it done now.

[From the Nashua (NH) Telegraph, July 3, 1989]

POSTURING ON THE POTOMAC

Is it simply impossible for anyone in Washington to do the right thing?

After all of the ethics scandals that have plagued both the White House and congress in recent years, and the clear public disgust with business as usual, one would think that our leaders might have gotten the message by now. Unfortunately, if President Bush's

proposals for revising congressional campaign finances are any indication, somebody isn't listening.

Bush announced last week proposals which he said would help curb the influence of special interest groups and reduce the advantage congressional incumbents have over challengers. The president said he favored cutting back on the free postage privilege for lawmakers; passing new laws to eliminate gerrymandering; banning political action committees connected with businesses, labor or trade groups; and trimming the contribution limits on other PACs from \$5,000 to \$2,500.

The Bush plan is fine, as far as it goes. The problem is that it doesn't go far enough and may simply have the effect of benefiting Republicans over Democrats. That's all right if the president's only purpose is to play politics by making the Democrats look bad when they refuse to go along with his proposals.

The real difficulty is that Bush refused to endorse public financing of congressional campaigns or overall campaign spending limits, which means that his plan simply doesn't go far enough and will not remedy the problem facing Congress.

Without overall spending limits, public financing and especially elimination of "soft money"—prohibited corporate and union financing that leaks into campaigns through loopholes in current law—any real reform will not be accomplished.

Bush says that public financing would exclude individuals from the political process by denying the opportunity to contribute, and spending limits would discourage them from contributing.

But his proposals only tend to allow people with money to have more influence on politics than they should have. And he knows that his suggestions for reducing the advantages of incumbency would hurt more Democrats than Republicans because there are more Democrats in Congress.

Although Bush said he wants to restrict PACs, he would permit the continuation of so-called "ideological" PACs, many of them one-issue groups that favor Republican causes. He also would ban lawmakers from carrying campaign money over from one election to the next, which would hurt Democratic incumbents, but would more than double the amount of money that political parties—where big contributors have given the Republicans a clear advantage—can give to their congressional candidates.

So the bottom line is that while some of the president's proposals are good ones and ought to be implemented, they don't go far enough and probably will never become law because his other suggestions clearly are designed to punish the opposition. In the meantime, an increasingly weary and disillusioned public is treated to yet another example of posturing along the Potomac.

[From the Nashville Tennessean, Apr. 21, 1992]

BIG MONEY CORRUPTS THE POLITICAL PROCESS

After 17 years and one doozy of a congressional scandal, a campaign reform bill has finally muscled its way through the House of Representatives.

This month, the House approved a bill that would completely overhaul election spending. The bill is expected to go to the Senate immediately after recess.

So if long-needed campaign reform is finally passing, where's the parade? Nowhere. Everyone in Washington knows that the bill will never become law. President Bush has vowed to veto it, and its supporters lack the votes for an override.

That's tragic, because this bill's primary purpose is to reduce the awesome, awful influence of money on congressional elections.

First, the bill establishes reasonable spending limits for House and Senate campaigns. House candidates would have a \$600,000 limit for the election cycle. The Senate limit varies from \$1,586,500 to \$8,250,000, depending on the size of the state.

Courts have ruled that mandatory campaign spending limits would be unconstitutional, so these limits must be voluntary. The bill would give Senate candidates who agreed to the limits discounted television time. House candidates would receive matching payments for small individual contributions. Both House and Senate candidates would receive postage discounts.

The legislation also limits the amount of PAC money that a candidate could receive. Senate candidates would receive no more than 20 percent of their total campaign money from PACs, while House candidates could receive no more than one-third from PACs.

The bill also bans "soft money" contributions, which are contributions laundered through political parties. According to Common Cause, the 1988 Bush and Dukakis campaigns both raised more than \$20 million in soft money contributions that did not comply with federal law.

The voting on this bill has been highly partisan. Democrats, who are frequently outspent by Republicans, like the spending limits. Republicans say that the limits would make it harder for challengers to compete against incumbents with high name-recognition.

But the debate on the bill now seems moot since President Bush has said that he would veto any campaign legislation that provides public funding. It should be noted that his aversion to public funding doesn't extend to the top of the ticket, since he has accepted more than \$200 million in public funds to run for president and vice-president.

This nation shouldn't have to wait until another scandal shames Congress to get campaign reform. The bill now on the table reduces the clout of money on the political system. Its most ardent supporters should be the people who are tired of seeing special interests get special treatment.

Big money is corrupting the political process. President Bush might believe that the status quo is just fine. After all, he's done just fine in the current system.

But he should know that most people think it stinks, and he should know that most people are looking for change, not excuses.

[From the Chelsea-Clinton (NY) News, Feb. 11, 1993]

UNNECESSARY KILLING

The bullets that killed Bonnie Vargas, the hostage who was grabbed by a fleeing bank robber on 93rd Street near Riverside Drive, were fired by New York police. And though the police could not have known it, the lone gunman's handgun was empty when the fatal shots were fired. The police were operating in a life-threatening situation; two policemen had already been wounded.

We, like most New Yorkers, were shocked that the police could open fire on a gunman holding a mobile hostage. In this case, the gunman was surrounded and could not escape. Why then endanger the hostage's life? Either police procedures were violated or new rules must be spelled out to cover these cases.

The officers' disregard for the life of Bonnie Vargas makes us very apprehensive

of the greater fire power police will have if all officers are issued 9mm semi-automatic handguns. Three days after Vargas' death, the NYPD began increasing the number of officers carrying 9mm handguns by 50 each week. The chances of hitting bystanders will increase enormously if this experiment becomes standard policy.

DEMOCRATS IN D.C.

The nice thing about having divided government is there's always someone to blame for what went wrong. Obviously that luxury was too high a price to pay for gridlock. Now the Democrats have control of both the executive and legislative branches of the federal government and should be held accountable.

The Kimba Wood affair was a travesty. She was highly qualified, and her name should have been forwarded to the Senate for approval as attorney general. But panic broke out at the White House. A longer reaction time in the future could probably lead to saner results.

What really concerns us is House Speaker Tom Foley dragging his feet on campaign spending. Legislation was drafted and voted on by both houses last term only to be vetoed. The Senate is moving to re-pass the bill; the House should do the same.

The delay certainly won't result in a stronger bill. It's nice the president is getting along so well with Congress, but there should be times when he disagrees and seizes the moral high ground. Campaign reform is an issue that demands such leadership, and Bill Clinton shouldn't be satisfied with the excuse that the bill will be brought up later.

Most political action committees (PACs) are equal-opportunity contributors. Incumbents of both parties get the money, and committee chairs are special favorites. Since Democrats now control all the committees, they'll be the big losers if the PAC contributions are banned. That's why they're hesitating to pass the bill—a bill that's really quite mild. It doesn't eliminate all PAC money. Real campaign reform would have elections publicly financed and requirements that candidates debate on television.

It's true that bad news drives out good. The family-leave legislation is excellent, and its passage wasn't given enough news coverage. This law will permit employees in companies with over 50 employees to take up to 12 weeks of unpaid time off to be with a sick relative or newborn baby. No loss in benefits or position will occur as a result.

Clinton and his staffers will continue to make goofs, and that is expected. Our real concern is the Democratic Congress, which doesn't fully appreciate that the country expects major changes and that Congress must take some unpopular actions.

[From the New York Daily News, May 3, 1992]

BUSH AND THE FAT CATS

President Bush campaigns on the theme of "change." Yet he refuses a great opportunity to change the political system—an opportunity to stop fat cats from pouring zillions into candidates' pockets to buy access and influence.

Congress has taken a historic step by passing legislation that would lower the amounts that could be raised and spent in Senate and House elections. The measure would also create a system of public campaign financing, a crucial element in the effort to squeeze the lard out of congressional races.

But Bush says he'll veto the bill because he's against public financing. How's that again? When he ran for vice president with

Ronald Reagan and when he ran for President in 1988, Bush cheerfully accepted public funds. He'll take more—in excess of \$50 million—for his campaign this year. Why is it okay for him but not Congress?

Bush agrees with Sen. Bob Dole, who argues that contribution limits and public financing make it hard for challengers to spend enough to topple incumbents. But the argument is nonsense. As Sen. George Mitchell correctly points out, congressional "ins" outraise opponents by as much as four to one. Eliminating that incumbent advantage will help level the playing field and stop the auctioning of Congress.

A President who attends a \$9 million fundraiser then vetoes a bill to outlaw such obscene money-grubbing has a lot to explain to the public. This should be a major campaign issue.

[From the New York Noticias del Mundo, July 12, 1989]

A NEEDED REFORM

When 99 percent of House incumbents are returned to office, when a candidate for the House must spend nearly \$400,000 and for the Senate nearly \$4 million, when special-interest political action committees provide the lion's share of campaign funding, then something obviously is wrong. Our system of choosing our representatives has gone badly off track.

President Bush, to his credit, has acknowledged the problem and has proposed remedies.

The president's campaign reform package by itself isn't going to solve the campaign-finance scandal, but as a starting point it's welcome. What's needed in the coming weeks is bipartisan negotiation toward ending Congress's serious addition to special-interest influence money.

Bush offered an 11-point legislative package, including a proposal that Congress limit its chief source of outside income, honoraria. Members of Congress took in more than \$9 million in speaking fees last year—that averages out to be more than \$15,000 per member. The groups that pay these fees understand they are getting more for their money than just a speech.

In return for an honoraria ban, the president promised to endorse a 25 percent raise for Congress, federal judges and some surgeons and scientists in the executive branch. Both the ban and the increase are worthy proposals.

Much more controversial is the president's proposal to ban contributions by PACs supported by corporations, unions or trade associations. PACs, special-interest money conduits, contributed approximately 50 percent of the money spent on congressional campaigns last year. That amounted to more than \$170 million.

In the past six years, PACs have invested more than \$400 million in government decision-making. PAC donors, without question, see these contributions as investments.

The president insisted—and we agree—that PAC contributions improperly and unfairly magnify the voices of special interests at the expense of representative government. But to ban all PACs—or to ban all but "ideological" PACs, as the president suggests—does not get to the root of the problem. It does nothing to rein in the soaring costs of financing a campaign. These costs have gone up exponentially, primarily because of expensive television advertising.

If Bush really wants to help Congress reclaim its integrity, he will push for overall limits on campaign spending. And, he will

work with Congress to forge a public-financing plan for campaigns, a plan that is both politically and constitutionally acceptable. Congress instituted a public financing mechanism for presidential elections and it has worked just fine.

Congress's own system of campaign funding is not working just fine. In fact, the current corrosive system is a major reason Congress finds itself embroiled in an ethics crisis. Comprehensive reform would go a long way toward calming that crisis.

[From the New York Times, Mar. 8, 1993]

CLASH OVER CONGRESSIONAL CASH

Senator Mitch McConnell, Republican of Kentucky, was in there pitching for the status quo last week. That's an allowable position for a conservative pol, if only the status quo in question were not a corrupt, outdated and harmful one. As the G.O.P.'s designated hitter on all issues pertaining to campaign finance reform, Mr. McConnell told the Senate Rules Committee not to bother about the talk that senators spend too much time raising campaign money. It's a point many senators would probably dispute if they weren't so busy scrounging for funds. As the chart at right suggests, the senators have to churn out a lot of cash.

Mr. McConnell calls the Democrats' proposal to clean up campaign financing in part by using taxpayer funds an "entitlement program for politicians." It's a mystery why a Republican would want to prolong the system under which his party lost control of the Senate. In truth, as Senator David Boren of Oklahoma, the chief sponsor of the Democratic reform plan strongly notes, it's the present system that's the real entitlement program—but for incumbents only.

They enjoy a huge fund-raising advantage over challengers—mostly because of the favors they can provide wealthy special interests—and the invaluable perk of taxpayer-financed mail.

Still Mr. McConnell's argument stirs fear among some fainthearted Congressional reformers. They believe the public hates politicians so much it won't be able to see that partial public financing—either through direct matching funds or vouchers for media and mail—is really a realistic way to break the grip of special-interest money on Congress and give challengers a real chance. The relatively modest cost of the new Congressional campaign financing system could easily be covered by the revenues from ending the tax deduction for lobbying, as President Clinton has proposed.

Mr. Boren and George Mitchell, the majority leader, are looking at strengthening last year's bill by adding more public resources for Senate races. But unless President Clinton steps in, there's a real danger that reform-shy Democratic leaders in the House will drop the public financing provisions that it accepted last year in a bill vetoed by President Bush. That would be a staggering act of hypocrisy, even by the standard of past Congressional performance on political reform. Yet, it could happen.

Removing public financing from the bill, the House majority leader, Richard Gephardt, recently said, "doesn't threaten the heart and soul of reform." Oh no? Perhaps Mr. Gephardt's status as the House champion in raising money from the special-interest political action committees has made him undervalue the need for public finance. Or perhaps he is reflecting the House Democrats' traditional reluctance to fiddle with a formula that has locked them in the majority.

As always, an examination of the weekly ups and downs of Congressional reform leads one straight back to the President. For all his candor about the need for budgetary sacrifice, Mr. Clinton has been slow to level with Americans on the need to invest in the political system. It's this simple: Absent a decent infusion of public financing, it will be impossible to stop Congressional dependence on special-interest money.

By some accounts, Mr. Gephardt and a small group of House Democrats may decide the fate of public financing in a private meeting in the next few days. Mr. Clinton said he wanted to lead the country. On this issue he can start by leading the discussion in Mr. Gephardt's group.

THE SENATE'S TIN CUP

By some accounts, senators must become full-time fund-raisers in the last two years of their terms. Here's a look at fund-raising during that period by several G.O.P. Senators who oppose public campaign funds.

Fund-raiser	Two-year campaign receipts	Weekly fund-raising average
Minority Leader Bob Dole ¹	\$2,362,936	\$22,720
Mitch McConnell ²	4,073,583	39,169
Phil Gramm ²	11,626,377	111,792
Don Nickles ¹	3,235,075	31,106
Al D'Amato ¹	6,533,230	62,819
Robert Packwood ¹	5,804,130	55,809

¹ Re-elected 1992.

² Re-elected 1990.

Source: Federal Election Commission.

[From the New York Westsider, Feb. 11, 1993]

UNNECESSARY KILLING

The bullets that killed Bonnie Vargas, the hostage who was grabbed by a fleeing bank robber on 93rd Street near Riverside Drive, were fired by New York police. And though the police could not have known it, the lone gunman's handgun was empty when the fatal shots were fired. The police were operating in a life-threatening situation; two policemen had already been wounded.

We, like most New Yorkers, were shocked that the police could open fire on a gunman holding a mobile hostage. In this case, the gunman was surrounded and could not escape. Why then endanger the hostage's life? Either police procedures were violated or new rules must be spelled out to cover these cases.

The officers' disregard for the life of Bonnie Vargas makes us very apprehensive of the greater fire power police will have if all officers are issued 9mm semi-automatic handguns. Three days after Vargas' death, the NYPD began increasing the number of officers carrying 9mm handguns by 50 each week. The chances of hitting bystanders will increase enormously if this experiment becomes standard policy.

DEMOCRATS IN DC

The nice thing about having divided government is there's always someone to blame for what went wrong. Obviously that luxury was too high a price to pay for gridlock. Now the Democrats have control of both the executive and legislative branches of the federal government and should be held accountable.

The Kimba Wood affair was a travesty. She was highly qualified, and her name should have been forwarded to the Senate for approval as attorney general. But panic broke out at the White House. A longer reaction time in the future could probably lead to saner results.

What really concerns us is House Speaker Tom Foley dragging his feet on campaign

spending. Legislation was drafted and voted on by both houses last term only to be vetoed. The Senate is moving to re-pass the bill; the House should do the same.

The delay certainly won't result in a stronger bill. It's nice the president is getting along so well with Congress, but there should be times when he disagrees and seizes the moral high ground. Campaign reform is an issue that demands such leadership, and Bill Clinton shouldn't be satisfied with the excuse that the bill will be brought up later.

Most political action committees (PACs) are equal-opportunity contributors. Incumbents of both parties get the money, and committee chairs are special favorites. Since Democrats how control all the committees, they'll be the big losers if the PAC contributions are banned. That's why they're hesitating to pass the bill—a bill that's really quite mild. It doesn't eliminate all PAC money. Real campaign reform would have elections publicly financed and requirements that candidates debate on television.

It's true that bad news drives out good. The family-leave legislation is excellent, and its passage wasn't given enough news coverage. This law will permit employees in companies with over 50 employees to take up to 12 weeks of unpaid time off to be with a sick relative or newborn baby. No loss in benefits or position will occur as a result.

Clinton and his staffers will continue to make goofs, and that is expected. Our real concern is the Democratic Congress, which doesn't fully appreciate that the country expects major changes and that Congress must take some unpopular actions.

[From the Niles (OH) Daily Times, July 24, 1989]

CAMPAIGN FINANCING SYSTEM NEEDS CHANGED

Something's obviously wrong with our system of choosing congressmen and U.S. senators.

When 98 percent of House incumbents are returned to office, when a candidate for the House must spend \$400,000 to get elected or re-elected, and for the Senate, \$4 million, this system has gone badly off track.

When special-interest political action committees provide the lion's share campaign funding, a remedy to this system is drastically needed.

President Bush, to his credit, has acknowledged this problem and recently proposed remedies.

While the president's campaign-reform package won't, by itself, solve the campaign-finance scandal, it's welcome as a starting point.

Bush offered an 11-point package, including a proposal that Congress limit its chief source of outside income, honoraria. Members of Congress took in more than \$9 million in speaking fees last year—that averages out to more than \$15,000 per member. The groups that pay these fees understand they are getting more for their money than just a speech.

In return for the honoraria the president said he'd endorse a 25 percent pay raise for Congress, federal judges and some surgeons and scientists in the executive branch. Both the honoraria band and the increase are worthy proposals.

Much more controversial is President Bush's proposal to ban contributions by PAC's supported by corporations, unions or trade associations. Such groups contributed about 50 percent of the money—\$170 million—spent on congressional campaigns last year.

In the past six years, PACs have invested more than \$400 million in government deci-

sion-making. PAC donors look at these contributions as "investments."

Bush insisted—and The Niles Times agrees—that PAC contributions improperly and unfairly magnify the voices of special interests at the expense of representative government.

But to ban all PACs—or to ban all but ideological PACs—does not get to the root of the problem. It does nothing to rein on the soaring problem of financing a campaign. These costs have skyrocketed primarily because of expensive television advertising.

If the president wants to help Congress reclaim its integrity, The Times believes he should push for overall limits in campaign spending. He should work with Congress to forge a public-financing plan for campaigns, a plan that is both politically and constitutionally acceptable.

After all, Congress did institute a public financing mechanism or presidential elections and it worked just fine.

On the other hand, Congress' own system of campaign funding is not working period. In fact, the corrosive system is a major reason Congress finds itself embroiled in an ethics crisis.

Comprehensive reform would go a long way toward calming that crisis.

[The Ogdensburg (NY) Journal, Dec. 16, 1991]

PUBLIC FINANCING FOR CONGRESS

As the Bush-Quayle '92 Fund-Raiser was rolling merrily along Halloween night in Houston, Vice President Dan Quayle gushed that Texan Phil Gramm is "one of the best United States senators in the entire country!"

And the audience cheered. Then, in the next breath, Quayle urged that Gramm be summarily booted out of the Senate—thwarting the will of the people who made the ever-ready conservative the most popular Republican vote-getter in Texas history.

And yet, the audience cheered again. They cheered not because they'd suddenly turned against Phil Gramm, who is indeed one of the smartest and ablest of senators, but because they didn't grasp the impact of Quayle's plea. Then again, neither did Quayle. He wasn't thinking about the future of Phil Gramm, his aides say; he was merely pleading his pet notion of how Republicans can defeat Democrats: term limits for Congress.

What the vice president and his fellow Republicans haven't yet figured out is that there is a far better plan to accomplish their real goal—ending the apparent invincibility of Democratic incumbents in Congress—without scrapping all that is good about our democratic system of government of, and by, the people.

It is a plan that will end the overwhelming advantages that incumbents have over challengers—senators and representatives lure big money from the special interests and spend it to assure their re-election.

It is a plan that will end the corrupting influence of the special interests and their PACs—the Charles Keatings and the lobbyists of big labor and big business won't be able to buy or rent the services of representatives and senators, or even access to them. And senators and representatives won't have to beg them for money.

It is a plan that will give voters equal access to the ideas, promises and claims of incumbents and challengers—to level the playing field for all candidates.

It is a plan for the people to finally recapture their own electoral system from the special interests by financing the primary

and general election campaigns of Senate and House candidates. The plan will cost, according to the Center for Responsible Politics and the Working Group on Electoral Democracy, about \$500 million a year.

The idea is far from revolutionary. It is a plan to extend to Senate and House candidates the public funding system we now provide for presidential candidates. You'd think this would be precisely what Republicans would be demanding as they seek to break the lock that Democrats seem to have on the House, where more than nine out of every 10 incumbents win reelection. But Republicans seem to be unable to break the old philosophic lock that keeps them repeating clichés of opposition to all government financing.

How quickly the elephant forgets:

Ronald Reagan is the No. 1 recipient of public money for campaigns; he got a combined total of \$92 million for three presidential campaigns (as calculated by Common Cause).

President Bush received a combined total of \$60 million in public funds for his 1980 and 1988 presidential campaign.

Republican presidential candidates together have accepted \$212 million in tax funds. The Republican National Committee has gotten \$24 million in tax money for its presidential conventions.

House and Senate Republican campaign committees have accepted millions in tax funds for political mailings.

This year, the House and Senate passed campaign finance reforms—now Bush threatens a veto if the House version prevails, because it would limit spending and match small individual contributions with public funds.

In their zeal to do what's best for Republicans, Bush and Quayle have gotten it backward. Public financing in their best—probably their only—hope for ending the domination by Democratic incumbents in Congress. And it is our best hope for driving the PACs into extinction.

Dan Quayle thinks the loss of a few super conservatives like Phil Gramm is a price worth paying to force all incumbents from power. The rest of us can argue that it is better to guarantee that the will of the people can be freely expressed—for a small price.

[From the Orlando Sentinel, Mar. 12, 1991]

AN OVERHAUL MAKES SENSE * * *

Much of the public's relative indifference to campaign finance reform stems from questionable objections to the leading reform ideas.

For example, many opponents of giving candidates public money express revulsion at the idea of having their tax dollars used by candidates they oppose. But when the public money devoted to this purpose is spread across all taxpayers, a given candidate probably would receive no more than a few cents of each citizen's taxes.

Furthermore, candidates whose views some people find revolting are elected all the time. There's no way that will change. Likewise, the offensive candidate may lose even with the objecting citizen's meager involuntary help.

Most important is this question: Which is worse, the minor irritation of a few cents' donation to a candidate you don't like or the substantial evil of current political shenanigans and influence-buying?

Surely the answer is that the current ills are far worse. Especially considering the enormity of the problem, other routine objections to campaign reform stand up no better to assaults of logic.

For instance, it makes no sense to maintain that candidates should be able to spend as much as they want. (It's more important that elected officials aren't obligated to special interests.) Or that PAC contributions buy access but don't influence votes. (Contributors like the NRA and Charles Keating seem to want results for their money.) Or that challengers (like Lawton Chiles, maybe?) can't win by limiting contributions and letting incumbents outspend them.

An overhaul of the campaign finance system can't be delayed.

[From the Paris (TN) Post-Intelligencer, Apr. 16, 1992]

RUN CAMPAIGNS WITH TAX FUNDS, NOT PAC'S

A political cartoon depicts a taxpayer working on his return. He has leaped up from the table in such a rage that his head has smashed through the ceiling, and his wife is explaining, "He was fine until he got to the box about donating a dollar to the presidential election campaign."

That may be the way a lot of us feel: Be darned if we want our hard-earned money going to pay for a political campaign.

But wait a minute. If we don't pay for campaigns, who does? Think about that.

Who pays is the big spender: the wealthy, the political fat cat and especially the political action committee. They're all too happy for you and me to turn our backs while they pour bucks into the election campaigns.

And what do you suppose they expect in return for their money? You've got it. Results.

Our election funding system is as much at fault as any single factor in the bad reputation which our government is getting with the people. The government isn't ours any more, we feel. If that's true, it hasn't been stolen from us. We sold it.

Political action committees originated as a reform movement, a method to assure that the wealthy were not the only big contributors to campaigns. The feeling was that people with common interests could pool their funds and make a difference.

The theory has worked beyond the wildest dreams of the planners. PACs have succeeded too well—so well that they now dominate the whole election funding process.

We need to buy campaigns back. The campaign funding role of PACs should be sharply limited, and campaigns should be funded largely with tax funds—yes, your taxes and mine. In order to do that, we need to sharply limit the amount that can be spent on campaigns.

Under the present system, the candidate who can raise the most money stands the best chance of getting elected. While that may make some free-market sense, it still results in far too much being spent on campaigns.

We would be better served with limits on the length and spending of political campaigns and on the amount that PACs could contribute to the process. Tax money should make up the balance. That would make office holders more beholden to the taxpayers and less to the special interests.

Or we could just let the big spenders go on running things for us. Are you satisfied with the ways things are?

[From the Parkersburg (WV) Sentinel, Apr. 22, 1992]

BUSH ON THE SPOT

President Bush will face a pivotal decision for the nation.

He will either sign into law a landmark campaign finance reform bill and help bring

about basic change in Washington, or he will veto the bill and, in effect, become the chief protector of our nation's corrupt campaign finance system.

Fred Wertheimer, president of Common Cause, says the bill is the most important government reform legislation to emerge from Congress since Watergate. It would limit campaign spending and provide public campaign resources for congressional races, establish new restrictions on special-interest PAC contributions in Congress, and end the so-called "soft money" abuses that have brought huge, Watergate-style \$100,000 contributions back to the White House. The House passed the legislation on April 9 and the Senate is expected to act on it shortly.

President Bush has threatened to veto this bill for several reasons.

He does not favor public financing of elections. By the end of the 1992 campaign, Bush will have benefited from the use of more than \$200 million in public funds to run for president and vice president.

Bush also objects to spending limits because they would hurt challengers by limiting their ability to outspend incumbents.

The current system of unlimited spending and no public campaign resources that has produced unprecedented reelection rates for congressional incumbents, as high as 98 percent in recent elections.

In contrast, under the presidential system of spending limits and public financing, challenges have been able to win two of the past four elections.

The real problem that congressional challengers face is that they are starved for campaign funds, while incumbents have far more than they need. In 1990 90 percent of the 330 House challengers did not have even half of the campaign funds they would have been allowed to spend under the proposed legislation. House challengers had just \$36 million, compared with \$240 million for the incumbents.

A system that combines public campaign resources with reasonable spending limits would increase, not decrease, the ability of congressional challengers to run competitive races.

The President also says he wants to end the influence of special-interest political money in Washington by banning PACs. The proposed legislation does not ban PACs, which is of questionable constitutionality, but it makes major reductions in PAC money to congressional candidates.

The bill also eliminates the \$100,000 special-interest soft money contributions that are flowing back into presidential campaigns and destroying our country's anti-corruption laws. President Bush has been unwilling to stop this kind of special-interest money.

The so-called soft money system is, in reality, a money laundering scheme that President Bush used in 1988 to evade the presidential campaign contribution and spending limits and to raise \$25 million in \$100,000 contributions from just 249 individuals. The Democratic presidential nominee Michael Dukakis conducted a similar campaign.

The soft money system is providing the wealthiest people in America with special access and influence at the White House. The legislation the President is threatening to veto would end this system.

If President Bush signs the fundamental reform legislation headed to his desk, he will put in place the most sweeping government reform in almost 20 years.

If the President vetoes the bill, he must assume responsibility for allowing the present unfair system, with its opportunities for corruption, to continue.

The choice is his.

[From the East Oregonian, Apr. 6, 1992]

LIMITING THE POWER OF INCUMBENCY

Career politician George Bush now wants to get rid of career politicians.

Ironically, President Bush's hypocrisy on this issue offers the best evidence of why we need a campaign finance system that gives challengers a fighting chance. We desperately need citizen legislators—and presidents—who hold office believing in more than merely getting re-elected.

Bush, predictably, is now cynically exploiting the public's low estimation of Congress for his own political payoff. He only wants reforms that hurts Democrats. He is threatening to veto a campaign finance reform bill that would move us in the right direction by limiting the power of all incumbents, no matter the party.

The centerpiece of Bush's proposal is term limits for members of Congress. Term limits may indeed be necessary at some point if Congress—and the president—refuse to address our corrupt, moribund political system through strong campaign finance reform.

But Bush's motivations for term limits are not the same as those of the frustrated masses wondering why Congress can't accomplish anything substantial. Bush wants only reforms that throw Democrats out of office but preserve the ability of Republicans to amass huge campaign war chests. He is exploiting the popularity of term limits not to make the system better—but to get more members of his own party in office.

Bush is also calling for further limits on special interest money—or PACs. This is aimed primarily at reducing the ability of large labor unions to shovel enormous amounts of money to their Democratic friends in Congress. Limiting PAC donations is a good idea, but it means nothing unless accompanied by spending limits. But Bush won't go that far because the Republican Party does a much better job than Democrats at raising huge sums from corporations and individuals and passing that money on to their incumbents.

Until Bush is willing to support campaign finance reform limiting the power of ALL incumbents, his sincerity must be questioned. If Bush truly believes in converting our "career" Congress to a "citizen" legislature, he should sign the campaign finance reform bill approved by a House-Senate conference committee and headed for the House floor. It calls for sending limits on Congressional elections and cuts political action committee donations in half. In addition, the bill curbs the use of "soft money"—money raised outside existing limits and distributed by party organizations to candidates.

Bush's signature on this bill would go a long way toward reducing the corrupting influence of special interest money that allows incumbents to cling to power long after their usefulness as legislators has expired. And he could really make his mark in this field by going further. The president should prod Congress to offer free television time to candidates and franking privileges for challengers on a par with incumbents.

Spending limits, partial public funding of congressional campaigns, free television time for candidates, and equal mailing privileges for challengers and incumbents all will dramatically reduce the power of incumbency.

A veto of the campaign finance reform bill now in Congress will show that Bush is more interested in partisan advantage than true reform. And he would once again be a shin-

ing example of an entrenched political leader more interested in retaining power than moving forward on the revitalization of American democracy.

[From the Philadelphia Inquirer, Apr. 15, 1992]

HOW WEAK CAN IT GET?

The House and Senate have just hammered out a campaign-financing compromise that's weaker than it should be—yet it's going to die by veto because President Bush wants something even weaker. That's this year's eulogy for efforts to reduce the advantages of incumbency, and make candidates less dependent on the generosity of special interests.

The staples of reform are limits on contributions from political action committees (PACs) and limits on total spending. And since mandatory limits run afoul of the Constitution, the basic way to enact limits is to make them voluntary—with candidates who agree to them getting something in return. Under the latest plan, the incentive for House candidates would be federal matching money for the first \$200 of any donation from an individual. Senate candidates who agreed to the limits could get free television time. And candidates for either office, both incumbents and challengers, could get a discount on postage for one political mailing.

Even though Mr. Bush objects to spending limits and partial public financing as unneeded interference with the political process, we feel these policies are essential to at least put some check on the spreading corruption of campaign finance. In fact, the new limits would still be too loose. Under this legislation, a House candidate could accept up to \$200,000 in PAC money, and Senate candidates could get between \$375,000 and \$825,000, depending on the state's voting age population. These limits are better than no limits, but they still give special interests too much influence.

The limits on total spending are also too high, leaving the better-financed candidate—usually the incumbent—free to heavily outspend the opposition. For House candidates, the limit on general-election spending is half a million bucks; Senate candidates could spend between \$950,000 and \$5.5 million to win a general election.

Still, there's value in setting limits. It's at least a start. Loose limits could lead to tougher ones later. The bill also has other worthwhile provisions, such as a ban on PACs controlled by congressional leaders. Unfortunately, this partial clean-up is too much for Mr. Bush.

[From the Berkshire (MA) Eagle, Apr. 30, 1992]

THE PRESIDENT'S PRICY DINNER

Eating out can be an expensive proposition, but the President's Dinner in Washington Tuesday night was particularly steep. A ticket cost \$1,500, and a purchaser of a table of tickets would get to sit with a senior administration official. For \$92,000, a diner could have a picture taken with President Bush.

When the last table was cleared away, President Bush, who is fighting a congressional attempt at campaign reform, had raked in \$9 million. The fund-raiser is thought to be the largest in American political history.

The hypocrisy of the Bush administration and the ineffectiveness of campaign finance laws were both on public display Wednesday night. Though the law limits donations to

political campaigns to \$1,000 per person and \$5,000 per political action committee, there is no limit on indirect contributions. Most of the money raised at the dinner went to a trust which funnels money to Republican organizations, and from there to the Bush campaign. In turn, the president's wealthy dinner guests can anticipate favors during the president's second term.

The same president who uses loopholes to set fund-raising records has also sanctimoniously berated the Democrat-dominated Congress for its reliance on PAC money. But at least Congress wants to do something about it.

A bill the Senate brought to the floor Tuesday would close many loopholes the president benefits from and establish voluntary spending ceilings on congressional campaigns. In exchange for agreeing to those limits, House candidates will receive increases in public matching funds and Senate candidates will get vouchers to purchase television time.

Of course, the president threatens a veto. He is opposed to public financing of congressional campaigns, claiming challengers will be hurt, though it is incumbents who generally collect the largest donations. Ironically, the president has received more than \$200 million in public financing in his political career, more than any other candidate in history.

The Senate bill has flaws but it represents progress. A president bought and paid for by wealthy dinner guests shouldn't stand in its way.

[From the Tri-Valley (CA) Herald, Feb. 16, 1993]

MAKING GOOD ON CAMPAIGN FINANCING REFORM

President Clinton may have a lot on his agenda already, but we're adding another must-do item to his list. Clinton needs to take advantage of the climate for change that swept him into the White House by getting campaign financing reform legislation through Congress. During the 1992 campaign, he voiced support for a tough, new law.

Campaign financing reform isn't the kind of issue that inspires mass marches on the Mall. Still, Americans know that big money has corrupted the electoral process.

A 1992 study by Common Cause, the good government lobbyist, showed President Bush granted numerous government favors, including regulatory relief, special appointments and import-export assistance, to business leaders who contributed \$100,000 or more to his 1988 campaign. But Democrats don't wear halos. By September, 1992, Clinton-Gore fund-raisers expected their campaign would exceed the \$53-million record in "soft" money collections—contributions from private sources that go indirectly to the candidate through the part—set during the Dukakis campaign in 1988.

Clinton was an eager presidential candidate when President Bush vetoed a campaign reform bill last fall. "I would urge Congress to go right back and give him a tougher bill," he said.

But time ran out on Bush and now Clinton's the main man. It's up to him to urge Congress to bring the bill to him.

Clinton will need to do his best politicking. Traditionally, Democrats rely heavily on PACs, the political action committees that tend to back liberal candidates. Lowering the amounts of money that PACs can give to candidates is one of the key provisions of the finance reform bill. The others would:

Place financing limits of \$600,000 on House races and from \$1 million to \$5.5 million on Senate races.

Ban the kind of "soft" money contributions the Clinton-Gore campaign amassed so adroitly, and

Require public-matching funds for limited campaign communications like TV ads, financed through a repeal of a tax loophole that allows corporations to deduct lobbying costs.

President Clinton has plenty of ammunition for this fight. Common Cause is holding 48 House Democratic freshmen to the promise each made during the 1992 campaign to support financing reform. And most returning House members claim they're for it, says Jay Hedlund, Common Cause's director of grassroots lobbying.

What the president must do is direct his attention to this low-profile but important issue in the coming weeks. Americans may not descend on Washington in buses. But they do want the kind of change in the electoral process that can start with campaign-financing reform.

[From the Port Huron (MI) Times Herald, Apr. 3, 1993]

CAMPAIGN SPENDING REFORM A '91 "MUST"

The watchdog agency Common Cause has complained for years that election victors are almost always those who raise the most money.

Its recent report that congressional incumbents who easily won re-election in 1990 also raised—and spent—far more than their challengers consequently comes as no surprise.

What the new federal spending figures underscore is the urgency of adopting campaign spending caps and controls that will diminish the advantage of incumbents.

And the Keating Five scandal demonstrated that essential to any reform is a reduction in the impact, and the influence, of political action committees—which in 1989-90 favored incumbents over challengers as recipients of their largess by a margin of 13-to-1.

The House went through the motions of passing an election reform bill last year, but it embraced few reforms. For example, one of its provisions would have increased the amount that many legislators could receive from PACs.

The Senate passed a far better bill, addressing all the major concerns over a system that has made lawmakers beholden to big-money contributors for an evermore disturbing proportion of their campaign dollars. But the two chambers never came to grips with the bills' substantial differences, and both died when the 101st Congress expired at year's end.

This year, the House has before it a genuine reform proposal—The Clean and Fair Elections Act of 1991—sponsored by three Democrats and a Republican. It is almost identical to the 1990 Senate-passed bill, which senators have resurrected in the new Congress.

Both House and Senate plans would drastically alter the way campaigns are financed. Among other things, they would:

Reduce the maximum PAC contribution to a candidate from the current \$5,000 to \$1,000 and prohibit candidates from accepting more than 20 percent of their spending limit from PAC's. Those provisions would have cut 1990 PAC contributions to House candidates by 50 percent—a total of \$52.7 million.

Prohibit "bundling" of campaign contributions—the lobbyist practice of collecting contributions from several sources and presenting a hefty (and impressive) total to the candidate—as Charles Keating did.

Cut in half, from \$1,000 to \$500 per election, the amount of money an individual could

give to a candidate and set up a \$100-per-contributor tax credit to encourage small contributions.

Shut down the "soft money" system which now permits money banned from federal elections to be laundered through state parties and spent on behalf of federal candidates anyway, violating the federal law's spirit.

Make available public funds to candidates who agree to an overall spending limit of \$550,000 and who raise a specified portion of their campaign money from home-state contributors.

This last provision to allocate public tax money to political campaigns is one of the most controversial features of the proposals. It's also the one we like least. But if expending some public dollars is the only practicable way to substitute "clean money" for the pell-mell race to garner contributions that can raise suspicion even alarm—then that's a price of a more wholesome democracy the nation should be willing to pay.

The Senate is likely to pass its bill again, so the key to reform is the House. Lawmakers there can demonstrate they're serious about campaign reform by giving top priority to passing The Clean and Fair Elections Act of 1991.

[From the Portland (ME) Press Herald, May 13, 1992]

SENATE SHOULD REVERSE CAMPAIGN REFORM VETO

Hypocrisy ran amok over the weekend when President Bush, professing political virginity, vetoed the campaign finance reform act sponsored by Senate Majority Leader George Mitchell and others. He just couldn't accept legislation, cluck-clucked the president that "contains spending limits or public subsidies or fails to eliminate special-interest PACs (political action committees)."

Gracious no. This is the man who has run in four presidential elections, all of them with voluntary spending limits and "public subsidies." Though he didn't have to participate in this system, he did. As a result, says Mitchell, by year's end the president will have received more than \$200 million in public campaign funds, "more than any person in the history of the country."

Last month in his latest trip to the trough to seek another \$2 million in public funding, Bush barely looked up long enough to say he would veto any legislation that allowed such outrageous extravagance. Slurp, slurp.

As senators prepare to vote on whether to override the president's veto, they should consider that it is they who will pay the price if the Bush veto stands. Americans are fed up with the obscene, multimillion-dollar cost of many campaigns. Existing campaign finance laws are easily skirted, through "soft money" raised by candidate surrogates and through "bundling." The latter consists of putting together large sums of money from individuals, corporations and labor unions in a way not otherwise allowed.

In 1988, almost 250 individuals and corporations donated at least \$100,000 each to the George Bush campaign.

"There has been a return to the pre-Watergate presidential campaign finance era," says Mitchell.

The Maine senator's reform bill would disallow soft money and bundling. It would curtail the participation of political action committees in federal elections. It would provide broadcast vouchers, lowered broadcast rates and discounted mail rates to candidates who agreed to limit their campaign spending.

More than any other recent bill, the campaign finance reform act would begin to restore badly shaken public confidence in the political process.

Senators should vote to override Bush's veto not for their own sakes or for that of their House counterparts or for that of their respective parties' presidential nominee. They should do it for the simple reason that it would be right, and it would be good for the country.

[From the *Primos (PA) Times*, Apr. 30, 1992]

REFORM ELECTION SPENDING

The first election of 1992 is history and the victors are gearing up for a November battle. The primary brought upsets, unchallenged candidates and expected winners. It also replayed an all-too-familiar refrain.

"Money was it. Money was the ball game, no doubt about it," Republican primary challenger Steve Freind said when asked to discuss the turning point in his losing fight.

But the issue isn't just who has raised the most money for his or her campaign. The real problem for the American public is where is that money coming from?

During the 1988 presidential campaign, 60 wealthy real estate executives gave \$100,000 each to George Bush's Team 100, according to a Common Cause study. From 1989 through 1991, these same 60 (including Donald Trump) gave an additional \$1.7 million to President Bush's national party committee.

Also, from 1987 through 1991, real estate industry political action committees (PACS), gave current members of Congress a total of \$12,060,735, according to the same study.

Critics believe legislation which encouraged investment in speculative commercial building without fear of real monetary loss under a passive loss tax shelter contributed to overbuilding in the past decade and the subsequent failure of the savings and loan industry. Who benefited? Any of these who contributed millions of dollars to campaigns and thus bought access to candidates ears? Who is paying for the savings and loan fiasco? Those who, apparently, have no one's ear.

Another study in 1991 found that house members from our state of Pennsylvania alone received nearly \$1.4 million from medical-industry PACS during the past decade. Does that financial clout have anything to do with the lack of meaningful health care reform in the country? Who benefits from the system as it works—the average, middle class taxpayer or an organization that can "donate" \$239,414 to Richard Schulze (R-5th) over a 10-year period?

As Donna Summers once sang, "Enough is enough."

The Senate should take up the conference report on bill S.3 as early as this week. The Senate first passed this bill on May 23, 1991 by roll call vote of 56-42.

The House of Representatives passed the conference report on April 9 by roll call vote of 259-165. Nineteen Republicans, 239 Democrats and one independent voted aye; 145 Republicans and 20 Democrats voted no.

The President is expected to veto S.3.

The bill is not perfect, but it is a beginning. It will require campaign spending limits and clean public resources for congressional elections. The House limit is \$600,000 for the election cycle; the Senate limits vary according to the size of the state from \$1,586,500 to \$8,250,000.

The bill bans huge "soft money" contributions and takes the presidency of the United States away from the super rich.

It also places new restrictions on PACs. Under S.3 PACs could not contribute more

than 20 percent of the total campaign spending in Senate campaigns. The House limit would be one-third of campaign spending, while the amount a Senate candidate could accept from an individual PAC would be cut in half—from \$5,000 to \$2,500.

The conservative critics of the bill (who include Schulze and Curt Weldon, both of whom voted no on April 9) point to campaign financing under the new proposals as "government subsidies."

Big deal. So, taxpayers will discover part of their tax dollars going to support campaign spending.

Ironically, President Bush, who finds this distasteful enough to warrant a veto, did not find the idea too horrible to accept \$200.2 million in total public funds in seven primary and general election campaigns since 1980, according to the Federal Election Commission.

The only solution to the fund-raising advantages of incumbency and the access of special interests through their donations to candidates is campaign finance reform that ensures equal spending by both candidates (ideally through public financing).

The feeling exists in this country that Capital Hill is for sale. It is time to return the power to elect and the power to make our elected representatives listen to the public they are supposed to represent.

Tell our representatives we want election spending reform.

[From the *Provo (UT) Daily Herald*, Aug. 12, 1989]

CAMPAIGN SPENDING LAWS NEED REFORM

When 98 percent of House incumbents are returned to office, when a candidate for the House must spend nearly \$400,000 and for the Senate nearly \$4 million, when special-interest political action committees provide the lion's share of campaign funding, then something obviously is wrong. Our system of choosing our representatives has gone badly off track.

President Bush, to his credit, has acknowledged the problem and proposed remedies.

The president's campaign reform package by itself isn't going to solve the campaign-finance scandal, but as a starting point it's welcome. What's needed in the coming weeks is bipartisan negotiation toward ending Congress' serious addiction to special-interest influence money.

Bush offered an 11-point package, including a proposal that Congress limit its chief source of outside income, honoraria. Members of congress took in more than \$9 million in speaking fees last year—that averages out to more than \$15,000 per member. The groups that pay these fees understand they are getting more for their money than just a speech.

In return for an honoraria ban, the president promised to endorse a 25 percent pay raise for Congress, federal judges and some surgeons and scientists in the executive branch. Both the ban and the increase are worthy proposals.

Much more controversial is the president's proposal to ban contributions by PACs supported by corporations, unions or trade associations. PACs, special-interest money conduits, contributed approximately 50 percent of the money spent on congressional campaigns last year. That amounted to more than \$170 million.

In the past six years, PACs have invested more than \$400 million in government decision-making. PAC donors, without question, see these contributions as investments.

The president insisted that PAC contributions improperly and unfairly magnify the

voices of special interests at the expense of representative government. But to ban PACs—or to ban all but "ideological" PACs, as the president suggested—does not get to the root of the problem. It does nothing to rein in the soaring costs of financing a campaign. Those costs have gone up exponentially, primarily because of expensive television advertising.

If Bush really wants to help Congress reclaim its integrity, he will push for overall limits on campaign spending. And, he will work with Congress to forge a public-financing plan for campaigns, a plan that is both politically and constitutionally acceptable. Congress instituted a public financing mechanism for presidential elections, and it has worked just fine.

Congress' own system for campaign funding is not working just fine. In fact, the current corrosive system is a major reason Congress finds itself embroiled in an ethics crisis. Comprehensive reform would go a long way toward calming that crisis.

[From the *Rapid City (SD) Journal*, Feb. 14, 1993]

THIS TIME NO EXCUSES

The way congressional election campaigns are financed needs to be changed.

As Roseann Roseannadonna might have said, "What's all this fuss about camping finance reform?"

And really, who cares if Sen. Larry Pressler, apparently deciding against pitching a tent, spends a few nights in the posh Beverly Wilshire Hotel at the expense of his campaign war chest? Who cares if he spends \$143,000 during a year in which he is not even up for re-election? After all, the senator is up for re-election in 1996, and he has to spend some of that campaign money in order to raise more money to counter the millions his Democratic opponent is sure to spend.

Sorry, Roseann, but the issue is campaign finance reform, and it is important.

Why? Because, the way things are now, members of Congress spend as much time raising money for the next election as they do deliberating as our nation's lawmaking body. It's important because, although as members of Congress they are supposed to be operating in the best interests of our country in general the money that is getting them elected comes from a multitude of people and groups with very specific interests.

Whom are they raising money from? Take a look at Sen. Tom Daschle's Federal Elections Commission report summary for 1987-1992, and you will see 14 pages full of names of special interest groups that have donated to the senator's war chest. Names such as the Hawaiian Sugar Planters Association (\$1,000), Pear Growers for Responsible Government (\$250), the United Auto Workers (\$10,000) and the Women's Alliance for Israel (\$10,000).

When it comes right down to it, the interest that Congress is supposed to serve—the well-being of everyone—is nowhere represented in the money that gets candidates elected.

The solution is public financing for elections. In other words, for us, the common people, to give them money out of the taxes we pay. Our best interest isn't served by having them traveling all over the country with their hands out. We want them out talking to people, studying issues, figuring out how to get our country out of the messes it's in. And we'll give the same amount of money to the people running against them, and let 'em have a fair fight—have the same amount to spend, the same amount of time on TV, the

same amount of free postage for their brochures, etc.

Pressler was quick last week to defend his off-year campaign spending. He wasn't doing anything illegal. But he has been complaining a lot lately about how much he dislikes campaign fund raising.

And Daschle, even as one of the top recipients of special interest money in the Senate, has voted consistently for campaign reform measures and says he would like to stop accepting special interest money but can't because the other side won't.

So, both of South Dakota's senators say they don't like the system the way it is. It's time for a change.

And now we have a President in the White House who favors changing the way America funds congressional campaigns. Last year, Congress passed a law that would make some of these changes, but it did so knowing that President Bush would very likely veto it.

This time there's no more excuses. Recent polls have shown that Americans support the concept of public financing. Members of Congress say they want it. The president says he wants it. Let's have it.

[From the Red Bluff (CA) Daily News, July 18, 1989]

PRICKING PACS IS ONLY A START

When 98 percent of House incumbents are returned to office, when a candidate for the House must spend nearly \$400,000 and for the Senate nearly \$4 million, when special-interest political action committees provide the lion's share of campaign funding, then something obviously is wrong. Our system of choosing our representatives has gone badly off track.

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Congress' own system of campaign funding is not working just fine. In fact, the current corrosive system is a major reason Congress finds itself embroiled in an ethics crisis. Comprehensive reform would go a long way toward calming the crisis.

[From the Roanoke Times and World-News Apr. 13, 1992]

THE WORST PERK OF 'EM ALL

In July 1988, an article in "Campaigns & Elections" magazine gave helpful instruction to candidates who wanted to weasel around those pesky post-Watergate limits on campaign contributions:

There are scores of ways a generous individual or PAC can surreptitiously help your campaign—if they are so inclined. Indeed, accepting "special" money or money above the legal cash limit has become an art in and of itself. Three of the more creative approaches are bundling, generic donations and in-kind contributions. Best of all, each is absolutely legal—and fattening to your campaign budget.

But none of our esteemed representatives in Congress would actually resort to such clandestine financing tactics, would they?

Right.

While Americans worry about bounced congressional checks, free prescriptions drugs, private gyms and reserved parking spaces at Washington airports be assured: What Common Cause President Fred Werthemer calls "the most scandalous perk in Congress"—a corruptive system of multimillion-dollar political fund-raising—will continue unless President Bush comes to his senses and signs meaningful campaign-finance reform legislation.

Following a decade of congressional struggle, such a bill finally has been produced by a House-Senate conference committee; it would go far toward dismantling this dangerously corrupting system.

The proposal's welcome features include:

Voluntary spending limits on congressional campaigns to brake the outrageous money chase that now occupies the time public officials should be devoting to the public's business.

Public funding for congressional candidates who agree to so limit their campaign spending. This would substantially reduce candidates' dependency on special-interest contributions and help eliminate incumbents' edge over challengers.

A ban on so-called sewer money, unregulated contributions made to political-party committees for slipping under the table to candidates. In 1988, sewer money laundered through political committees provided about \$20 million for the presidential campaigns of both Bush and Democratic challenger Michael Dukakis.

New restrictions on the aggregate amount of campaign funding that congressional candidates can raise from political-action committees. (In 1991, PAC contributions to 393 incumbent representatives seeking re-election accounted for more than \$33 million—al-

most half of the total \$39 million that incumbents raised.)

A ban on "bundling," a gimmick used by PACs to exceed the maximum spending limits for a particular candidate. (Here's how it works: A PAC asks each of its members to write personal checks to a candidate. To ensure that the special-interest organizations gets credit, the PAC collects the checks and delivers them in a bundle to the candidate. But when campaign-funding reports are made, only the individual contributions are reported.)

Such reforms could dramatically reduce the role of special-interest money in politics—and President Bush intends to veto them. He opposes campaign-spending limits, even if voluntary. He objects to public funding for congressional campaigns, through by the end of the year he will have received more than \$200 million in public funds for his re-election campaign.

A veto would be intolerable. The measure comes too late to prevent the Keating Five scandal, for which taxpayers are still paying. But it may not be too late to prevent similar scandals.

In this election year, President Bush talks about the congressional system being broken. Jerry Brown and Ross Perot play to the public's disenchantment with government, and to voters' concerns that Washington is unable to deal with the nation's problems.

Few would deny the link between the loss of confidence in government and the current system of campaign financing.

The reform bill won't fix it all. But if what former Wisconsin Sen. William Proxmire calls "thinly concealed bribery that not only buys [lawmakers'] attention but frequently buys their votes" can be curtailed, it will be a good start.

[From the Rochester (NY) Democrat & Chronicle, June 2, 1992]

WHITE HOUSE FOR SALE?—BUSH'S 1988 RICH DONORS RECEIVED FAVORS THAT COST TAXPAYERS A BUNDLE

When he vetoed a campaign finance reform bill last month, President Bush said it would gouge the taxpayers.

Public financing of congressional campaigns would cost money—probably more than \$100 million every two years. But is that more than the cost of favors done by grateful winners for the rich fat cats who bankrolled their campaigns?

It's a hard question to answer. But who can believe that people who give \$100,000 or more to a presidential candidate want nothing in return?

The new issue of Common Cause Magazine, in fact, takes a look at how some of the GOP Team 100 members (the 249 people who gave at least \$100,000 in 1988) fared.

It's clear that Team 100 members reaped millions of dollars in benefits—some of it directly from the taxpayers.

While it is illegal to give more than \$1,000 to a presidential candidate, the political parties each raised more than \$25 million in "soft money" in 1988—large donations given to party committees set up to evade the legal limits.

And the practice continues—although the bill Bush vetoed would have outlawed soft money.

On April 28, for example, the Republicans raised \$9 million at an annual gala dubbed "The President's Dinner." Contributors were encouraged to give at least \$92,000 to various GOP committees, which certainly will engage in activities intended to aid Bush's re-election chances.

It is impossible to say what, if anything, the donors, who each had their pictures taken with Bush, will receive for their checks. Just as it's impossible to say for sure that the Team 100 members were buying favors—although savvy business people don't invest large sums of money with no hope of turning a profit.

Our guess is that public financing of elections would cost the taxpayers less than campaigns partially financed by Team 100—without creating the impression of a White House for sale.

INVESTING IN CAMPAIGNS

Here's how some Team 100 members fared since their 1988 contributions:

California real estate developer William Lloyd Davis gave \$176,540. The Bush administration approved a \$35 million grant to extend and strengthen runways at a Denver air terminal adjacent to an industrial park to be built by Davis and his partners. Davis needs the airport as a hub for commercial cargo flights.

Paul Hebner, a former vice president of Occidental Petroleum, gave \$100,000. One month after Bush was sworn in, the administration announced a \$205 million settlement to cover \$710 million in fines and interest the Energy Department had earlier said Occidental owed for violations of federal oil price controls.

After much protest that the settlement was unfair, the deal was withdrawn last year, but Occidental still has paid nothing.

Edward Addison, president of Southern Company Services of Atlanta, gave \$105,000. The Justice Department later killed a two-year investigation of \$50 million of alleged illegal tax write-offs by the utility company.

Agribusinessman J.W. Boswell, a \$125,000 donor, receives \$2 million worth of federal water subsidies per year, despite having subdivided his 23,000-acre farm into smaller units to qualify for a program aimed at small farmers.

[From the Daily Sentinel, July 12, 1989]

NEED PUBLIC-FINANCING PLAN

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The president's proposal to ban contributions by PAC's supported by corporations, unions or trade associations is controversial. PAC's, special-interest money conduits, contributed approximately 50 percent of the money spent on congressional campaigns last year. That amounted to more than \$170 million.

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Congress' own system of campaign funding is not working just fine. In fact, the current corrosive system is a major reason Congress finds itself embroiled in an ethics crisis. Comprehensive reform would go a long way toward calming that crisis.

[From the Rutland Herald, Feb. 12, 1993]

YES TO CAMPAIGN REFORM

Public financing of election campaigns is an idea whose time has come, even for elections in Vermont.

House Speaker Ralph Wright has once again thrust himself into the spotlight by seizing on a timely issue and pushing it onto the agenda of the House. Campaign finance reform may prove more amenable to swift legislative action than the other issue on which Wright has placed his personal stamp, reform of education finance.

On the national level, President Clinton has pledged himself to reforming the way that we elect members of Congress. Public revulsion with the corrupting influence of special interest money makes this a good time for Clinton to put Congress on the spot. If Congress refuses to clean its own house, then the nattering nabobs of talk radio can unloose their invective on Congress.

Campaign finance reform involves some elementary principles that were embodied in a bill that was vetoed by former President Bush: spending limits on congressional campaigns, public financing of campaigns, and a limit on contributions from political action committees. Clinton is expected to revive reform of this sort.

In Montpelier, the same principles apply even if the level of spending does not approach the flood tide that keeps Washington awash in money. Establishing a state fund, financed in part by a tax checkoff, would ease the pressure on politicians to spend their time sucking up money. Public financing would be used to match private money raised by a candidate, so candidates would still have to appeal for contributions. But the over-all spending limit would diminish the candidates' reliance on private contributors.

Public financing of legislative campaigns would address the new high level of spending that has made many races, particularly for the Senate, costlier than ever. If the lack of a spare \$12,000 prevents worthy candidate from running for the Vermont Senate, that is Vermont's loss.

Campaign finance reform, on the other hand, could keep the door open to a wider spectrum of Vermonters who want to participate in politics. That would be Vermont's gain.

Wright's decision to push campaign finance reform reflects his new interest in identifying himself in public with specific issues rather than sticking to the traditional speaker's role as presiding officer and powerbroker. The risks in that new role are

that he could abuse his influence or that he could actually diminish it.

But he also has the opportunity to advance worthy measures that otherwise might languish. Campaign finance reform is one of them.

[From the Sacramento Bee, Apr. 9, 1992]

TONIC FOR AN AILING CONGRESS

Salivating over the House check-writing scandal, his moistened finger lifted bravely to the wind, President Bush, like so many others in this election season, is running against Congress. In that vein, he has endorsed the dangerous congressional quick fix of term limits. At the same time, the president promises to veto the one good piece of reform legislation that has a chance of reducing the special-interest grip on Congress and making the institution more responsive to the electorate.

A campaign-finance reform bill designed to slow the congressional money chase cleared a House-Senate conference committee last week. Its key elements are voluntary spending limits and limited public financing of congressional campaigns. Under the legislation, candidates for the House of Representatives who accepted public financing could spend no more than \$600,000 per election cycle. Spending limits for Senate candidates who accepted public funds would vary from \$1.5 million to \$8.2 million, depending on the size of the state.

The bill was approved on a straight party-line vote, with all Republicans voting "no." They fear that spending limits will hurt challengers, most of whom are Republicans, while helping better-known incumbents, mostly Democrats. It's a groundless fear: The history of political campaigns has shown that challengers don't need huge amounts of money to win, just enough to run credible campaigns. Practically every incumbent defeated in the last congressional election cycle spent more than his opponent.

Congressional Republicans and Bush also object to public financing, dismissing it derisively as "welfare for the politicians." It's an odd objection coming from a politician who, as a two-time candidate for vice president and a three-time candidate for president, has received nearly \$150 million in public campaign funds.

The bill approved last week is not the perfect remedy for what ails Congress, but if it becomes law it can reduce the obscene sums spent on election campaigns. And it would give those candidates who wish to avoid both the appearance and the reality of being bought and paid for by wealthy special interests a clean source of campaign funds. What's wrong with that?

[From the St. Louis Post-Dispatch, Nov. 13, 1992]

CAMPAIGN-FINANCE REFORM NOW

Though the numbers are preliminary, they are appalling. Common Cause reports that House incumbents in close races in 1992—which it defines as those where the winner received 55 percent of the vote or less—had three times as much money to spend than their challengers, or \$43.4 million versus \$10.6 million. Almost two-thirds of all challengers raised less than \$100,000 apiece.

The numbers for the Senate are similar, but worse. Most incumbents were, of course, re-elected. There is no better case for campaign-finance reform.

Fortunately, the votes to enact it appear to be present in the 103d Congress. Not only has President-elect Bill Clinton explicitly

endorsed reform, but Common Cause records pledges by 74 of the 120 new members of the House and Senate to vote for it. Together with those who supported last year's reform bill, which was vetoed by President Bush, a clear majority is now on record in favor of campaign reform. Of particular importance, 43 House Republicans now say they support it, compared with only 19 who voted for it last year.

Generic support for reform isn't enough. There is still no specific consensus for a particular kind of campaign reform, though certain elements of a possible measure do seem to have wide backing. Agreement seems to exist for limiting or ending so-called soft money—funds the national party can collect from individuals without contribution limits, can funnel to state parties for get-out-the-vote drives and the like, but actually can use to support specific candidates. There is also wide backing for limiting the contributions of political action committees.

But these measures won't do the job. Public disgust with the role of special-interest money in campaigns is so great that serious consideration should be given to full public financing of all campaigns for federal offices. True, some believe this amounts to giving incumbents yet another special perk, though, in fact, it would benefit challengers. This opposition won't be overcome without strong pressure from Mr. Clinton.

The most important step the president-elect can take is to place campaign-finance reform near the top of his agenda. While he has sensibly been advised not to flood Congress with so many proposals as to dissipate his political capital, focusing on the economy alone in the first 100 days would be unwise. President Jimmy Carter waited six months to submit his campaign-finance reform proposals, by which time the opposition had time to organize. His proposals were killed. Mr. Clinton must not make the same mistake. He should submit a proposal in January.

[From the Daily Press, Aug. 4, 1989]
PRICKING PACS

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[From the St. Petersburg Times, June 19, 1989]

THE DOMESTIC ARMS RACE

Jim Wright's book hustle and Tony Coelho's junk bond were tame stuff compared to the mass auction of Congress that culminates with every election. But the lesser scandals seem to have sensitized Congress to the greater one. Everyone is now promising to have a go at campaign reform—even the Republicans, whose Senate filibuster ruined the last attempt. Among the converts is President Bush, who is working on a plan to ban most contributions by political action committees.

That ought to be done, of course, but if Mr. Bush means to be serious he'll have to come up with a whole lot more. The problem with simply banning PAC money is that the Democrats won't agree to do it. Having most of the incumbents in Congress, they get most of the PAC money, as the Republicans know only too well. Even Democratic freshmen got twice as much PAC help last year as Republican freshmen did. To get the Democrats to give up such an advantage, the Republicans will have to concede something too—specifically, the stubborn GOP opposition to public financing and overall spending ceilings.

Public financing is the key to fashioning spending limits that the Supreme Court will accept. It ruled in 1976 that the Constitution allows candidates to spend all they can raise unless they agree to exchange that right for some form of public campaign assistance. The history of the presidential primaries, in which only one candidate, John Connally, ever turned down public financing, suggests that most congressional candidates would welcome the opportunity to practice mutual restraint.

Republicans tend to raise more money from individuals than Democrats do. Democrats do better by the PACs. Regardless of the reasons, any successful attempt at cam-

paign reform will have to reconcile those facts.

Sen. David Boren, D-Okla., and a dozen co-sponsors tried mightily to pass such a bill in the last Congress. It called for limits on each candidate's overall PAC contributions as well as for partial public financing for candidates accepting total spending restrictions. If all Senate candidates had chosen to participate last year, the public contribution would have cost less than \$100-million. The GOP filibuster denied everyone the opportunity. The \$100-million represented only a fraction of the money that could be saved by closing tax loopholes initially created to repay congressional campaign contributors.

As Boren perceived, PAC contributions are only one part, albeit glaring, of a large problem. The high cost of buying television time to make or counter negative advertising has every candidate scrambling fearfully for all the money he or she can raise. If direct PAC contributions are barred, special interests would then come under candidate pressure to "bundle" individual contributions from their members. That goes on already, just to evade the \$5,000 limit on a single PAC's gift to a candidate.

Campaign spending has been called the domestic equivalent of the arms race. It's an appropriate analogy. And, as with the arms race, it will take more than piecemeal efforts to bring it under control. It will take a bipartisan approach that exacts sacrifices from both sides of the aisle.

[From the Salt Lake City Tribune, May 19, 1992]

BUSH PUTS OFF CAMPAIGN REFORM ANOTHER YEAR AT PUBLIC EXPENSE

With his recent veto, President Bush blocked a necessary first step in reforming federal campaign financing. That means special interests can continue corrupting the campaign process yet another year, and campaign spending will reach new, untenable heights.

Mr. Bush killed the Congressional Campaign Spending and Election Reform Act of 1992 on grounds that it perpetuated political action committees, favored incumbents and required public funding of congressional campaigns. Whether he also opposed banning the presidential fund-raising that gives special interests access to the White House and indirectly bolsters presidential campaigns, he didn't say.

While his point about PACs is well-taken, given the need to reduce the growing influence of special interests on elected leaders, the legislation at least offered a realistic improvement over the status quo. But the president simply is wrong about the incumbent issue. Moreover, there is now way to stem campaign spending without offering candidates public funds, and there is no excuse for sustaining a system that circumvents limits on federal campaign fund-raising.

Because of constitutional questions about an outright ban on PACs, part of Mr. Bush's own campaign reform proposal might have been impossible to implement. Congress' legislation, still the most sweeping campaign finance proposal in 18 years, would have reduced PAC contributions to Senate candidates from \$5,000 to \$2,500. PAC donations to House candidates would have remained at \$5,000, but each candidate would have been limited to no more than \$200,000 in total PAC funding. That's better than no change at all.

The need for spending limits becomes increasingly apparent each year as the cost of a congressional campaign climbs inexorably

higher, encouraging incumbent candidates to cater to monied interests and eliminating newcomers of modest means from the competition.

In 1990, for example, 90 percent of incumbents in the House of Representatives faced either no challenger or a challenger with half or less the campaign funds of the incumbent. Ninety-six percent of incumbents, who collected six of every seven PAC dollars spent on candidates, were elected.

Utah candidates for Congress are experiencing another problem. Even this early in the campaign, Republican Joe Cannon has amassed \$2.03 million for his Senate bid, and Democrat Doug Anderson has accumulated \$1.41 million for a House race. The candidates are supplying most of the money themselves. Largely because there are too many candidates and too few donations this election to satisfy campaign appetites.

Rather than favor incumbents, as Mr. Bush fears, the legislation would give candidates a more even chance at election by encouraging all to limit spending. House participants, for example, would receive matching funds for individual contributions up to \$250 and discounts on postage and broadcast advertising.

Should anyone forget, two presidential incumbents—Gerald Ford and Jimmy Carter—lost elections despite campaign spending limits.

As federal law now stands, spending restrictions cannot be imposed on candidates. That leaves the country with voluntary limits offset by public funds. Although the legislation did not specify the revenue source for this funding, a variety of options were available, including eliminating tax deductions on PAC contributions.

The law would have properly closed loopholes permitting political parties to take corporate and other donations outside existing legal limits. In 1988, after receiving more than \$50 million in public funds to run their campaigns, George Bush and Michael Dukakis each raised \$25 million more from corporations and individuals for political parties that undoubtedly promoted the candidates' interests. Federal law forbids the use of corporate contributions to influence federal elections.

Americans have lost faith in their federal leaders, largely because of the influence that savings and loan officers, health care and other special interests now wield in Washington. No thanks to President Bush's veto, momentum for reform will stall, permitting influence-peddlers to freely buy and sell at the public's expense.

[From the San Diego (CA) Tribune, May 31, 1989]

VOTERS MUST RECLAIM CONGRESS

Tony Coelho—the name means rabbit in Portuguese—hopped out of the House ethical thicket last week, and who can blame him? The four-term congressman from Merced, the Democratic whip with ambitions of becoming majority leader, saw House investigation of his personal finances consuming the next 18 months of his life, maybe more. He decided the ordeal wasn't worth it, and on Friday announced his resignation. He will leave Congress June 15.

Coelho's decision comes only a few days after most House Democrats concluded that their speaker, Jim Wright of Texas, also had to go. Wright is expected to announce his intentions this week.

Coelho's departure and Wright's expected departure does not, in essence, clean House. Rep. Newt Gingrich, the Georgia Republican who serves as his party's whip, vows to con-

tinue his crusade against corrupt House Democrats. For Gingrich, it's an intensely partisan issue. Democrats are corrupt, he insists, because they have been in power too long. They have controlled the House since 1955.

Historian Gingrich knows his Lord Acton, the British historian best known for his observation about the venal influence of power. But corruption in Congress, we suggest, runs deeper. Like termites in the woodwork, corruption has eaten its way into the very heart of the institution.

It has to do with money. Members of Congress are addicted to special-interest money. It rolls into Washington in the form of honoraria, campaign financing and so-called "soft money," contributions that go to campaign front organizations not regulated by campaign-finance laws.

Honoraria, vacation junkets and other financial favors are forms of legalized bribery. They are investments on the part of special interests seeking to influence Congress. They run into the million, and few would question their effectiveness. Honoraria already are illegal for members of the executive branch. They should be illegal for members of Congress.

Congress also must get serious about campaign-finance reform. Almost all lawmakers complain about the high cost of campaigning and the demeaning exercise of begging for money, but they can't seem to wean themselves from the current corrupting system. Like honoraria, but on a much larger scale, contributions from political action committees guarantee private interests an undue influence over government decisions.

Because these contributions are meant to influence legislation, PACs give overwhelmingly to incumbents, making it almost impossible for challengers to prevail. In the last congressional election, PACs gave \$115 million to incumbents, compared with \$17.5 million to their challengers. It's little wonder that in 1988, 98.5 percent of House incumbents running for re-election were returned to office.

Cleaning up campaign finance will involve public financing and spending limits. It also will involve eliminating soft money abuses.

Cleaning up Congress requires acknowledgement on the part of lawmakers that corruption and conflict of interest have been institutionalized. Doing something about it will depend, most of all, on the American people's determination to reclaim their government from the powerful few. It won't be an easy task.

[From the San Jose Mercury News, Dec. 2, 1991]

HOPE FOR REFORM—CHANGES IN CAMPAIGN LAWS WILL BE MEANINGLESS WITHOUT SPENDING LIMITS

Approval in the House of Representatives of campaign finance reform last week offers more hope that Congress may kick its addiction to special-interest money.

Earlier this year, the Senate passed a strong campaign reform measure. Now the two versions must be reconciled in conference committee.

One impediment to reform will be President Bush, who has said he will veto any measure that includes spending limits and public subsidies.

Without them, there will be no meaningful reform.

The Supreme Court has ruled that spending limits are unconstitutional, except when made a condition of receiving public funding for campaigns.

Spending limits are essential, because the fear of being outspent is what drives incumbents to raise money throughout their terms in office. The wallets they reach into usually belong to businesses and interest groups with a major stake in the outcome of legislation.

Campaign reform without spending limits becomes an endless attempt to limit contributions, which, by itself, is doomed to fail. If candidates feel they need more money and they are allowed to spend it, they will find it someplace.

The House bill has three major provisions. Total spending would be voluntarily limited to \$600,000. Candidates could receive only \$200,000 from political action committees. And candidates who agree to the spending limit would be eligible for \$200,000 in public funds.

Republicans claim the bill would cripple challengers. The argument is baffling. Incumbents—and in Congress, most incumbents are Democrats—enjoy huge fund-raising advantages. Spending limits and public funds blunt that advantage.

The Senate approach to reform is similar to the House's, with one important addition. The Senate would ban so-called "soft money," contributions in amounts as high as \$100,000 given to parties, not directly to candidates. Especially in presidential and senatorial contests, where the party has only one candidate, this is a loophole big enough to accommodate a Charles Keating.

Public funding of campaigns is often criticized as forcing the public to pay for yet another congressional perk. That criticism is foolishly shortsighted.

Campaigns will be financed somehow. The current method is that agricultural interests disproportionately underwrite the campaigns of representatives and senators on agricultural committees, and banking and savings and loan interests contribute heavily to members on the banking committees.

Compare the hundreds of billions of dollars spent bailing out savings and loans with the cost of subsidizing campaigns.

[From the San Mateo, (CA) Times, Feb. 15, 1993]

ACTION ON GENUINE CAMPAIGN FINANCE REFORM IS NEEDED

Common Cause President Fred Wertheimer has strong backing for his insistence that the effective date for campaign finance reform must not be delayed until the 1996 elections for Congress. House Speaker Tom Foley reportedly favors such a delay.

"When voters in 1992 provided a mandate to change the way business is done in Washington," Wertheimer wrote to 48 new Democratic members of the House, "they were voting for change now, not in 1995." In letters directed to each new member, Wertheimer reminded them that they made public commitments by signing the Common Cause Anti-Corruption Campaign statement when they were seeking election last November.

The anti-corruption pledge calls for:

A ban on huge "soft money" contributions, given to political parties and then passed along to candidates.

Campaign spending limits and clean public resources for congressional elections, such as free or reduced-cost television time and mailings and matching payments. To end the campaign spending arms race, replace private influence-seeking contributions and provide greater resources to challengers.

New restrictions on political action committee contributions "to reduce the influ-

ence of special-interest PACs over government decisions and reduce the enormous advantage PAC contributions provide for incumbents."

Overall, 225 current representatives (including the Peninsula's Tom Lantos and Anna Eshoo) made public commitments during last year's campaigns to support comprehensive campaign finance reform legislation, according to Common Cause.

Wertheimer closes his letter to the new lawmakers by quoting President Clinton's statement during last fall's campaign: "There is a good reason public confidence in public officials is so low. It ought to be—because of the dominance of special interests over the political process and especially over the campaign finance process. That's why I strongly support campaign finance reform."

It would be difficult to put the matter more plainly than that. Now it's time to deliver.

Nothing less than immediate action on genuine campaign reform, effective for the 1994 elections, will suffice.

[From the Schenectady (NY) Gazette, July 11, 1989]

HALFWAY REFORM WON'T WORK

George Bush's suggestions for congressional campaign finance reform are half measures at best. Although portions of his proposal deserve support, true reform cannot come piecemeal. Congress should draft a comprehensive law to remove the unhealthy influence of special interest money and give all candidates a fair chance.

Money is an inescapable need of the modern lawmaker. He begins raising it from the moment he first decides to seek office—even before he makes that decision, in many cases. Going hat in hand to individuals and special interests creates the sometimes accurate impression that the candidate will trade his influence in return for cash. Once elected, the money hunt grows even more heated, since incumbents have discovered that a massive campaign war chest is an effective way to discourage would-be opponents. And the special interests have discovered that filling those war chests is a good way to get the attention of legislators. Thus, the pervasive influence of campaign financing has weakened the system by driving away candidates and by feeding voter distrust in the integrity of elected officials.

Bush seems to recognize only part of the problem. He proposes to ban donations by political action committees formed by corporations, trade groups and unions. That measure would dry up some of the more suspect funding sources, provided the PACs didn't find ways around the ban. But the president would do nothing to limit campaign spending. This means lawmakers would have to devote even more of their time to grubbing for money to make up for the lost PAC riches.

Moreover, the PAC contribution ban is fatally incomplete. The president would continue to allow donations by what he calls ideological PACs, committees formed to push causes like environmental protection. But such a double standard is unfair and unenforceable. Why are labor issues, for instance, less ideological than environmental ones? Who could draw the distinctions consistently, predictably or fairly?

Hacking off one head of the Hydra doesn't work. Only comprehensive reform will bring credibility back to the system. This means limits not only on campaign donations but on campaign spending. And it means public financing of campaigns, as well as carefully

drawn rules limiting contributions in the form of in-kind services and donations to political parties. As Common Cause President Fred Wertheimer argues, eliminating one financing source without eliminating the need for the financing will only escalate the race to find new money and new ways around restrictions.

The president's proposals do contain worthwhile suggestions, including reducing Congress's free mail privileges, prohibiting the rolling over of campaign funds to future elections and disclosure of indirect PAC and organizational support through activities like voter drives and phone banks. But those don't add up to reform.

As long as incumbents are the big beneficiaries of the current system, comprehensive reform will be difficult to sell on Capitol Hill. But that doesn't increase the attractiveness of partial answers such as Bush proposes. True reformers will insist on a complete package.

[From the Scranton (PA) Tribune, Feb. 17, 1993]

... BEGINNING WITH CAMPAIGNS

If the Democrats are agents of change, as they've been claiming since last summer, then the House of Representatives will stop delaying campaign reform and move soon on H.R. 3, a bill that would establish reform.

The Senate has set an early date to act on its version of the bill, despite opposition from Republicans, but the House has failed to do so. It should change course because the bill would raise public confidence in the Congress as it prepares to deal with President Clinton's proposal for broad-based public sacrifice in the name of the overall public good.

The bill would establish partial public funding of congressional campaigns as a means to end the overwhelming advantages enjoyed by incumbents.

Opponents say that they oppose the use of public funds for political purposes but they belie that by their actions. Virtually all of them, for example, make extensive use of free mailing, paid for from public funds, for ill-disguised political purposes.

Sen. Arlen Specter, for example, has spent \$4.3 million on mailings since 1985, according to a study by Common Cause. And Sen. Alfonse D'Amato of New York has spent an astounding \$12.3 million in public funds for that purpose over the same period.

Campaign reform is a vital precursor to overall government reform. President Clinton is on board. It's time for Congress to join him.

[From the Sioux City (IA) City Journal, July 14, 1989]

PRICKING PACS: ONLY A START

When 98 percent of House incumbents are returned to office, when a candidate for the House must spend nearly \$400,000 and for the Senate nearly \$4 million, when special-interest political action committees provide the lion's share of campaign funding, then something obviously is wrong. Our system of choosing our representatives has gone badly off track.

President Bush, to his credit, has acknowledged the problem and has proposed remedies.

The president's campaign reform package by itself isn't going to solve the campaign-finance scandal, but as a starting point it's welcome. What's needed in the coming weeks is bipartisan negotiation toward ending Congress' serious addiction to special-interest influence money.

Bush offered an 11-point package, including a proposal that Congress limit its chief source of outside income, honoraria. Members of Congress took in more than \$9 million in speaking fees last year—that averages out to more than \$15,000 per member. The groups that pay these fees understand they are getting more for their money than just a speech.

In return for an honoraria ban, the president promised to endorse a 25 percent pay raise for Congress, federal judges and some surgeons and scientists in the executive branch. Both the ban and the increase are worthy proposals.

Much more controversial is the president's proposal to ban contributions by PACs supported by corporations, unions or trade associations. PACs special-interest money conduits, contributed approximately 50 percent of the money spent on congressional campaigns last year. That amounted to more than \$170 million.

In the past six years, PACs have invested more than \$400 million in government decision-making. PAC donors, without question, see these contributions as investments.

The president insisted—and we agree—that PAC contributions improperly and unfairly magnify the voices of special interests at the expense of representative government. But to ban PACs—or to ban all but "ideological" PACs, as the president suggests—does not get to the root of the problem.

If Bush really wanted to help Congress reclaim its integrity, he will push for overall limits on campaign spending. And, he will work with Congress to forge a public-financing plan for campaigns, a plan that is both politically and constitutionally acceptable. Congress instituted a public financing mechanism for presidential elections, and it has worked just fine.

Congress' own system of campaign funding is not working just fine. In fact the current corrosive system is a major reason Congress finds itself embroiled in an ethics crisis. Comprehensive reform would go a long way toward calming that crisis.

[From the Sioux Falls (SD) Argus Leader, Apr. 16, 1992]

DON'T LET BUSH STOP FINANCE REFORM BILL

Say what you want about Jerry Brown's new-found reformist views and the opportunistic way he exploits public anger, but he is dead right on one issue: The way the nation finances political campaigns is fundamentally corrupt.

If nothing else, the long-shot candidate for the Democratic nomination for president has brought attention to the undue influence of political action committees, or PACs, as they are called in political circles. PACs are formed by trade organizations and other special interest groups to raise and donate money to political candidates.

In other words, PACs legally buy political influence.

"Bit by bit our representative government has been bought away by the insidious legalized bribery we know as campaign donations," said Jim Berman, executive director of the South Dakota affiliate of Common Cause. "Today, if you give \$5,000 to a judge before a trial, that would be a bribe. But if you give \$5,000 to a senator, it's a campaign donation."

Brown isn't in a position to do much about the problem but complain. However, incumbent members of Congress and President Bush have a huge opportunity awaiting them.

Congress is on the verge of passing a far-reaching reform bill. Bush, unfortunately, has threatened to veto it.

Rejecting the bill would be a big mistake. Bush shouldn't be allowed to get away with it.

The reform bill, a compromise between the House and the Senate, would put spending limits on congressional races. The House limit would be \$600,000 per election cycle. The Senate limit would range from about \$1.6 million to \$8.3 million, depending on the size of the state. The bill also would put limits on the amount of money candidates could accept from PACs and ban large contributions laundered through political parties.

The House has approved the bill. Among the supporters were Rep. Tim Johnson, D-S.D. The bill will be acted on by Senators after they return from their spring break and then, we hope, be forwarded to Bush.

Sen. Tom Daschle, D-S.D., and Sen. Larry Pressler, R-S.D., are both high beneficiaries of PACs. But both have supported campaign reform in the past, Daschle especially. We hope the two senators both come through for the public again.

Bush stands as the biggest obstacle to reform. He has vowed to veto any bill that provides public funding for campaigns or puts spending limits on congressional elections. That's ironic, as noted by the public-interest lobby group Common Cause, because by the end of this year, Bush will have used more public funding to run for office than any candidate in U.S. history.

You can leave a message for the president by calling the White House Comment Office between 8 a.m. and 4 p.m. (Central Time), Monday through Friday, and leave a message. The number is 1-202-456-1111. If you prefer to write, the address is: The Honorable George Bush, President of the United States, The White House, Washington, D.C. 20500.

Act now. Don't let Bush get away with letting a corrupt financing system flourish.

[From the Springfield (OH) News-Sun, Dec. 27, 1991]

CAMPAIGN PROCESS WILL BENEFIT FROM HOUSE REFORMS

The House of Representatives gave honest government an important boost when it passed its version of the 1991 campaign finance reform bill.

Republicans on up to George Bush denounced it as a Democratic Incumbent Protection Bill, but that's a crock. For the first time in history, the House has gone on record supporting overall campaign spending limits.

In fact, Democratic incumbents have until now been among the worst foot-draggers on spending limits.

The reason? Because, as incumbents, they easily outraise their Republican challengers on the campaign-finance trail.

Then why do most congressional Republicans continue to oppose spending limits? It's never easy to explain irrational behavior, but the answer seems to be threefold:

1) They can't get it out of their heads that raising money is the GOP's strong suit, 2) they are ideologically committed to the private corporate interests that subvert the current system—even at the expense of their party's interests, and 3) they are themselves incumbents who profit from the current system.

Besides a basic \$600,000 limit on House races, the bill makes a major dent in PAC influence by reducing the maximum PAC contribution from \$5,000 to \$1,000 and limiting total PAC contributions to \$15,000 to \$1,000 and limiting total PAC contributions to \$200,000. It also limits large-donor contributions (those over \$200) to \$200,000. And it en-

courages small donations by restricting matching funds to a maximum of \$200 per contribution.

To be sure, there are some significant loopholes.

The \$600,000 cap can be exceeded to pay legal and accounting fees. Candidates in close primary contests may spend an additional \$150,000 in the general election. So-called soft money (contributions that can be funneled to candidates by way of their political parties) is unrestricted.

The soft-money loophole in particular must be closed when the bill goes to conference committee early next year. That can be accomplished simply by adopting the Senate's more stringent provision.

The critical unresolved issue, however, has to do with supplying sufficient monetary inducement to get candidates to accept the spending limits. (According to the courts, spending limits are unconstitutional if they are not voluntary.)

Here again, the Senate bill offers an excellent solution: Give candidates vouchers to pay for TV time, which is by far the costliest art of campaigning. Then pay for the vouchers by removing the tax deduction on lobbying.

According to the Joint Tax Committee, removing that deduction would raise \$500 million over five years—more than enough to cover the vouchers. Taxpayers shouldn't underwrite private efforts to influence government anyway.

[From the Robertson County Times, July 20, 1989]

HITTING PAC'S ONLY A START

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Our system of choosing our representatives has gone badly off track.

President Bush, to his credit, has acknowledged the problem and the other day proposed remedies.

The president's campaign reform package by itself isn't going to solve the campaign-finance scandal, but as a starting point it's welcome. What's needed in the coming weeks is bipartisan negotiation toward ending Congress' serious addiction to special-interest influence money.

Bush offered an 11-point package, including a proposal that Congress limit its chief source of outside income, honoraria. Members of Congress took in more than \$9 million in speaking fees last year—that averages out to more than \$15,000 per member. The groups that pay these fees understand they are getting more for their money than just a speech.

In return for an honoraria ban, the president promised to endorse a 25-percent pay raise for Congress, federal judges and some surgeons and scientists in the executive branch. Both the ban and the increase are worthy proposals.

Much more controversial is the president's proposal to ban contributions by PACs supported by corporations, unions or trade associations. PACs, special-interest money conduits, contributed approximately 50 percent of the money spent on congressional campaigns last year. That amounted to more than \$170 million.

In the past six years, PACs have invested more than \$400 million in government decision-making. PAC donors, without question, see these contributions as investments.

The president insisted—and we agree—that PAC contributions improperly and unfairly magnify the voices of special interests at the expense of representative government. But to ban PACs—or to ban all but "ideological" PACs, as the president suggests—does not get to the root of the problem. It does nothing to rein in the soaring costs of financing a campaign. Those costs have gone up exponentially, primarily because of expensive television advertising.

If Bush really wants to help Congress reclaim its integrity, he will push for overall limits on campaign spending. And, he will work with Congress to forge a public-financing plan for campaigns, a plan that is both politically and constitutionally acceptable.

Congress instituted a public financing mechanism for presidential elections, and it has worked just fine.

Congress' own system of campaign funding is not working just fine. In fact, the current corrosive system is a major reason Congress find itself embroiled in an ethics crisis. Comprehensive reform would go a long way toward calming that crisis.

[From the Centre Daily Times, Apr. 9, 1992]

BILL WILL TEST PRESIDENT'S ELECTION TUNE

Everyone's having a good time bashing Congress this election, often deservedly, but no one is having a better time than George Bush.

Yet Bush is poised to veto a bill that would provide the very thing he calls for: significant reform.

Legislation approved last week by Democratic House and Senate conferees would reform the campaign financing system by setting campaign spending limits, providing partial public financing, closing the "soft money" loophole and halving contributions from special-interest political action committees (PACs).

According to Common Cause, the good-government lobby group that has pushed for such legislation for years, it is the most important government reform legislation since the post-Watergate reforms about 20 years ago.

And that's not hype.

Escalating campaign spending, the incumbency phenomenon and the S&L scandal have made abundantly clear the anti-democratic and corrupting role that big money plays in getting people elected and re-elected to Congress and the White House. Big money means politicians get job security, special interests get special favors, and would-be challengers get discouraged or squelched. It fuels scandals and ill-advised term-limit movements.

The reform legislation, though not perfect, would set the system on its ear.

Republican conferees oppose the bill on the grounds that spending limits favor incumbents (mostly Democrats). But in truth, they don't want limits on how much they can raise to unseat Democrats.

Such self-interest undercuts their criticism of the way the Democrats have run Congress. But even if spending limits favor current Democratic members, those same members will suffer from the provision slashing PAC contributions since PACs give the most money to incumbents.

Most important, the reforms would give challengers a fighting chance at raising enough money to run.

Bush, however, opposes spending limits and any form public financing. Yet, as a vice presidential and presidential candidate, he has benefited enormously from the latter. Moreover, in 1988, his operatives raised

\$100,000 in soft money contributions from EACH of the 250 members of "Team 100" to support the Bush campaign. Soft money is money laundered through political parties to circumvent federal limits on individual contributions.

Which is more important to Bush—real reform or the political advantage of hammering Congress as corrupt? His action on the Democratic campaign finance legislation will tell.

[From the Pocono Record, Oct. 27, 1992]

TIME RIPE FOR REFORM

Ross Perot is hitting home with his call to clean up the mess in Washington—specifically, the system that creates the perception if not reality that office holders are beholden to the special interests and PACs that fund their election campaigns.

Term limits have been advanced as a "silver-bullet" panacea to make politicians more responsive to the rank-and-file citizenry and less so to the moneyed interests. But beware—there may be troubling ramifications to term limits; restricting our choices could bring about unforeseen complications and missed opportunities.

But there is another route: serious, basic campaign funding reform. Common Cause, the self-styled "citizens lobby," is pushing a reform package to, 1. ban "soft money" contributions that have returned \$100,000 donations to presidential campaigns; 2. campaign spending limits and "clean" public resources for congressional elections—free or reduced-cost TV time and mailings and matching payments; 3. more restrictions on PAC contributions to reduce the influence of special-interest PACs over government decisions and reduce incumbent advantages.

Hard though it will be to push campaign reform through Congress, it would be easier than a constitutional amendment limiting House and Senate terms—and it may ultimately prove more fruitful.

There is something unfair about forbidding someone qualified and able to serve more than—let's say—12 years in office. Just as there is something unfair about giving some people ready and influential access to senators and representatives and to the Oval Office itself, just because they have more money than others—in effect giving them "super-votes" by virtue of their financial power.

People with an ax to grind always will find some way to gain access to the sanctums of power. But that is no reason to make it any easier for them to do so. There is every reason to limit the opportunities to curry favor with office holders. This season of voter disaffection and Ross Perot denunciation may be the best opportunity to push through a campaign reform package that takes government out of the hands of moneyed interests and returns it to the people.

[From the Daily News-Sun, Feb. 14, 1990]

REFORM BILL SOUGHT

Arizona Democrat Dennis DeConcini has introduced a campaign spending reform bill in the Senate. Now, Common Cause, a "people's lobby," is enlisting its members and other supporters of campaign funding reform to lobby the House of Representatives for a "Keating Five Campaign Reform Bill" this year.

It is ironic that DeConcini is one of the "Keating Five," the senators at present under congressional investigation for interceding with federal regulators on behalf of Charles H. Keating, Jr.'s failed Lincoln Sav-

ings and Loan Association after having received campaign contributions from him. The other four are John McCain, R-Ariz., John Glenn, D-Ohio, Alan Cranston, D-Calif., and Donald W. Riegle, Jr., D-Mich.

None of the senators has been charged with anything as yet. But the perception of evil in special interest money influencing lawmakers has become so strong that they are already considered guilty by a large part of the media and by many Americans.

Common Cause, which has attacked special-interest campaign funding for years—especially contributions by political action committees—is targeting the "Keating Five" in its present drive for reform legislation.

DeConcini's legislation proposes partial public financing of Senate campaigns, voluntary spending limits, reduction of PAC contributions and an aggregate limit on them. It's a bill that could be passed, given the present mood of the people for reform of campaign financing.

Common Cause, which launched its campaign today noon at the U.S. Federal Building in Phoenix, suggests House legislation that would limit campaign spending; dramatically reduce the role of special-interest political money; provide alternative campaign funds; and shut down the "soft money" system that is bringing huge "fat cat" contributions back into federal campaigns.

The people's lobby is urging letters to representatives in care of the U.S. House of Representatives, Washington, D.C. 20515, supporting a "Keating Five Campaign Reform Bill" that would contain those provisions.

We agree with Common Cause that "the way congressional campaigns are financed is a national scandal" and that the present system allows special-interest and PAC money to speak louder than the voter's voice.

Both chambers should consider and pass strong bills despite the lobbying that can be expected from special interests. And the compromise legislation that finally emerges from the conference committee should be equally as strong, without loopholes for some special interests and without being watered down.

[From the Tallahassee Democrat, Feb. 5, 1993]

REFORM NEEDED AT TWO LEVELS

On matters of reform, particularly reform that could affect their re-elections, members of Congress have a very low pain threshold.—Phillip Powlick, professor of political science at DePauw University in Indiana.

State legislators, likewise, Which explains why both President Bill Clinton and Florida Gov. Lawton Chiles are going to have some major trouble passing campaign-reform legislation that both have put high on their agendas.

That's true even though Congress passed a tough campaign-reform bill last year. Passing that bill was easy for Democrats, though: President Bush had promised the veto he later delivered, and all hands knew he had the votes to sustain it.

That's true even though the Florida Legislature several years ago passed a portion of the legislation Chiles now wants, only to have it struck down by the Florida Supreme Court. Chiles says his new proposal to bar contributions during regular legislative sessions gets around the court problem by applying the ban to incumbents only. Lawmakers aren't likely to embrace the idea of being unable to collect campaign funds while their opponents are free to fill their own warchests.

Chiles' proposed legislation also targets another set of powerful people—lobbyists—

by urging that their fees be made public and that fees contingent on their success in lobbying state government be outlawed.

Clinton will encounter stout opposition from those who oppose any form of public financing. He wants to provide some such financing in return for candidates' acceptance of spending limits. He's also limit contributions from political-action committees.

Incumbents don't like those provisions because they see them as giving aid and comfort to their opponents. Matching public financing would help low-budget candidates get their message across. Limiting PAC contributions would sharply reduce a major source of incumbent campaign money.

"Over \$160 million was poured into the process by political-action committees last year, and well over half the members elected received more than half of their campaign funds not from the people back home but from special interest groups," pointed out Sen. David Boren, D-Oklahoma, chief sponsor of reform legislation in the upper chamber this year and in the past.

He could have added that the vast majority of special-interest money goes to incumbents, not challengers.

There is going to be a lot of lawmaker pain in Tallahassee and in Washington during the next few weeks. But it will be the taxpayers who are hurt most if reform legislation fails.

After all, those special interests aren't contributing to promote good government. They contribute to promote their own interests. And that can be expensive for the folks who pay the taxes, state and federal.

[From the Temecula Californian, Nov. 16, 1992]

ETHICS ARE RIGHT IN STYLE

And we thought we received a ton of mail. Each day 30,000 letters pour into the Little Rock office of one Bill Clinton, the soon-to-be President of the United States.

Most of the envelopes contain resumes. To counter the constant criticisms that Washington insiders routinely trade on their access to the White House, the Clinton transition team is making a point of setting high ethical standards for itself. This is a first.

For example, members of the transition team cannot lobby the government for six months into the new administration. Nor can they be involved with businesses that may create a conflict of interest while on the team.

By comparison, the Bush administration took this transition thing rather casually, allowing members to keep up their corporate contacts and lobby immediately once their man was installed in the White House.

Before it's even begun, the Clinton administration is creating a virtual aura of integrity around itself. The recititude is so thick you can cut it with a knife.

And this is just the beginning. Anyone working in the Clinton administration must agree not to lobby the U.S. government five years after leaving the executive branch. And in a rule that's bound to make Ross Perot smile, no one in the White House can lobby for a foreign government this side of the grave.

But wait, there's more. Clinton also promises to make good on his campaign promise to push Congress to reform this country's insane campaign finance rules.

This may not be as empty a boast as it was for Jimmy Carter, who dithered around and failed to win the reform package he promised in 1976.

In this extraordinary election year, 74 of the 120 non-incumbents elected to the U.S.

House and Senate made public commitments to vote for comprehensive campaign finance legislation in the 103rd Congress, according to Common Cause.

A total of 266 representatives and 56 senators are on record supporting basic reform, which includes spending limits and public resources for congressional elections, restrictions on political action committee money and an end to the soft money system where parties funnel money to support individual candidates.

"The 1992 national election provides the most powerful mandate for cleaning up the system in Washington since the 1974 Watergate election," says Common Cause President Fred Wertheimer.

In this kind of reformist climate, the new president might nail down this important pledge without expending much political capital.

The obscene amounts of money spent on the elections—Barbara Boxer and Bruce Herschensohn spent \$14 million between them in their Senate race—must stop distorting elections. Term limits will help, but money remains the mother's milk of politics. It must be pasteurized by reform if the system is ever going to be healthy.

[From the Torrance (CA) Daily Breeze, July 8, 1989]

CONTROLLING CONGRESS

Few people these days enjoy as much job security as members of Congress.

Challengers simply cannot compete with incumbents for the lion's share of contributions that come from the well-heeled political action committees.

These special-interest groups provided about 50 percent of the money spent on congressional campaigns last year, totaling more than \$170 million.

As a result of this special-interest financing, 98 percent of the congressional members are returned to office. The system, it seems, has gotten badly off track.

President Bush has proposed an 11-point package to deal with the problem. While the plan will not solve the campaign-finance scandal, it is a welcome starting point.

The president's proposal, which would ban outside earnings from honoraria and provide a 25 percent congressional pay increase, appropriately bans contributions from PACs supported by corporations, unions or trade associations.

In the past six years, PACs have invested more than \$400 million in government decision-making. Without question, PAC donors see these contributions as investments.

The president insists—and we agree—that PAC contributions improperly and unfairly magnify the voices of special interests at the expense of representative government.

But to ban these "ideological" PACs, as the president suggests, does not get to the root of the problem—soaring campaign costs that have risen exponentially primarily because of expensive television advertising.

If Bush really wants to help Congress reclaim its integrity, he will push for overall limits on campaign spending, and will work with Congress to force a public-financing plan for campaigns, a plan that is both politically and constitutionally acceptable.

Congress instituted a public financing mechanism for presidential elections that has worked out just fine. The corrosive congressional system, on the other hand, is a major cause of the ethics crises that continue to plague congressional leaders. Bipartisan negotiation toward ending this serious addiction to special-interest influence money is needed now.

[From the Traverse City (MI) Record-Eagle, May 12, 1992]

CAMPAIGN FINANCE REFORM

At one gala dinner in Washington two weeks ago, President Bush collected \$9 million for his campaign. Individuals donated as much as \$400,000 each to sit with him at the head table and some corporate leaders bundled \$1,500 donations from their employees. Those who donated at least \$92,000 to various GOP causes were permitted to pose for a picture with the president. Those who gave less were seated with Cabinet members, senators or House members, according to the size of their donations.

"We don't believe that that is buying influence. But it certainly is . . . buying access to the system, yes." White House spokesman Marlin Fitzwater admitted to reporters. He added that people who cannot afford such large donations "have to demand access in other ways."

A rotten, unfair system? Of course. Unique to President Bush and the Republican Party? Not at all—Democrats have done the same thing for years.

Much of this corruption would have been halted, however, if Bush had signed a sweeping campaign finance reform bill presented to him last weekend.

Instead of signing it, he vetoed it. Said he couldn't tolerate a provision that would have provided up to \$200,000 in public funds for House candidates who would agree to spend no more than \$600,000 on their campaigns—and proportionately more for Senate candidates who would agree to similar spending limits.

Bush also claimed the bill favored incumbents and gouged taxpayers. "(Congress is) trying to have the taxpayer, who's already overburdened now, pay more for congressional elections. That's where the fight is," Bush said.

Somehow, the president seems to have no problem rationalizing the exclusion of public funds for congressional campaigns—even though public funds are used in presidential campaigns. In fact, by the end of this next election, Bush will have used more than \$200 million in public funds in his four campaigns for president and vice-president.

Somehow, the president also has overlooked the fact that challengers would be able to compete on a more equal basis if incumbents could no longer take advantage of their lopsided campaign war chests. In 1990, more than 90 percent of all congressional challengers had less than half as much money to spend on their campaigns as incumbents—in large part, because incumbents received much more PAC money.

Somehow, the president seems unconcerned about the bundling of hundreds of \$1,500 campaign donations by corporations, unions and lobbying organizations to circumvent donation limits. For some reason, he's not protesting the unlimited supply of "soft money" that can be donated to candidates through their political parties.

"Everything complied with the law, so don't buy into that old theory by the liberals that are trying to ram through government financing on everything," Bush said on April 29, the day after his \$9 million fundraiser.

The president should know that complying with the law isn't always enough. Sometimes, political leaders should do more than the law demands. Sometimes, they should change the law.

They should change the campaign finance law now.

The bill vetoed by Bush wasn't perfect. It didn't say, for example, where the estimated

\$100 million in campaign subsidies would come from. It stated only that the money "would not come from general revenues." That's nonsense, as House Minority Leader Bob Michel points out. "Maybe they want us to believe the tooth fairy will leave money under the pillows of candidates," Michel suggested.

Indeed, that provision was stupid at best. More likely, it was intentionally misleading. But Bush and congressional leaders should be able to resolve problems like that without killing an entire bill that is badly needed.

[From the Trenton (NJ) Times, Mar. 8, 1990]

WHAT PACS ARE BUYING

It's a strange parallel. As the public's disenchantment with Congress and its ethical transgressions increases, so does the source of much of that disenchantment—special-interest campaign money.

Political action committees (PACs) increased their contributions to candidates, political parties and other political committees to \$68.7 million last year, up 24 percent from the previous non-election year in 1987, according to the Federal Election Commission. An analysis by The Wall Street Journal showed that the chief beneficiaries of increased PAC giving were House members, particularly Democrats, who control the chairmanships of committees and subcommittees. Some of these incumbents get 60 percent or more of their campaign funds from PACs.

Only the most naive would imagine that that kind of money, from the kind of source, targeted in that manner, is contributed out of pure food-citizenship motives. The givers are buying access—access of the kind ordinary constituents stand little chance of getting—and some believe they are buying much more than that. Charles Keating, head of the notorious Lincoln Savings & Loan, shed light on the motivation of big political donors when The Journal asked him whether his financial support of five U.S. senators in any way influenced them to take up his cause with the Federal Home Loan Bank Board. "I want to say in the most forceful way I can: I certainly hope so." Mr. Keating replied.

Real reform will require a drastic curb on PAC giving, caps on campaign spending and the provision of public funds to replace some of the money now flowing from special interests. Past efforts to get such a package through Congress have foundered on partisanship and the refusal of members to bite the hand that feeds them. Now a new attempt is being launched.

The Senate Rules Committee is expected to approve a campaign-finance overhaul program today, and the full Senate will take up the issue within the month. In the House, Democrats and Republicans are still far apart in their approach to the problem. What's needed is a public outcry on a scale similar to that which shot down the original congressional pay raise proposal. If Ralph Nader and the radio talk show hosts who orchestrated that protest really want to improve our system of government, let them take up this crusade.

[From the Arizona Daily Star, Jan. 25, 1990]

BUYING CONGRESS—CAMPAIGN REFORM SHOULD BE A PRIORITY THIS YEAR

Campaign-finance reform has received heated debate in Congress over the years, but elected representatives have failed to deal with it responsibly. This year, campaign-finance crusaders have a host of ethics questions—including those raised in the Lin-

coln Savings affair—to fuel the fires of reform.

It should be a priority on the minds and consciences of reconvened lawmakers.

"The Keating story is as clear and powerful an example of the problem (of special-interest money) as you can find," observed Fred Wertheimer, president of Common Cause.

Some say the "Keating Five" simply did what the system forces nearly all politicians to do: accept special-interest money in exchange for giving the donors of that money greater access at the least. It happens all the time on the Hill, they say.

It does. That's the pattern and the problem.

To break that pattern, a tough, multi-pronged legislative approach is needed. It begins with public financing of congressional elections, the only way to place limits on what candidates may spend in election campaigns. That could curb the spiraling costs that drive candidates to special-interest groups. For example, winning senators dished out almost \$4 million in 1988, nearly twice the figure set in 1982.

The session undoubtedly will have a number of bills introduced to address the problem. Sen. Mitch McConnell, R-Ky., already has introduced one—a proposal that takes aim at the problems inherent in the Keating scandal but avoids the tough solutions that would lower the cost of campaigns and reduce the power of the money men.

His bill would set new limits and disclosure requirements on state or federal PACs maintained by a candidate, and would require executive branch officials to maintain a public log of all contacts with members of Congress—narrowly drawn reactions to the Keating scandal that do little to solve the overall problem.

That's not a surprise. McConnell has long opposed the sensible strategy of spending limits and public financing.

Democratic Sen. Dennis DeConcini, who along with Republican Sen. John McCain holds membership in the infamous Fivesome, was suitably blunt about McConnell's bandaidd bill: "Reform without limiting spending is no reform at all."

Congress cannot drive political corruption out of the political arena. It can, however, reform a system that encourages the outright buying of Congress.

[From the Vallejo Times-Herald, July 10, 1989]

CUTTING PACS IS ONLY A START

When 98 percent of House incumbents are returned to office, when a candidate for the House must spend nearly \$400,000 and for the Senate nearly \$4 million, when special-interest political action committees provide the lion's share of campaign funding, then something obviously is wrong. Our system of choosing our representatives has gone badly off track.

President Bush, to his credit, has acknowledged the problem and recently proposed remedies.

The president's campaign reform package by itself isn't going to solve the campaign-finance scandal, but as a starting point it's welcome. What's needed in the coming weeks is bipartisan negotiation toward ending Congress' serious addition to special-interest influence money.

Bush offered an 11-point package, including a proposal that Congress limit its chief source of outside income, honoraria. Members of Congress took in more than \$9 million in speaking fees last year—that aver-

ages out to more than \$15,000 per member. The groups that pay these fees understand they are getting more for their money than just a speech.

In return for an honoraria ban, the president promised to endorse a 25 percent pay raise for Congress, federal judges and some surgeons and scientists in the executive branch. Both the ban and the increase are worthy proposals.

Much more controversial is the president's proposal to ban contributions by PACs supported by corporations, unions or trade associations. PACs, special-interest money conduits, contributed approximately 50 percent of the money spent on congressional campaigns last year. That amount to more than \$170 million.

In the past six years, PACs have invested more than \$400 million in government decision-making. PAC donors, without question, see these contributions as investments.

The president insisted—and we agree—that PAC contributions improperly and unfairly magnify the voices of special interest at the expense of representative government. But to ban PACs—or to ban all but "ideological" PACs, as the president suggests—does not get to the root of the problem. It does nothing to rein in the soaring costs of financing a campaign, those costs have gone up exponentially, primarily because of expensive television advertising.

If Bush really wants to help Congress reclaim its integrity, he will push for overall limits on campaign spending. And, he will work with Congress to forge a public-financing plan for campaigns, a plan that is both politically and constitutionally acceptable. Congress instituted a public financing mechanism for presidential elections, and it has worked just fine.

Congress' own system of campaign funding is not working just fine. In fact, the current corrosive system is a major reason Congress finds itself embroiled in an ethics crisis. Comprehensive reform would go a long way toward calming that crisis.

[From the Washington Post, Nov. 10, 1992]

POLITICAL REFORM

The Clinton administration will be able to push only so many items through even a willing Congress in its first few months in office, and every major group in America with a bill it wants enacted is trying to make the cut. None is trying harder than the groups seeking reform of the system of congressional campaign finance. The advocates point to some of the closer recent election results as confirmation of the need for reform; in a number of races the disproportionate amount of money they had available helped incumbents survive.

But the same results suggest as well how difficult reform may be to achieve, since the incumbent who will vote to reduce his own advantage is rare indeed. The Democrats in control of both houses passed good reform legislation last year when there was no danger of its being enacted; the president had promised to veto it. The president-elect, however, has indicated he supports such a bill. On this as on other such issues, that puts him and the congressional Democrats both on the spot.

The advocacy group Common Cause has done an early study of last Tuesday's returns. This was supposed to be the year of the wipe-out for Congress, and in fact, in the House particularly, the return rate was lower than in the past. But of members seeking reelection (some of those in trouble having already voluntarily retired), about 88

percent still survived—and nine incumbents had to lose: They were pitted by redistricting against other incumbents.

Common Cause found that, of 349 incumbents in the general election, 290 were unopposed or in races that were financially non-competitive (that is, the challenger had less than half the incumbent's campaign treasury). Two-thirds of all challengers were able to raise less than \$100,000, and only 14 raised more than \$400,000 while 180 incumbents raised that much. There were 48 "close" races in which incumbents defeated challengers but got less than 55 percent of the vote. Money mattered to some extent in all of these; as a group the incumbents had more than three times the campaign resources of their challengers—\$34 million to \$10 million.

So also in the Senate, where all but three incumbents seeking reelection won (a fourth is in a runoff). The eight who won with less than 55 percent of the vote had 2½ times the resources of their challengers—\$50 million to \$20 million. Republicans argue against the spending limits at the heart of reform on grounds they would work to the disadvantage of challengers. Not always. In three of the closest settled Senate elections Tuesday—in New York, Pennsylvania and Oregon—Republican incumbents won. By Common Cause's reckoning, each of the winners had a funds-available advantage of about \$6 million.

Campaign finance reform would adopt essentially the same system for congressional candidates as has existed with mostly good effect since 1976 at the presidential level—partial public finance in return for acceptance of voluntary spending limits. In addition it would adjust the mix of campaign funds and plug the larger holes in current law, including the one that allows unlimited amounts of so-called soft money to be given to presidential candidates indirectly through state parties. That's excellent medicine that not every Democrat in Congress wants to swallow. Question: How much political capital will the new president be willing to expend to try to make them do so?

[From USA Today, Mar. 19, 1992]

CLEAN UP CONGRESS' ACT

Tuesday's primaries sent a message to Congress—clean up your act or we'll clear you out.

That's what Illinois voters did. They unleashed their frustration with the perks of incumbency by throwing out Reps. Gus Savage and Charles Hayes and Sen. Alan Dixon.

Savage ran afoul of his arrogance in playing racial politics while missing House votes. Hayes blew his re-election because of check kiting. And Dixon lost to a campaigner who attacked big money and insider politics.

If members of Congress are smart, they will heed these signs of discontent and forget the last election, when 96% of incumbents were re-elected.

They must put an end to the special privileges that have engendered public anger. Not only the House bank, but lobbyist-paid junkets and other perks that have made them seem a class apart from their constituents' interests.

The place to begin: Take the For Sale sign off Congress' back at election time.

In 1990, \$400 million was spent on congressional elections, including \$159 million from special-interest political action committees. This year, incumbents already have a \$125 million war chest, mostly from PACs, giving them a 10-1 advantage over opponents.

That money buys access and influence. The public is shut out.

But instead of turning off the money spigot, President Bush and Congress are squabbling over who should get the biggest splash. They should get serious about reform now, beginning with public financing of congressional elections.

Many in Congress say they want to stop hustling big contributors for donations. The public would be the big winner. And an income-tax checkoff, like that for presidential campaigns, could help pay the bill.

Congress must end the big-money scandal in campaigns if its members are to win back the public's trust.

[From the Watertown Public Opinion, July 15, 1989]

PRICKING PACS SHOULD ONLY BE START OF REFORM

After our recent editorial comments about PAC funding, we received a call from Pierre to remind us that the only reason industry managements went to political action committees to help finance campaigns was in defense of what labor unions had been doing for some time. However, as we reminded him, whenever we have questioned PAC spending for a political campaign, we have never narrowed it to a particular group of PACs, but PACs in general. Our entire war on PACs has not been centered on helping a candidate, but what obligation that "investment" does to a candidate. For example:

When 98 percent of House incumbents are returned to office, when a candidate for the House must spend nearly \$400,000 and for the Senate nearly \$4 million, when special-interest political action committees provide the lion's share of campaign funding, then something obviously is wrong. Our system of choosing our representatives has gone badly off track.

President Bush, to his credit, has acknowledged the problem and the other day proposed remedies which are worth mentioning again.

The President's campaign reform package by itself isn't going to solve the campaign-finance scandal, but as a starting point it's welcome. What's needed in the coming weeks is bipartisan negotiation toward ending congress' serious addiction to special-interest influence money.

Bush offered an 11-point package, including a proposal that Congress limit its chief source of outside income, honoraria. Members of Congress took in more than \$9 million in speaking fees last year—that averages out to more than \$15,000 per member. The groups that pay these fees understand they are getting more for their money than just a speech.

In return for an honoraria ban, the president promised to endorse a 25 percent pay raise for Congress, federal judges and some surgeons and scientists in the executive branch. Both the ban and the increase are probably worthy proposals. However, we would think a 10 to 12 percent pay increase would certainly be more appropriate.

Much more controversial, as we see it, is the president's proposal to ban contributions by PACs supported by corporations, unions or trade associations. PACs, special-interest money conduits, contributed approximately 50 percent of the money spent on congressional campaigns last year. That amounted to more than \$170 million.

In the past six years, PACs have invested more than \$400 million in government decision-making. PAC donors, without question, see these contributions as investments.

The president insisted—and we agree—that PAC contributions improperly and unfairly

magnify the voices of special interests at the expense of representative government. But to ban PACs—or to ban all but "ideological" PACs, as the president suggests—does not get to the root of the problem. It does nothing to rein in the soaring costs of financing a campaign. Those costs have gone up ridiculously, primarily because of expensive television advertising.

If Bush really wants to help Congress reclaim its integrity, he will push for overall limits on campaign spending. This will be done at the cost of having a public-financing plan for campaigns, which is apparently both politically and constitutionally acceptable.

Congress' own system of campaign funding is not acceptable. In fact, the current corrosive system is a major reason Congress finds itself embroiled in an ethics crisis. Comprehensive reform would go a long way toward calming that crisis. . . .

[From the Palm Beach (FL) Post, Dec. 29, 1992]

POLITICAL BUYING GUIDE

The "U.S. Congress New Member Handbook" is out, with pictures and thumbnail biographies of the 14 new Senators and 110 new representatives in the 103rd Congress.

Lobbyists and special interest groups study the publication the way yuppies inspect the latest L.L. Bean catalog. So many new things to buy!

The assumption among those with enough money to buy influence is that new members of Congress might have been elected by promising reform but once in power, movers and shakers are easily converted into merchandise. Campaign finance reform, dear to the hearts of outsiders trying to overcome the fund-raising advantage of incumbents, looks different to neo-insiders.

That's why 48 groups have written to President-elect Bill Clinton, urging him to push quickly for important changes in the way political campaigns are paid for. Common Cause, the League of Women Voters, the American Association of Retired Persons, farm groups, religious groups and consumer groups all have called on Mr. Clinton to keep his promise to support campaign finance reform.

For congressional races, those reforms include spending limits, public financing and easier access to TV and mailings. But the most important change is to prohibit "soft money" abuses. "Soft money" refers to the loophole that skirts legal limits on contributions to individual races by allowing unlimited contributions to organizations—such as the Democratic or Republican parties—that use the cash to boost individual candidates.

Other reforms would include a limit on PAC contributions a candidate could accept, repealing the tax deduction for lobbying expenses and prodding the Federal Election Commission to enforce campaign laws.

Some of these reforms did pass in the 102nd Congress, only to be vetoed by President Bush. He used the old excuse that public money shouldn't be used to pay for campaigns. But the truth is that public money is likely to buy public servants, and private money is likely to buy private servants.

Reforms need to be approved quickly. Campaigns for the 104th Congress already are under way.

[From the Sunday Star-News, Apr. 12, 1992]

CONGRESSIONAL REFORM ALMOST OVERLOOKED . . .

While the nation's outrage was fixed on the perks and peccadillos of congressmen,

progress was being made against one of the real scandals that undermines democracy: the power over Congress wielded by special interest groups and their political action committees.

The outrageous expense of running TV-commercial campaigns has driven even conscientious congressmen into the arms of labor unions, medical associations, industry groups and a wide variety of other special interests.

These groups raise money from their members and give it to congressmen who have the power to help or hurt them. Though it's probably rare that explicit deals are made, congressmen know that if they don't vote the right way, they may lose a big chunk of money at the next election.

Because PAC money tends to go to veteran legislators with the most power, it helps protect incumbents and discourage challengers. That's one of the reasons why there has been so little turnover in recent years.

But reining in special-interest PACs is difficult. The Supreme Court has ruled that giving money to candidates is a way of expressing political views and is, therefore, akin to free speech.

To get around that problem, reformers have devised a complicated approach: If candidates give up some of their campaign contributions voluntarily, they can qualify for public funds for their campaigns.

The idea is that it's better for the public to pay for campaigns than to let special interests and fat cats do it.

Congress applied that approach to presidential campaigns after the Watergate scandal. Ronald Reagan and George Bush, like other presidential candidates, have collected and spent millions of public dollars in their campaigns.

Yet President Bush is bashing the latest congressional campaign reform bill because among other things, it would establish some public financing of campaigns.

The reason the president and many other Republicans oppose campaign contribution limits is that Republicans traditionally raise much more money than Democrats do, and fund-raising limits might hurt them more.

In addition, Republicans say, challengers need a lot of money to knock off entrenched incumbents.

So Mr. Bush is threatening to veto a campaign reform bill the House passed this week and the Senate is expected to pass in couple of weeks.

The bill is complicated in its details, but the idea is that if congressional candidates would accept voluntary limits on campaign contributions, they would be entitled to public money for their campaigns.

It's not a perfect approach, but it seems to be about the only one that could get past the Supreme Court. It wouldn't destroy the power of special interests, but it ought to reduce it.

And that power, not self-indulgent perks and the minor chiseling of some congressmen, is what ought to be making Americans angry.

[From the Telegram & Gazette, Feb. 15, 1993]

CAMPAIGN FINANCING—BLUTE, DEMOCRATS SHOULD BACK REFORM PLAN

U.S. Rep. Peter I. Blute—the only member of the Massachusetts delegation who balked at supporting campaign financing reforms championed by Common Cause—said he did so on principle.

Problem is, the alternative is apt to be no reform at all.

Common Cause, the highly regarded non-profit watchdog of government, proposes: a

ban on the abuse-prone "soft-money" system of campaign contributions from individuals to national parties; campaign spending limits and public funding for congressional elections, and new restrictions on contributions from political action committees.

Blute agrees on the need to eliminate PAC contributions and to limit the amount that can be spent on campaigns. However, he opposes public financing on principle and because of its cost to taxpayers.

As painful experience has shown, however, the cost of the current system, controlled by well-heeled special interests, can be far higher.

For instance, five senators who collected \$1 million in contributions from banker Charles Keating helped to hold off the shutdown of Lincoln Savings & Loan for years. The delay added hundreds of millions of dollars to the bailout cost, which eventually totaled \$2.5 billion.

In that and countless other cases, special-interest financing of campaigns has provided to be a poor bargain for taxpayers.

Blute would prefer adopting British-style funding in which contributions are given only to parties, which dole out the money to individual candidates. The approach is intended to insulate candidates from special-interest pressure.

Whatever its merits, however, it's not presently on the table—nor is it likely to be.

In an ideal world, public financing of political campaigns would not be anybody's first choice. However, the Common Cause approach appears to offer a practical blueprint for breaking the stranglehold of big-money interests on national policy.

We urge Blute to reconsider his opposition to the Common Cause campaign financing reforms.

Meanwhile, the Democrats should grab the opportunity to break the link between incumbency and special interests and restore control of government to the voters, where it belongs.

The need for reform is clear. In recent elections, 98 percent of incumbents who sought re-election have been returned to Congress—a phenomenon Common Cause has linked persuasively to the fund-raising advantages enjoyed by incumbents.

The Democratic leadership professes to be in general agreement with the overall goals outlined by President Clinton. When confronted with specifics—tighter limits on contributions from political action committees, restrictions on "soft money" donations and the like—the House and Senate leaders balked.

Their furious backpedaling underscores the cynicism underlying the Democratic leaders' support for reform last year. They passed a bill remarkably similar to the Common Cause approach—knowing President Bush would veto it.

Bill Clinton pledged major campaign-finance reforms. He must not back off on that promise.

[From the Yakima Herald-Republic, July 17, 1989]

PACs ONLY A START

When 98 percent of House incumbents are returned to office, when a candidate for the House must spend nearly \$400,000 and for the Senate nearly \$4 million, when special-interest political action committees provide the lion's share of campaign funding, then something obviously is wrong. Our system of choosing our representatives has gone badly off track.

President Bush, to his credit, has acknowledged the problem and has proposed remedies.

The president's campaign reform package by itself isn't going to solve the campaign-finance scandal, but as a starting point it's welcome.

Bush offered an 11-point package, including a proposal that Congress limit its chief source of outside income, honoraria. Members of Congress took in more than \$9 million in speaking fees last year—that averages out to more than \$15,000 per member. The groups that pay these fees understand they are getting more for their money than just a speech.

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In the past six years, PACs have invested more than \$400 million in government decision-making. PAC donors, without question, see these contributions as investments.

The president insisted—and we agree—that PAC contributions improperly and unfairly magnify the voices of special interests at the expense of representative government. But to ban PACs—or to ban all but "ideological" PACs, as the president suggests—does not get to the root of the problem. It does nothing to rein in the soaring costs of financing a campaign. Those costs have gone up exponentially, primarily because of expensive television advertising.

If Bush really wants to help Congress reclaim its integrity, he will push for overall limits on campaign spending. And, he will work with Congress to forge a public-financing plan for campaigns, a plan that is both politically and constitutionally acceptable. Congress instituted a public financing mechanism for presidential elections, and it has worked just fine.

Congress' own system of campaign funding is not working just fine. In fact, the current corrosive system is a major reason Congress finds itself embroiled in an ethics crisis. Comprehensive reform would go a long way toward calming that crisis.

[From the York Dispatch, Apr. 13, 1992]

GIVE VOTERS THEIR VOICES BACK

The skyrocketing cost of political campaigns is a paradox in the American election system.

Congressional and presidential candidates who want to convince voters today that they are prudent with other people's money and are fiscally responsible contradict themselves when they accept millions of dollars in campaign donations to get elected to a job that will never pay what they spent to get there.

According to a 1991 report by the Kettering Foundation, too many Americans don't participate in government or the election process because they feel big-money supporters have captured the ears and minds of their representatives.

Citizens feel they have been squeezed out of politics by a system made up of lobbyists, special interests and political action committees. We feel that Americans aren't apathetic, but frustrated. They feel they've been rendered obsolete.

President Bush can ease the widespread exasperation by enacting campaign finance reform legislation.

Earlier this month, the House and Senate approved legislation that would establish a public campaign fund, set spending limits, cap political action committee donations, and ban "soft money" contributions—the ones that bother us the most.

Since a federal law enacted in 1974 prohibits presidential and congressional candidates from receiving direct campaign contributions, candidates and their contributors have made use of a loophole which allows them to funnel money through political parties.

The soft money system works so well Bush will have accrued \$200 million in public funds by the end of this year, according to Common Cause, a citizens' watchdog group.

About 245 of Bush's campaign contributors belong to the president's Team 100, which grants membership only after prospective members donate \$100,000 in soft money. Two of the more well-known members are Charles Keating and Donald Trump.

No wonder Bush has sworn he will veto the campaign financing reform legislation.

We also strongly favor proposed spending limits, which would allow challengers to compete fairly against incumbents. We can only wonder how many great leaders we've lost due to out-of-this-world campaign costs.

Campaign finance reform will help release the tight grasp wealthy individuals and organizations hold or appear to hold on many candidates. It would be a big step toward restoring public confidence in our leaders and reassuring citizens that they have a voice in government.

[From the Yorkville Enquirer, July 27, 1989]

PRICKING PACS

When 98 percent of House incumbents are returned to office, when a candidate for the House must spend nearly \$400,000 and for the Senate nearly \$4 million, when special-interest political action committees provide the lion's share of campaign funding, then something obviously is wrong. Our system of choosing our representatives has gone badly off track.

President Bush, to his credit, has acknowledged the problem and the other day proposed remedies.

The president's campaign reform package by itself isn't going to solve the campaign-finance scandal, but as a starting point it's welcome. What's needed in the coming weeks is bipartisan negotiation toward ending Congress' serious addiction to special-interest influence money.

Bush offered an 11-point package, including a proposal that Congress limit its chief source of outside income, honoraria. Members of Congress took in more than \$9 million in speaking fees last year—that averages out to more than \$15,000 per member. The groups that pay these fees understand they are getting more for their money than just a speech.

In return for an honoraria ban, the president promised to endorse a 25 percent pay raise for Congress, federal judges and some surgeons and scientists in the executive branch. Both the ban and the increase are worthy proposals.

Much more controversial is the President's proposal to ban contributions by PACs supported by corporations, unions or trade associations. PAC's, special-interest money conduits, contributed approximately 50 percent of the money spent on congressional campaigns last year. That amounted to more than \$170 million.

In the past six years, PACs have invested more than \$400 million in Government deci-

sion-making. PAC donors, without question, see these contributions as investments.

The president insisted—and we agree—that PAC contributions improperly and unfairly magnify the voices of special interests at the expense of representative government. But to ban PACs—or to ban all but “ideological” PAC’s, as the president suggests—does not get to the root of the problem. It does nothing to rein in the soaring costs of financing a campaign. Those costs have gone up exponentially, primarily because of expensive television advertising.

If Bush really wants to help Congress reclaim its integrity, he will push for overall limits on campaign spending. And, he will work with Congress to forge a public-financing plan for campaigns, a plan that is both politically and constitutionally acceptable. Congress instituted a public financing mechanism for presidential elections, and it has worked just fine.

Congress’ own system of campaign funding is not working just fine. In fact, the current corrosive system is a major reason Congress finds itself embroiled in an ethics crisis. Comprehensive reform would go a long way toward calming that crisis.

Mr. KERRY. Mr. President, there are ample examples of the public’s sense of corruption and distrust with the U.S. Congress’ unwillingness to police itself, and Buckley versus Valeo could not make more clear the standard that needs to be applied and the standard we are attempting to apply here.

I yield the floor.

The PRESIDING OFFICER (Mr. AKAKA). The Senator from Kentucky is recognized.

Mr. MCCONNELL. Mr. President, my friend from Massachusetts is mixing up the Presidential system with the congressional system in the Buckley case.

The Buckley case included a distinction between the inducement in the Presidential system that the Congress decided to offer; in other words, it works like this: If you want to voluntarily limit your speech in order to get tax dollars to run for President, that is constitutionally permissible, the Court said, and that was the Presidential system.

It struck down the congressional system, because there were mandatory spending limits just like in this bill before us. But the Court said that the Presidential system was truly voluntary. In other words, the two candidates that I can currently think of who had chosen not to accept public money, John Connally in the 1980 Presidential race, and Ross Perot in the 1992 Presidential race, did not have anything bad happen to them. They did not lose a broadcast discount. They did not trigger tax dollars for their opponent.

In short, they just had to either, in the case of Perot, spend their own money, or in the case of John Connally, go out and raise it from individuals who voluntarily donated their money. But the Court made it perfectly clear that the spending limits would have to be voluntary, or it trashed the first amendment.

As the ACLU pointed out in the testimony that I have provided in this debate earlier, and as any plain reading of the underlying bill would lead one to conclude, there is nothing voluntary about the spending limits in this bill. If you are so audacious to want to speak too much—and remember speaking is speech; the Court was unequivocal about that—and you get above the limitation on speech provided for in this bill, your troubles have just begun. You lose your broadcast discount. Tax dollars are given to your opponent to counter your excessive, and presumably inappropriate speech. And one of the most significant parts of this Rube Goldberg bill is if a citizen or a group wants to engage in independent expenditures, which they are entitled to do under the Buckley case, the following could happen.

Let us assume a civil rights group in the North decided they wanted to make independent expenditures against David Duke in a Louisiana Senate race. Under this bill, David Duke would get tax dollars to counter, let us say, the NAACP or B’nai B’rith. That is in this bill.

You see, Mr. President, those kinds of provisions are what make these spending limits in this bill compulsory and involuntary.

So, the Buckley case is clear, and the Senator from Massachusetts and I can throw this ball back and forth the rest of the night if we want to, and it is fine with me. I am not going anywhere. But the fact of the matter is, there is no amendment that the U.S. Senate can pass that will declare an apple an orange.

The Supreme Court was clear and unequivocal in its finding that the act of spending alone has no corrupting potential, and just the fact that it is 17 years later some things have not changed. Individuals are still limited and PAC’s are still limited to what they can give to a candidate, and if a candidate is popular enough, or works hard enough to get a whole lot of individuals to support him, he can speak as much as he wants to under this decision.

And this decision, Mr. President, was handed down by a very liberal Supreme Court, a very liberal Supreme Court. Today, if this issue goes back to the Supreme Court, and I guarantee you it will if this were to become law, because I will be the plaintiff like Senator Buckley was in the mid-1970’s, there is a reasonable chance this Supreme Court might decide that even contribution limits are a violation of this first amendment.

This Supreme Court might also decide that a spending limit is not really voluntary if one candidate agrees to shut up and get public dollars, in other words, gets paid to be quiet. The other candidate, who wants to speak as much as he wants to, does not get that public

subsidy. The Court might well decide that is not a very voluntary spending limit, because after all the Government is, in effect, paying somebody not to speak too much.

This whole bill is about the first amendment, Mr. President. This is about political expression, political speech. It goes to the very heart of our free society. And I repeat what I said earlier. I know the Senator from Massachusetts is well-intentioned but there is not any way to craft an amendment that the Supreme Court is going to accept in this area.

Mr. President, I yield the floor.

Mr. KERRY. Mr. President, could I answer my friend from Kentucky?

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. I am interested in his interpretation of the difference of powers. That is the first time in my life I have ever heard that the congressional branch of Government does not have the right to declare perceptions of corruption. Of course we do.

Whether the Supreme Court agrees with it or not remains to be seen. Indeed, he has a right to take the case to the Supreme Court, and I am sure he will. I look forward to the arguments. They will be significantly stronger by virtue of our passing this declaration of intent, and he knows that.

That is one of the reasons why people who do not like any concept of reform may oppose this, because once Congress has declared its intent, very clearly the Supreme Court has a harder time avoiding it. That is what is at stake here.

My friend from Kentucky suggests somehow this bill shuts people up. It does not shut people up. It gives them a fair opportunity to talk as much as they want. It just puts them on an equal footing, Mr. President.

Look at the current footing. Here is the current footing. This is the 1992 average campaign fundraising for Senate candidates. Republican incumbents, 12 of them ran, got \$5,553,270. Democratic challengers against those Republicans got only \$2,563,938. There is the difference. If you are an incumbent, the big interests will pay you to talk. If you are a challenger, it is hard to get to talk.

What this bill does is equalize people’s opportunity to talk.

Look at the difference here on the Democratic incumbents. They did not get away from the shamefulness of the current situation where they get a lot more money. They get \$3.487 million—that is incumbents—compared to Republican challengers, who got only \$1.158 million. So the incumbents get a heck of a lot more chance to talk, paid for by your big interests in this country, versus the little person who is challenging.

That is what this is about, Mr. President. What this bill does, it does not

shut anybody up. If you want to spend your own money, you can spend a trillion dollars. It just says, we are going to try to give the other person a fair shot to be heard amidst the cacophony of your dollars buying ad, after ad, after ad, distorting and distorting, and trashing and trashing, and turning the American people off at the system.

We have a right to say that if we are going to spend some taxpayer dollars, or Federal dollars, as part of this effort to clean up the system; that if somebody says, "I don't want to take those dollars," then why should they get the benefit of cheaper television?

Let me make it clear, I hope, for the last time: The U.S. Supreme Court, in its decision, embraced this very concept. What the Court said was not about Presidential races. It was about Congress. I will read it again:

"Congress may engage in public financing of election campaigns and may condition acceptance of public funds on an agreement by the candidate to abide by specific expenditure limitations."

Congress may do that. The Court kind of said, "You dummies. You did not do the right thing here. If you had done this, we would have approved it, but you did not."

And what they also said was, "No governmental interest that has been suggested is sufficient to justify the restriction that was placed on campaigns at that point in time." Well, I buy that. Which is why stating the governmental interest becomes so important.

And my friend, who is a lawyer, knows that when he goes to the Supreme Court, it will be a lot harder to oppose this if we have stated the governmental interest. If the governmental interest is clear and it is compelling, then there is a legitimacy in affecting the speech. That has always been the finding of the Court of this land.

So that is what this amendment is about. I hope we will not obfuscate it. We have the right, as the U.S. Congress, to declare our intent any time we want to. Whether the Court wants to agree with it, or not, is another matter.

I yield the floor.

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky [Mr. MCCONNELL].

Mr. MCCONNELL. Mr. President, my friend from Massachusetts knows it is possible to make this bill constitutional.

I am told later in the debate he is going to offer an amendment that will increase the amount of taxpayer funding of these elections, up to 80 or 90 percent, or something to that effect. I have not seen it yet.

But, just for purposes of discussion, let us assume the Senator from Massachusetts, or someone else in this body, wants to increase the amount of public funding available for candidates.

Under that scenario, it is possible to construct a piece of legislation that would pass a Supreme Court muster. I am assuming if such an amendment—which would probably be described as full public funding—is offered, that that amendment will also take out the punitive measures in the underlying bill which guarantee that the bill will be struck down.

What clearly makes the bill unconstitutional is the punishment one endures as a price for excessive speech. The Supreme Court clearly did not sanction, in the Buckley case, any effort to punish candidates that Congress might prescribe who do not agree to shut up.

So what I hope the Senator from Massachusetts will do at some subsequent point—if, in fact, he is the one who will offer the so-called full funding amendment—is let us make this bill constitutional. You could make it constitutional. Put plenty of money in it and take out the punishment, so it is just like the presidential system, which the Buckley case did sanction.

The Buckley case sanctioned the Presidential system because nothing bad happens to you if you do not shut up. You just have to raise your money from individuals rather than get it from the taxpayers.

And most candidates for President, even those philosophically opposed to public funding, like George Bush and Ronald Reagan, have accepted the subsidy because it is so enormous. It is easy money right out of the Treasury.

So let us be honest about this. If we do not want to trash the Constitution—this amendment is not going to cure the problem—let us offer an amendment that fully funds this bill and takes away the punitive features that makes the spending limits involuntary.

And I hope that the Senator from Massachusetts may well do that in the amendment that he is going to offer, because it is possible to make this bill constitutional. It costs a little bit more. It is already pretty costly. We estimate a billion dollars over a 6-year period. It might cost a little bit more to encourage people to shut up or pay them to shut up, but that at least could make it honest and could make it constitutional.

But I repeat, the Senator from Massachusetts said that Congress' goal here was to level the playing field, equalize the opportunities. That is precisely what the Court said was constitutionally impermissible.

The Court said:

The interest is equalizing—

They used that word—

equalizing the financial resources of candidates competing for Federal office is no more convincing a justification for restricting the scope of Federal election campaigns. Given the limitation on the size of outside contributions, the financial resources available to a candidate's campaign, like the

number of volunteers recruited, will normally vary in size and intensity of the candidate's support. There is nothing invidious, improper, or unhealthy in permitting such funds to be spent to carry the candidate's message to the electorate.

So I think the ACLU, which sides with the Senator from Kentucky—I know the Senator from Massachusetts is a lawyer, as well. The body is full of lawyers; probably has too darn many of them. I think the public would certainly agree with that.

But people who have studied this issue—the scholars, the American Civil Liberties Union, not just the Senator from Kentucky—find this bill unconstitutional.

And the only point I would make is that the amendment of the Senator from Massachusetts is not going to cure that problem. He could cure it. I hope in the name of honesty and really laying it out on the table and quit playing games, let us make this underlying bill constitutional. Let us put some real money in it. Let us make it truly voluntary so it meets the Buckley standards. Then we would have an honest bill before us that we knew would be constitutional, and Senators could vote up or down on a constitutional, yet expensive, piece of legislation.

Mr. President, I do not have anything further to add. I am happy to, at this point, go to a vote on the amendment of Senator KERRY.

Mr. KERRY. Mr. President, I appreciate that. I have nothing to add at this point. I would be delighted to vote.

I believe the yeas and nays have been ordered?

The PRESIDING OFFICER. The yeas and nays have been ordered.

There being no further debate, the question is on agreeing to the amendment (No. 378) of the Senator from Massachusetts.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Alabama [Mr. HEFLIN] and the Senator from Texas [Mr. KRUEGER] are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 39, nays 59, as follows:

[Rollcall Vote No. 127 Leg.]

YEAS—39

Akaka	Feingold	Mitchell
Baucus	Feinstein	Moseley-Braun
Biden	Ford	Moynihan
Bingaman	Glenn	Nunn
Boren	Kennedy	Pell
Bradley	Kerrey	Riegle
Bryan	Kerry	Robb
Bumpers	Kohl	Rockefeller
Byrd	Lautenberg	Sarbanes
Campbell	Leahy	Sasser
Daschle	Levin	Simon
DeConcini	Mathews	Wellstone
Exon	Metzenbaum	Wofford

NAYS—59

Bennett	Faircloth	McCain
Bond	Gorton	McConnell
Boxer	Graham	Mikulski
Breaux	Gramm	Murkowski
Brown	Grassley	Murray
Burns	Gregg	Nickles
Chafee	Harkin	Packwood
Coats	Hatch	Pressler
Cochran	Hatfield	Pryor
Cohen	Helms	Reid
Conrad	Hollings	Roth
Coverdell	Inouye	Shelby
Craig	Jeffords	Simpson
D'Amato	Johnston	Smith
Danforth	Kassebaum	Specter
Dodd	Kempthorne	Stevens
Dole	Lieberman	Thurmond
Domenici	Lott	Wallop
Dorgan	Lugar	Warner
Durenberger	Mack	

NOT VOTING—2

Heflin	Krueger
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So the amendment (No. 378) was rejected.

Mr. WARNER and Mr. HOLLINGS addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. HOLLINGS. Mr. President, if I can get the attention of the distinguished Senator from Oklahoma, a motion to temporarily set aside the Wellstone amendment so I can present an amendment, is that the procedure?

Mr. BOREN. The Senator wishes to offer an amendment?

Mr. HOLLINGS. Right.

Mr. BOREN. Mr. President, I am told that we have been trying to alternate back and forth between the two sides of the aisle on amendments. If the Senator would withhold for a moment, let me consult the floor leader on the other side to see if they would be willing—will the Senator's amendment take very long?

Mr. HOLLINGS. I do not think it will take long. It has to do with a sense-of-the-Senate.

Mr. BOREN. With which?

Mr. HOLLINGS. Sense of the Senate to limit spending.

Mr. BOREN. Sense of the Senate?

Mr. HOLLINGS. Yes. Mr. President, since I have the floor, I ask unanimous consent that we temporarily set aside the Wellstone amendment so I can offer an amendment.

Mr. McCONNELL. I object.

The PRESIDING OFFICER. There is objection.

Mr. McCONNELL. The only point I make to my friend from South Carolina, we just had an informal agreement here to rotate from side to side. Senator BROWN and Senator FAIRCLOTH have been waiting. We are going to be on this bill for quite some time. I would just hope the Senator might defer until tomorrow.

Mr. HOLLINGS. Tomorrow. Is it going to take that long?

Mr. McCONNELL. No. I think we could have it—if Senator BROWN or Senator FAIRCLOTH would listen up a minute, I think we were talking about 30 minutes equally divided.

We are just talking about 30 minutes equally divided.

Mr. HOLLINGS. Mr. President, I ask unanimous consent that after they are recognized, I be recognized in order to present my amendment.

The PRESIDING OFFICER. Is there objection?

Mr. BOREN addressed the chair.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. BOREN. Mr. President, reserving the right to object, let me just inquire, if I could, of either the distinguished Republican floor leader of the bill or of the authors of the two amendments if we could have recited for us the subject matter of the two amendments.

Mr. McCONNELL. If my friend would yield—or we could have agreement to take the Hollings amendment up first thing in the morning. He can be first in order.

Mr. BOREN. We could enter into an agreement on these two amendments and then perhaps lock in the Hollings amendment to follow, if I just knew the subject matter of the two amendments that would be offered.

Mr. McCONNELL. One.

Mr. BOREN. One amendment being offered together?

Mr. FAIRCLOTH. One.

Mr. BOREN. They are the two sponsors. I understand. Do I understand that it has to do with term limits?

Mr. FAIRCLOTH. Yes. It is term limits.

Mr. BOREN. It is term limits.

Mr. FAIRCLOTH. We are waiting for it right now.

Mr. BOREN. Mr. President, could I, for just 1 moment, beg the indulgence of my colleagues on both sides of the aisle, the Senator from South Carolina and the Senator from Kentucky. While we are getting the exact description of the amendment, the Senator from California has a unanimous-consent request, which I understand has been cleared by the leaders on both sides, if I might yield to her for a unanimous-consent request.

Mrs. FEINSTEIN. I thank the Senator very much.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. FEINSTEIN. Mr. President, on vote No. 125, the Pressler amendment, I was mistakenly recorded in the negative. I ask unanimous consent that I be able to change my vote. I note that this change will not change the total of the vote.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

(The foregoing tally has been changed to reflect the above order.)

Mr. BOREN. Mr. President, if I could now just have a general description, not necessarily a reading of the amendment but a general description of what the amendment is, from the two distinguished Senators, then we could perhaps enter into this agreement and allow them to proceed.

Mr. HOLLINGS. If the Senators will yield, so upon the completion of their amendment, or the disposal of their amendment, I would be recognized to submit my amendment first thing in the morning.

Mr. BOREN. Mr. President, I ask unanimous consent that upon completion of the amendment of the two Senators that the Senator from South Carolina be recognized to offer his amendment.

Mr. McCONNELL. Mr. President, reserving the right to object, is it the understanding of my friend from Oklahoma that this next vote may well be the last vote this evening, in which case we would go to—

Mr. HOLLINGS. Tomorrow morning.

Mr. BOREN. The majority leader asked us to continue tonight. I think it would be his desire that the debate be at least completed tonight. He has indicated to me that he wants us to get some additional work done tonight so that we can move ahead with the bill.

So I am not in the position to say on his behalf that it would be the last vote. If we are to complete debate on the Hollings amendment tonight, we could go to a vote tonight, or if there is still debate or if there are objections to that, obviously Senators could prevent a vote tonight. We would perhaps complete the debate and go to the vote first thing tomorrow.

Mr. McCONNELL. So the purpose of this unanimous-consent agreement is to put the Hollings amendment in line behind the Brown-Faircloth amendment.

Mr. BOREN. That is correct.

I see the distinguished minority leader on the floor. I understand he may also have an amendment after the Senator from South Carolina.

Mr. FORD. Reserving the right to object, the only thing I want to do is limit it to 30 minutes. We have already talked 30 minutes about giving my friend from South Carolina the next amendment. But as I understand it, the unanimous-consent agreement is 30 minutes equally divided, 15 minutes to a side, and then the vote and then we go to the Senator from South Carolina. Is that correct?

Mr. McCONNELL. Mr. President, is that agreeable with the Senator from North Carolina and Colorado?

Mr. BROWN. Yes.

Mr. BOREN. Mr. President, if we could just have a description of the amendment, the major provisions of the amendment, I think we could enter into an agreement and proceed. It would mean we would have at least one more rollcall vote tonight, I assume the Senator would wish a rollcall vote, and it would be not a certainty as to whether we would have a rollcall vote on the Hollings amendment tonight. That would depend on the course of the debate.

Mr. BROWN. If the Senator will yield, the Faircloth-Brown amendment

is simply a straightforward term limitation amendment; that is, it limits Members of the House and Senate to 12 years. 2 terms in the Senate, six terms in the House. If indeed someone wishes to run for an additional term in the House or an additional term in the Senate, they would be allowed to, but they would be required to repay the public financing that they had received through the system.

Mr. BOREN. May I ask my colleague, is it prospective in its application? So the distinguished minority leader I see consulting would not be immediately banned from the Chamber? We give him some leeway on life.

Mr. President, since this is such a noncontroversial amendment, I believe we would be able to enter into—is it the desire to have 30 minutes of debate equally divided? Or 30 minutes to a side?

Mr. BROWN. We would be happy to accommodate either preference.

Mr. BOREN. Mr. President, I ask unanimous consent that there be 30 minutes equally divided and allotted to this amendment, upon conclusion of which, there be a vote on or in relation to this amendment; with no second-degree amendments in order; and that upon the completion of the voting, on or in relation to this amendment, that the Senator from South Carolina then be recognized to lay down his amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BOREN. Mr. President, I am informed that in our previous unanimous-consent agreement we did not also ask unanimous consent that we temporarily set aside the two pending Wellstone amendments, Nos. 367, 368. I ask unanimous consent that the two Wellstone amendments be temporarily set aside that I have mentioned in order that the amendment now be in order.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. FORD. Mr. President, what is the pending agreement?

The PRESIDING OFFICER. The pending agreement is to set aside the two amendments offered by the Senator from Minnesota [Mr. WELLSTONE]; that an amendment can be offered by the Senator from Colorado [Mr. BROWN], and the Senator from North Carolina [Mr. FAIRCLOTH].

Mr. FORD. Is there a time limit?

The PRESIDING OFFICER. There is a time limit of 30 minutes equally divided.

Mr. FORD. The Senator from South Carolina is to be recognized following disposition of that?

The PRESIDING OFFICER. That is correct.

Mr. FORD. I thank the Chair.

Mr. FAIRCLOTH addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

AMENDMENT NO. 379

(Purpose: To limit public financing to campaigns for election to terms in the Senate and the House of Representatives aggregating 12 years)

Mr. FAIRCLOTH. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from North Carolina [Mr. FAIRCLOTH], for himself, Mr. BROWN, and Mr. COATS proposes an amendment numbered 379.

Mr. FAIRCLOTH. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place add the following new section:

SEC. 137. TERM LIMITS FOR CANDIDATES WHO RECEIVE PUBLIC FINANCING.

(a) AGREEMENT.—Acceptance of public financing by a candidate for election to the Senate or the House of Representatives constitutes an agreement on the part of the candidate, enforceable by the United States, that if the candidate is thereafter elected to the Senate or the House of Representatives, the candidate will seek election to and will serve terms (including the first full term that the candidate serves after receiving public financing) in the Senate or the House of Representatives, or both, aggregating no more than 12 years.

(b) PROHIBITION OF FURTHER PUBLIC FINANCING.—After a candidate has received public financing of campaigns for election to the Senate or the House of Representatives, or both, that result in the candidate's election to terms in the Senate or the House of Representatives, or both, aggregating 12 years, the candidate shall no longer be eligible to receive public financing of a campaign for election to the Senate or the House of Representatives.

(c) REPAYMENT UPON VIOLATION.—A candidate who has received public financing of campaigns for election to the Senate or the House of Representatives, or both, that result in the candidate's election to terms in the Senate or the House of Representatives, or both, aggregating 12 years, shall, within 10 days after again becoming a candidate for nomination for election, or election, to the Senate or the House of Representatives, repay the United States the entire amount of the public financing received by the candidate.

(d) ENFORCEMENT.—

(1) BY THE ATTORNEY GENERAL.—(A) If a candidate who is required to make repayment fails to make full repayment within the 10-day period described in subsection (c), the Attorney General shall bring and shall vigorously prosecute a civil action against the candidate in United States district court to collect the entire amount of the public financing received by the candidate.

(B)(i) The Attorney General shall not have discretion to decline to bring and vigorously prosecute an action as required by subparagraph (A).

(ii) The duty of the Attorney General to bring and vigorously prosecute an action as required by subparagraph (A) shall be enforceable by a writ of mandamus obtained by any citizen of the United States.

(2) BY A CITIZEN.—If the Attorney General fails to bring an action as required by paragraph (1)(A) within 5 days after the expiration of the 10-day period described in paragraph (1)(A), a citizen of the United States may bring a civil action on behalf of the United States, in accordance with the procedures stated in section 3730 (b), (c), (d), and (g) of title 31, United States Code, and the United States shall pay the expenses incurred by the citizen in bringing the action.

(3) ATTACHMENT AND GARNISHMENT.—(A) Upon bringing an action under paragraph (1) or (2), the Attorney General or citizen plaintiff, as the case may be, shall seek, and not later than 5 days after commencement of the action the court shall issue, an order—

(i) attaching contributions that the candidate has received (including funds carried over from prior campaigns) or receives after the date of the order;

(ii) attaching personal assets of the candidate; and

(iii) garnishing the candidate's earnings to be received from the Government and from all other sources,

in an amount that will be sufficient to secure repayment of the entire amount of public financing received by the candidate, plus interest from the date on which the 10-day period described in paragraph (1)(A) expired to the date of full repayment.

(B) An order under subparagraph (A) shall remain in effect until the entire amount of public financing received by the candidate, plus interest, has been repaid.

(e) REDUCTION OF PUBLIC DEBT.—Funds received by the Treasury from a candidate in repayment of public financing under this section shall be deposited in the sinking fund described in section 3112 of title 31, United States Code, to retire the public debt.

Mr. FAIRCLOTH. Mr. President, every member who ran last year promised change and reform. Unfortunately, the campaign spending bill on the floor today is a hoax when it comes to change and reform. By letting politicians spend taxpayer money for their campaigns, the campaign spending bill is a quarter of a billion dollar raid on the taxpayers' pockets. The spending limits in the bill, inevitably, will favor incumbents.

Term limits are a real solution to get real change and reform. I am a farmer and businessman. I do not intend to spend more than two terms in the Senate. When my term ends, I plan to go back to my farm and business to live under the laws I helped to make.

But for too many in Congress today, Government has become a career. We have what columnist George Will calls a political class of professional politicians who make Government and spending taxpayers' money their full-time business.

The results of this are everywhere to be seen. Congress passes equal pay laws, civil rights laws, OSHA laws, all kinds of laws and then exempts Congress from the laws that the rest of the people have to live under.

Professional politicians insulate themselves from a bad economy by giving themselves automatic pay raises and a salary that puts Members of the House and Senate in the top 1 or 2 percent of income.

Congress has perks and privileges not available to the average citizen, a pension plan that is more generous than any pension plan in the private sector or even in Federal employment.

Congress has a staff of 37,000 employees—more congressional staff members work on Capitol Hill than the entire population of 11 State capitals.

Common sense is an uncommon thing in Washington. The people out in the country—the taxpayers—know we have to cut spending. But Congress would rather raise taxes.

I think the problem is that Congressmen and Senators find life in Washington too easy. They do not want to give it up. They may come to Washington to do good things, in many cases, but then they get plugged into the Washington system of you scratch my back and I will scratch yours. You vote for my boondoggle and I'll vote for yours.

In fact, former Budget Director James Miller, using the National Taxpayers Union's figures on how much tax money each Member of Congress votes to spend, found that the longer someone stays in Congress, the more tax money they vote to spend. The longer someone stays in Washington, the more out of touch they get, and the more dependent on lobbyists and Washington interest groups they are likely to become.

I think it is time to bring common sense to Washington by opening up the system, not by closing down the system with a campaign spending bill that favors incumbents.

Term limits will give more new people a chance to serve in Congress. Perhaps more importantly, term limits will make the people who are here in Congress now realize that they are going to have to go home and live under the laws they have passed.

Term limits are supported by the American people. Twenty-one million Americans voted for term limits measures in the States in the last election. Term limits got more votes than Bill Clinton in 13 of the 14 States where they were both on the ballot.

A recent poll done by the Gordon Black Co. for Ross Perot found that over 70 percent of the American people support some form of term limits.

It is not really a new idea. Thomas Jefferson said, "I dislike, and greatly dislike (in the new Constitution) the abandonment in every instance of the principle of rotation in office."

George Washington said, "A rotation of elected officers (may be) most congenial with the ideas (the people have) of liberty and safety."

Jefferson and Washington wanted a citizen legislature where good people would serve for a few years and then go home. Harry Truman wanted the same thing. Harry Truman sponsored a term limit amendment back in 1950.

The opponents of term limits say that bringing new people to Congress

so often will rob us of experience. Well, look what experience has brought the country. A \$4 trillion debt—every penny of it voted by a Congress filled with career politicians.

The opponents say term limits will increase the power of the special interests. That is silly on its face. The special interests—big corporations and labor unions—spend thousands and thousands of dollars fighting to defeat term limit initiatives out in the States. The special interests are comfortable with the career politicians who are in Washington now.

We are told that term limits will increase the power of the congressional staffs. That is more ridiculous. We do not have term limits, but spending for congressional staff keeps climbing anyway.

The opponents tell us that there was a lot of turn over in Congress last year without term limits. If it had not been for the check bouncing scandal and perhaps the fact that incumbents in the House were able to retire last year and keep their campaign funds for personal use, I doubt we would have seen as many congressional retirements as we saw. Even so, 93 percent of the incumbents still won. Spending limits in the campaign spending bill will protect incumbents even more.

The opponents of term limits say we are taking away the people's right to choose their representatives. But the people want term limits. The polls and the votes in the States prove it. Congressional leaders who claim term limits are antidemocratic have so far refused to even bring up a constitutional amendment for term limits. That is why I am bringing it up today. If the people do not want it, then term limits will never be ratified by three-fourths of the State legislatures as the Constitution requires. But in fact, most of the American people do want term limits.

We desperately need a Congress with the courage to cut spending and stop piling up debt for our children to pay off. Term limits may be our last best hope to stop stealing our children's future. With term limits, Members of Congress will know that they will only be able to serve a few years. The incentive to buy reelection term after term by voting more spending to pay off more groups will be gone. Perhaps the Congress will have the courage to do what's right—cut spending.

Term limits make common sense. If two terms were good enough for George Washington, they are good enough for anyone in the Senate today. I urge the Senate to pass this clear, simple constitutional amendment for term limits.

Mr. President, I am serving my first term as an elected official but have been in and out of politics a lot in my life. I have also considered politics an exceedingly fine avocation, but a poor vocation. The point being that we

should all have an extremely healthy interest in government, and in politics, and in public service. But I do not think it should be considered a lifetime career.

When I ran for the Senate, I made very, very few commitments or promises. After having spent my life in the private sector, I committed myself only to vote against any tax increase, to vote any way that I could to reduce the deficit, to reduce Federal spending, and to support term limits for the Members of the Congress.

We need desperately to get back to the idea of our Founding Fathers, which was that public service should be something we did in addition to our vocation.

I think that so many of the people in the Congress and in the administration have been writing rules and regulations that handicap business for the very simple reason they have never been involved in it. So many of the people writing the rules have never played the game.

I have been here 5 months, and for the brief 5 months I have been here I am more convinced than ever that we need term limits.

The reason we have a \$400 billion deficit is that Congress is unwilling to cut Federal spending. Why? Because spending the taxpayers' money on programs that benefit one's home State helps us get reelected. And there is one driving ambition in politicians—it is to get reelected. Well, let us give them an opportunity to get back into the private sector and earn a living under the rules and regulations that we have imposed upon the working people of this country. Let those of us who are here serve and then return to the private sector. As I said earlier, politics should be an avocation and not a vocation.

I yield the floor.

The PRESIDING OFFICER (Mrs. BOXER). Who yields time? If neither side yields time, time will be subtracted equally from both sides.

Mr. BROWN addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. BROWN. Madam President, I ask that the distinguished Senator from North Carolina yield me 5 minutes from his time on the bill.

Mr. FAIRCLOTH. Madam President, I yield 5 minutes to the Senator from Colorado.

Mr. BROWN. Madam President, I appreciate this opportunity to raise this issue. The underlying measure provides public financing for candidates for office. The thesis of this amendment is quite simply that if the Federal Government is going to pay for it, there ought to be some sort of term limitation. I think all American citizens are well aware that term limits have been a very important topic of debate in the last decade, and even before that.

This measure provides, I think, an appropriate and significant reason to

move ahead with term limitations. It asks the taxpayers to fund a portion of campaigns. This amendment would simply say that if you take the public's money to run for office, you agree to limit yourself to 12 years of service; that is, continuous service in the House or the Senate. Obviously, after serving in the House, somebody can move to the Senate, or from the Senate they can move to the House. But 12 years of continuous service is enough. If, indeed, somebody feels they must continue to run for office after those 12 years, they can. This amendment would not prohibit them. But it would say that you have to give the money back you have taken from the public to run under those terms.

Madam President, as I know you are well aware, and many Americans are well aware, California has enacted a term limitation. It involves two terms for the U.S. Senate, as other States around the country do: 15 States currently have term limitations. Term limitations will probably be on the ballots in eight more States, and several additional States are considering instituting term limits for Members of Congress.

Colorado is the first State in the Nation to adopt congressional term limitations. But the movement is growing stronger. There is one reason: Americans want change in this country, and they want a Congress that represents them. As a nation, we were the ones that outlawed in our Constitution titles of nobility. It was because we wanted a Government of the people and by the people. And what we found instead is the development of a ruling class in this Nation, where people do not work for a living before they come to rule this country. They do not understand the problems of this country.

Madam President, it shows, I believe, in the way this Nation is governed by Congress. The runaway deficits, the micromanagement of the economy, the incredible regulations that defy both Democrats and Republicans, are all a function of a Congress that has not had a chance to work for a living and understand the real problems of this Nation.

Certainly, people of good faith serve in this body, but all too often, the votes on this floor reflect the fact that many people have not had the chance to do the real work of this country. I believe with all my heart that if the Members of this body had had a chance to live under the regulations we have imposed on the American people, we would have far different laws enacted. That is the real value of this—to provide a turnover in Congress that allows the Congress to be more reflective of the American people.

Madam President, 75 percent of the American people favor term limits. In every one of the States where it was on the ballot last time, it passed. It had

majorities sometimes reaching above 70 percent. It is clearly the will of the American people that this be adopted.

Term limits now exist in the Constitution for the President of the United States. They exist in the constitutions of a majority of our States for Governors. They exist in many States for State legislators.

Virtually every State that had it on the ballot last time approved it. I believe eight additional States will adopt it next time. For simple equity and parity among the States, I think it is important. How tragic it would be for States like California and Colorado, and others, to have adopted term limits and then other States not have to abide by the same rules. This amendment, if adopted and enacted into law, will provide consistency among the States. But most important of all, it will ensure that Congress becomes a much more reflective body of the attitude of the American people.

Madam President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. FAIRCLOTH. Madam President, I yield time to Senator COATS.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. COATS. Madam President, I appreciate the amendment the Senator has brought before us because it gives us an opportunity to discuss an issue that I think is very much on the minds of the American people, in terms of how they look at this institution and look at ways in which it can be reformed in a way that they can feel a sense of restoration of trust.

As I campaigned for this office in the last 4 years, in two separate elections, what I discovered, to my dismay, was that a great percentage of the people of America are in the process of losing confidence in this institution. They are losing confidence for a number of reasons but particularly one reason, and that is that they felt it was an institution no longer in touch with the thoughts of the everyday American—the basic American who felt that Congress had insulated itself from the realities of day-to-day life.

So the question arose as to how we could possibly begin to restore this sense of trust, because really without the confidence and support of the American people, what we do here is not going to be successful in the long run.

Perhaps the most important means by which I think this trust and confidence could begin to be restored is through the concept of term limitations. In that regard, I would like to go back just a little bit in history and talk about the Congress as it existed before this modern era.

Before the Civil War, it was the common American conviction that the surest way to avoid the temptation of an imperial Congress was the principle of

frequent rotation in office. Americans expected a Government of citizen legislators, not career politicians, and though the principle was voluntary, they usually got what they wanted.

During the first half of the 19th century, between 40 and 50 percent of the Congress left office in every election. The belief in a regular congressional turnover came to America from a much older tradition. Aristotle had written that democracy was only possible when there was a chance of ruling and being ruled in turn.

The theory is simple: Public servants will pass better laws when they expect to go home and live under them for a term, or for a while.

One delegate to the American Constitutional Convention warned by remaining in the seat of Government they, the Convention, would acquire the habits of the place, which might differ from those of their constituents. That, we have found, was a monumental understatement.

After the Civil War, the average duration of congressional service doubled, and then doubled again. And it has come to the logical conclusion, in our time, a Congress of entrenched professionals who are only unseated, it seems, by death, scandal, or their own disgust with the institution.

In the process, a wall has been constructed, a wall between citizens and legislators, a wall of endless reelection, a wall of arrogance and indifference, a wall that has left this body, in many instances, isolated.

One observer has commented that Members of Congress become like the noncustodial parent in a divorced family. They have visitations; they come on holidays and weekends; they send money. But they do not live with us. And, over time, it has become harder and harder to know, to really know one another very well.

So the answer, Madam President, I think is as simple and as radical as term limitation. If turnover is not voluntary, we must make it mandatory.

I have introduced a proposal for limited terms and made a commitment to honor that proposal which closely parallels the proposal of the amendment before us today.

The goal would be on a 12-year term limitation. The goal would be a slow, gradual, gentle revolution, a revolution in the attitude of the Congress and the confidence of Americans.

Our Nation would find public servants who came from the real world and planned to return there. They would find public servants who expect to live much of their productive lives under the laws and regulations they write and the taxes that they pass. They would find public servants freed from the endless campaigning of career politics and allowed to deal with issues. They would find public servants connected to their community and its

needs by experience, not just sympathy.

This is the kind of congressional reform that would do more than shift the distribution of money and power. This is the kind of congressional reform that would restore trust. But the restoration of this trust could begin in one historic moment—when the Congress supports limits on its own services.

So I thank my colleagues from North Carolina and from Colorado for offering this amendment. I do not expect it will garner a majority of votes. I do think it is something that this body ought to seriously consider, because in the end, as I said, what counts in terms of our ability to enact legislation that will be meaningful and supported by the American people is their support and confidence in us as an institution. And that support and that confidence is in short supply as we debate here this evening.

Madam President, I thank the Senator for the time, and I yield the floor.

The PRESIDING OFFICER. All time for the proponents of this amendment has expired.

Who yields time?

Mr. BOREN. Madam President, I know the time has expired on that side. I will be happy to yield a minute each, if there are additional Senators on that side who wish to speak.

Mr. FAIRCLOTH. The Senator from Idaho wishes to speak.

Mr. BOREN. Madam President, I will be happy to yield a minute and a half to any Senator out of my time.

The PRESIDING OFFICER. The Senator from Oklahoma yields time.

Mr. KEMPTHORNE. Madam President, thank you very much.

I thank the Senator from Oklahoma very much for the courtesy.

Madam President, I ask unanimous consent that I be added as a cosponsor to this amendment.

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

Mr. KEMPTHORNE. Madam President, I would like to point out, as we discuss term limitations, we are not without precedent for Federal term limits. We are a coequal branch of the Government with the executive branch. Congress has imposed term limitations for the executive branch. I think what is good for one should be good for the other. It should apply to both.

So I wish to associate myself with the remarks made by my colleagues who have spoken in favor of this amendment, but I also state the principle is sound. It has been implemented for the executive branch. It is time we implement it also for the legislative branch.

I thank the Chair very much. I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma yields further time.

Mr. FAIRCLOTH. Madam President, will the Senator from Oklahoma yield 1 minute?

Mr. BOREN. I am happy to yield.

The PRESIDING OFFICER. The Senator from Oklahoma yields time.

Mr. FAIRCLOTH. Madam President, there are a lot of reasons to have term limits, and you have heard a number of them stated here in the last few minutes.

But I think one of the most interesting and demanding reasons was an honorable Member of this Senate for a long time, George McGovern—and one of its more liberal Members—after he left the Senate he went, I think, to Connecticut, and went into the hotel and restaurant business. He immediately ran into a plethora of rules and regulations that he had helped write on business while he was a Member of the Senate.

He wrote a number of columns in newspapers, and articles, in which he said that if he had been aware of the impact that the rules and regulations that he was sponsoring and writing would have upon small business, how difficult it would make it for them to operate, he would have been a different Senator while he was serving.

I think that is as good a reason as we need for people to be in the Senate and then return to the private sector.

I yield time.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Oklahoma.

Mr. BOREN. Madam President, I understand the frustration that is reflected in the amendment by my colleagues from the other side of the aisle. It is a frustration felt by the American people.

In the last election, when this issue was on the ballot in several States, it carried to limit the terms of Members of Congress.

It is no wonder that people are frustrated when they view what has been going on in elections and when they view what has been going on within this institution, in some respects.

But while I understand that frustration, in all honesty, I must oppose this amendment because I do not think it is the solution.

The people are frustrated right now because they do not believe they have enough say in their own Government. They do not believe there is anyone here representing them, looking after their interests, caring about people like them.

I do not believe that by limiting the terms of the elected Members of Congress while the civil service and the bureaucracy will continue on for many, many years in this place, will make the Government of the United States more responsive to the people. That is exactly what will happen if we limit the terms of elected officials and allow the nonelected bureaucracy to continue, as I presume we would under the terms of this amendment.

Those who are not elected and not responsive to the people, the bureaucracy, will run the country to an even greater degree than it already does.

So, Madam President, I do not think the answer for the American people is to turn the Government over to the bureaucracy, which absolutely cannot be reached by the people.

What is the answer to the frustration being expressed by the people? What is the answer to those in poll after poll, who say in large majorities approaching 80 percent, that they no longer feel that Congress represents people like them? The answer is not in term limits. The answer is in passing real campaign finance reform.

Under the present system, it is true that those who want to stay in office have a tremendous advantage over challengers who are trying to come here and offer fresh and new ideas to the American people.

In the last election, when over \$670 million was poured into campaigns—much of it from political action committees, PAC's, and special interest groups—incumbents, under a system that has no spending limits, as is the case with current law, incumbents, the people who are already here, have tremendous advantages.

On the Senate side, incumbents were able to raise three times as much money as challenges. In the House, incumbents were able to raise five times as much money as challengers. And on the average, where did the political action committees, the special interests, give their money? On the average, they gave \$6 to sitting Members of Congress versus every dollar that they gave to challengers.

The public understands that, and they say this is not a level playing field and this is not a system that gives new people a chance to break into politics.

So they want the system changed, Madam President. We do not need term limits. If we want to allow new people with fresh ideas an equal chance and an equal opportunity to be elected to the Congress, what we need is a system of spending limits so incumbents will not have this huge advantage, and a system that will wring the special interest money out of politics, with the PAC's giving 6 to 1 to incumbents. That is what we need. That is what will change the system.

That is what will help us restore the confidence of the American People in the political system. No wonder new people trying to break into politics are discouraged. They sit back and think, "Well, perhaps I could raise as much money in early fundraising in my home State as the sitting Member of Congress."

It does not matter whether they are Democrat or Republican. The facts I have just given apply equally. Republican incumbents or Democratic in-

cumbents are outspending their challengers 3 and 5 to 1. Democratic and Republican incumbents are getting most of the PAC money at a rate of 6 to 1.

So new people sit back and say, "I might do pretty well at the grassroots, but then I am going to be inundated by a tidal wave of special interest money from Washington that makes it impossible for me to have an equal chance to make this race and come to the U.S. Congress."

And the people perceive something else, Madam President, and it causes them to feel that this Congress does not represent people like them. They understand that as long as there is this terrible pressure to raise money in campaigns.

As I was discussing on the floor yesterday, if you average it out—and we know that Members do not sit down and do it on a weekly basis; they tend to raise more of the money, as the Senator from Kentucky has said, in the last couple of years of their term—but if you were to space it out all the way through 6 years, just to run in an average size State, a Member of Congress or the Senate has to figure out how to raise over \$4 million. That is about \$15,000 a week, every single week for 6 years to raise the amount of money that it takes, on the average, to run for reelection.

Madam President, when you are under that kind of pressure to raise that kind of money, I do not care who you are, human nature being what it is, if you are desperately trying to do that and you have very little time available to you—and the example I have given is, if, in the middle of a busy day, you have 5 minutes and there are several people sitting in your waiting room and they all want to see you. One of them is a student, with high hopes to become involved in the political process; another one is a farmer, who has perhaps been sitting out on his tractor thinking of ideas to make this country better while he has been in the middle of the wheat harvest; another might be a factory worker; another a housewife; and another a teacher; and another a PAC manager in Washington, who has the ability to give you a check for \$5,000 for the primary and \$5,000 for the general election and perhaps could hold a fundraiser here in Washington and raise you \$250,000 in one night.

And there you are trying to figure out "How do I raise the \$4 million to run for re-election?"

Well, Madam President, who are you going to see with the 5 minutes available to you? Are you going to see the student? Are you going to see the farmer? Are you going to see the teacher? Are you going to see the factory worker? Probably not, sadly.

And at the end of the day, how are you going to feel about it? You did not come here to figure out how to raise \$4

million. You did not come here to only talk to people who can give to your campaign. You came here because you wanted to make a difference in the future of the country. You came here because you wanted to render public service.

And at the end of the day, with those kinds of pressures upon you, you do not feel good about being a pawn of the system that forces you to raise more and more money. And the people that you did not have time to see, they do not feel good about the fact that you could not see them and listen to the views of people like them. And not even the PAC manager feels good about it, because he is probably being forced from this way and that way to give to candidates that have access to those people that are already here.

So there is a great disillusionment about the system. And because of that, people do not know what to do. And when they see anything on the ballot, whether it is term limits or anything else in which they can register a protest against the Congress of the United States, they say, "I want to express my frustration. I want to say things are not as they should be in this system." And they are right, Madam President. They are right.

But the way to answer that loss of trust, the way to answer that mistaken sense of priorities is not to turn the Government of the United States over to the nonelected bureaucracy, not to destroy the system of Government as the framers of the Constitution wisely put it in place where they wanted the elected officials in this country to be for the people to have a chance to make sure that the people's will was carried out.

Let us not destroy this system. Let us not turn it over to nonelected bureaucrats. Let us cleanse this system of too much money pouring in, stacking the deck against challengers, stacking the deck against people with qualifications and new and fresh ideas, stacking the deck against the very people we are sent here to represent. Let us pass meaningful campaign finance reform.

And I appeal to my colleagues on the other side of the aisle: I hope that they will join us in this effort to do just that. I hope that they will realize that putting limits on runaway spending is a benefit not of one party or the other. If anything, it is in the benefit of the Republican Party, because there are fewer Republican incumbents and more Republican challengers, since those of us on this side of the aisle have a temporary majority in the Congress.

I hope they will realize that we can do something for the American people and the political process that has nothing to do with one party or the other and join us in answering this frustration by passing real and meaningful campaign finance reform.

Mr. DORGAN. Will the Senator yield?

Mr. BOREN. I am happy to yield.

Mr. DORGAN. I am not speaking to the campaign finance bill. I am looking at this amendment and wondering if this amendment says to somebody that is a billionaire, "You spend your own money, you exceed all spending limits, do it as often as you like, and you could stay here forever." But to another Senator that is involved under the rules and receives some public financing, it says, "You will have term limits. The person that spends a load of money will not, but you will have term limits."

That seems fundamentally unfair. Do I understand this amendment correctly?

Mr. BOREN. I say to my good colleague from North Dakota, he stated it exactly correctly, because the way the amendment is framed, there will only be term limits for some people. Those people who are able to raise the vast amounts of money, those people who are millionaires, who can afford to finance their campaigns out of their own PAC's, they will not be limited as to their terms.

But if they are candidates—and I do believe there are people that do not have vast pocketbooks and there are people who are not willing to sell out in a way that they can raise huge amounts of money from the political action committees or from other sources, that want a chance to render a public service, those people would be limited in their service while those that had unlimited financial means themselves would be able to stay here forever.

So the Senator is exactly right. It is not only a matter that this is a solution that would turn over, I believe, to the bureaucracy the operations of the Government, but it is also a matter that would have two standards—one for those with large means and the ability to tap large amounts of money without getting some incentives that are provided in this bill and those that would not.

So it would, indeed, establish a double standard. It would really limit the right of the American people as to their right to pick their own representatives. They would be able to pick millionaires to represent them for life, but they would not be able to pick other people to stay longer and represent them.

So I do believe the Senator is correct that the amendment is flawed in that respect as well.

Mr. BROWN. Will the Senator yield for 30 seconds? He has been very generous with his time.

Mr. BOREN. I am happy to yield for a question.

Mr. BROWN. Well, I want to put something in the RECORD.

Mr. BOREN. I am happy to yield.

Mr. BROWN. I thank the distinguished Senator, who has been most generous.

Madam President, I ask unanimous consent to have printed in the RECORD a series of quotes from our Nation's Founding Fathers on the subject of term limitations.

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

QUOTES THROUGHOUT AMERICAN HISTORY
ADVOCATING TERM LIMITATIONS

JOHN ADAMS

"A rotation of offices, in the Legislative and Executive Departments has many advocates and, if practicable might have many good effects."

"These great men (legislators), in this respect, should be, once a year, 'Like bubbles on the sea of matter borne, they rise, they break, and to that sea return.'"

"A rotation in all offices, as well as of representatives and counsellors, has many advocates, and is contended for with many plausible arguments . . . I can see no objection to it."

"Rotation would teach representatives the great political virtues of humility, patience, and moderation without which every man in power becomes a ravenous beast of prey."

NEW YORK'S BRUTUS—CONSTITUTIONAL
CONVENTION DEBATES

"It would give opportunity to bring forward a greater number of men to serve their country, and would return those, who had served, to their state, and afford them the advantage of becoming better acquainted with the condition and politics of their constituents."

GEORGE MASON

"Nothing is so essential to the preservation of a republic government as a periodic rotation."

"It is a great defect in the Senate that they are not ineligible at the end of six years."

"Nothing so strong impels a man to regard the interest of his constituents as the certainty of returning to the general mass of the people, from whence he was taken, where he must participate in their burdens."

THOMAS JEFFERSON

"To prevent every danger which might arise to American freedom by continuing too long in office . . ."

"By the term rotation in office . . . we mean an obligation on the holder of that office to go out at a certain period."

"My reason for fixing them in office for a term of years, rather than for life, was that they might have in idea that they were at a certain period to return into the mass of the people and become the governed instead of the governors . . ."

GEORGE WASHINGTON

Washington's voluntary retirement after 2 terms as President set an important precedent.

Washington wrote: "The spirit of the government may render a rotation in the elected officers of it most congenial with the ideas (the people have) of liberty and safety."

BENJAMIN FRANKLIN

"In free Governments, the rulers are the servants, and the people their superiors and sovereigns. For the former, therefore, to return among the latter was not to degrade but to promote them.

ANDREW JACKSON

Jackson devoted a portion of his 1829 Inaugural Address to the merits of rotation in office.

"I cannot but believe that more is lost by the long continuance of men in office, than is generally to be gained by their experience." No one should "treat public office as a species of property," nor view government "as a means of promoting individual interest."

PRESIDENTS POLK, BUCHANAN, AND LINCOLN

Each celebrated the virtues of rotation in office.

Henry Clay was elected as Speaker of the House in his first term.

ABRAHAM LINCOLN

Abraham Lincoln served only one term in the House before returning to his Illinois law practice.

"If our American society and United States Government are overthrown, it will come from the voracious desire for office," this [desire] to live without toil, work and labor . . . from which I am not free myself."

HARRY TRUMAN

"We'd help cure senility and seniority—both terrible legislative diseases."

"There is a lure in power. It can get in a man's blood just as gambling and lust for money have been known to do."

DWIGHT EISENHOWER

"What is good for the President might very well be good for the Congress."

JOHN F. KENNEDY

"The desire to be re-elected exercises a strong brake on independent courage."

Mr. BROWN. Madam President, I also would like to point out for the RECORD that we now have 15 States that limit the term limits of Members of the Senate and Congress: Arizona, Arkansas, California, Colorado, Florida, Michigan, Missouri, Montana, Nebraska, North Dakota, Ohio, Oregon, South Dakota, Washington, and Wyoming. With the exception of North Dakota, these same States also limit the terms for members of their State legislatures. In addition, while Oklahoma has not enacted a Federal term limit, it has adopted term limits for its State legislators.

We also have 37 Governors that are limited. And again I reiterate that 75 percent of the American people favor term limits in poll after poll.

The PRESIDING OFFICER. The Chair will point out there are 3 seconds remaining on this debate.

Mr. BOREN. Madam President, I would say that the polling data shows approximately 90 percent of the American people want spending limits in campaigns.

I urge my colleagues, if they are following the will of the American people, to join us in passing real and meaningful campaign reform that will solve this problem and shut off runaway campaign spending that is pouring into the tills of the candidates in this Congress.

The PRESIDING OFFICER. All time has expired.

Mr. BOREN. Madam President, I move to table the pending amendment and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. BROWN. Madam President, I understood we had an agreement that we would be allowed straight up or down votes on these measures. Am I misinformed?

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oklahoma [Mr. BOREN] to table the amendment of the Senator from North Carolina [Mr. FAIRCLOTH]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. Mr. President, I announce that the Senator from Delaware [Mr. BIDEN], the Senator from Alabama [Mr. HEFLIN], and the Senator from Texas [Mr. KRUEGER] are necessarily absent.

Mr. SIMPSON. I announce that the Senator from North Carolina [Mr. HELMS] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 57, nays 39, as follows:

[Rollcall Vote No. 128 Leg.]

YEAS—57

Akaka	Glenn	Mitchell
Baucus	Graham	Moseley-Braun
Bingaman	Harkin	Moynihan
Boren	Hollings	Murray
Boxer	Inouye	Nunn
Bradley	Jeffords	Pell
Breaux	Johnston	Pryor
Bryan	Kennedy	Reid
Bumpers	Kerrey	Riegle
Byrd	Kerry	Robb
Chafee	Kohl	Rockefeller
Cohen	Lautenberg	Roth
Conrad	Leahy	Sarbanes
Daschle	Levin	Sasser
Dodd	Lieberman	Shelby
Dorgan	Lugar	Simon
Feingold	Mathews	Warner
Feinstein	Metzenbaum	Wellstone
Ford	Mikulski	Wofford

NAYS—39

Bennett	Domenici	Mack
Bond	Durenberger	McCain
Brown	Exon	McConnell
Burns	Faircloth	Murkowski
Campbell	Gorton	Nickles
Coats	Gramm	Packwood
Cochran	Grassley	Pressler
Coverdell	Gregg	Simpson
Craig	Hatch	Smith
D'Amato	Hatfield	Specter
Danforth	Kassebaum	Stevens
DeConcini	Kempthorne	Thurmond
Dole	Lott	Wallop

NOT VOTING—4

Biden	Helms
Heflin	Krueger

So, the motion to lay on the table the amendment (No. 379) was agreed to.

The PRESIDING OFFICER. The Senator from South Carolina is recognized under the previous order.

Mr. MITCHELL. Will the Senator yield for just a brief statement.

Mr. HOLLINGS. I do yield to the majority leader without losing my right to the floor.

ORDER OF PROCEDURE

Mr. MITCHELL. Madam President and Members of the Senate, there will be no further rollcall votes this evening. Senators should be aware, however, that Thursday, tomorrow, is the day on which we expect to work in the evening, if necessary. That will clearly be necessary, so Senators should expect a very long session tomorrow and a session throughout the day on Friday with votes possible throughout the day on Friday. This is an important bill. A lot of Senators say they have amendments to offer to it. I hope they will be prepared to do so on tomorrow and Friday.

Madam President, I thank my colleague.

Mr. BOREN addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. BOREN. Madam President, if my colleague from South Carolina will yield to me to make a request, I ask unanimous consent that the previous agreement be modified to allow the distinguished Senator from Georgia to speak on a matter of importance for 10 minutes at this time, and following that I believe that the Senator from Tennessee wished to be recognized for 3 minutes, at which time we would then return to the Senator from South Carolina, if he would be willing to allow us to do that, to lay down his amendment.

Mr. HOLLINGS. Madam President, could I lay down my amendment and then I could go like everybody else. Ten minutes is ten hours as far as I am concerned.

Mr. BOREN. Madam President, will the Senator from Georgia allow the Senator from South Carolina to lay down his amendment.

Mr. COVERDELL. I am happy to yield.

The PRESIDING OFFICER. Under the previous order, the Senator from South Carolina is recognized.

AMENDMENT NO. 380

(Purpose: To express the sense of the Senate that the Congress should adopt a joint resolution calling for an amendment to the Constitution that would empower Congress and the States to set reasonable limits on campaign expenditures)

Mr. HOLLINGS. Madam President, I have an amendment at the desk. I ask unanimous consent that we set aside the amendment of the Senator from Minnesota so that I can present an amendment.

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

Mr. HOLLINGS. I ask that the clerk report the amendment.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows.

The Senator from South Carolina [Mr. HOLLINGS], for himself, Mr. SPECTER, Mr. REID, Mr. CAMPBELL, and Mr. EXON, proposes an amendment numbered 380.

Mr. HOLLINGS. I ask unanimous consent further reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place insert the following:

SEC. . SENSE OF THE SENATE THAT CONGRESS SHOULD ADOPT A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION THAT WOULD EMPOWER CONGRESS AND THE STATES TO SET REASONABLE LIMITS ON CAMPAIGN EXPENDITURES.

It is the sense of the Senate that Congress should adopt a joint resolution proposing an amendment to the Constitution that would—

(1) empower Congress to set reasonable limits on campaign expenditures by, in support of, or in opposition to any candidate in any primary, general, or other election for Federal office; and

(2) empower the States to set reasonable limits on campaign expenditures by, in support of, or in opposition to any candidate in any primary, general, or other election for State or local office.

Mr. BOREN. Madam President, I ask unanimous consent that the Senator from Georgia be allowed to proceed as if in morning business for 10 minutes, followed by the Senator from Tennessee as if in morning business for 3 minutes, and thereupon the Senator from South Carolina be recognized to continue discussion of the pending amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The Senator from Georgia is recognized.

SHORTFALL IN GOVERNMENT-BACKED LOAN PROGRAM

Mr. COVERDELL. Madam President, I rise to speak about an issue dealing with the Department of Agriculture and specifically the Farmers Home Administration on a matter of deep concern to me, the citizens of Georgia, and the citizens of the United States.

On or about April 15, in late April, early May, our office began to receive telephone calls from citizens who advised us that they had been promised loans. These are low- and moderate-income, rural people who had been promised loans by the Farmers Home Administration and their lending agents and as a result had begun to make changes in their lives based on these promises, only to be advised later that, indeed, the loans would not be possible; they had overobligated.

After some period of inquiry, it was determined that it was April 21, to be specific, that the Department advised its lending agents that no further loans could be made. The problem, however, was that there are 720 American families, 90 of which are in Georgia, that were offered the loan prior to the Department's decision to stop obligation.

We endeavored to secure an appointment with the Secretary of Agriculture

and were unable to do so, which led to an advice to the Agricultural Committee that we would pass through the nominations of three individuals but unless a meeting were confirmed with the Department we would put them on hold.

Those individuals are James S. Gilliland, of Tennessee, to be general counsel of the Department of Agriculture; Eugene Moos, of Washington, to be Under Secretary of Agriculture for International Affairs and Commodity Programs; and Helen Weinberger Haas, of New York, to be Assistant Secretary of Agriculture. Two of these individuals have been nominated for another post.

After discussions with the majority leader yesterday evening, I have concurred to release my hold on these nominees. I have had a meeting with the Secretary this past Friday and intend to be speaking with him again tomorrow evening or the day after.

During the session, I agreed to survey the 90-some-odd families in my State to find out what they were told, when they were told it, and what their circumstances are.

The data is a bit sketchy but we have been able to get to 39 of the 90 in Georgia. Thirty-eight believed that their loan was approved based on the information given to them by the mortgage brokers, bankers, realtors, or home builders that are agents of the agency.

I wish to share just a brief story.

Claudia Best, a secretary, and her husband, Harvey Best, a railway car loader, thought they were finally able to achieve the American dream of buying their own home but instead of celebrating the Bests worry they may have to move out. This homebuyer in a rural county in north Georgia would have to come up with more than a \$3,000 payment on another loan, and they cannot do it on their salaries.

One single mother, living in one room of a relative's house with her child, was told that if she did not receive financing by this Friday, May 28, the House would go back on the market.

A grandmother, with the custody of her grandchild, acting on good faith, sold her trailer in anticipation of the closing. The funding has been reversed. She has been forced to move from her trailer into one room at her baby-sitter's house.

Madam President, I ask unanimous consent to have printed in the RECORD a recent article in the Atlanta Journal discussing the circumstances of the matter I am addressing to the Senate.

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

GOVERNMENT-BACKED FUND LEAVES RURAL BUYERS IN LURCH
(By Deborah Royston)

Claudia Best and her family moved into a new house in rural Barrow County in April

even though their loan on the \$75,000 ranch had not closed.

Mrs. Best and her husband, Harvey, met the qualifications for the government-backed loan designed for moderate-income rural residents. Their builder, Thomas W. Limbach, thought it was a done deal.

But instead of celebrating, the Bests worry they might have to move out.

A budget shortfall in a government-backed loan program for rural areas is blocking a mortgage for the Bests, who face a May 31 closing date.

"There are a lot of people riding on this whose lives are just totally up in the air," Mrs. Best said.

Nationwide, at least 3,759 potential borrowers can't get loans until Congress allocates supplemental funding for the Guaranteed Rural Housing Loan program, according to the Farmers Home Administration, the federal agency that administers the program.

Farmers Home officials say about 265 home sales are pending in Georgia. But lenders estimate 500 to 600 sales statewide are stalled because the government ran out of money to guarantee the loans last month. The loans are privately funded.

Last week, a U.S. House of Representatives committee passed a supplemental appropriations bill that includes up to \$250 million in loan guarantees for the program, said Rep. Buddy Darden (D-Ga.).

"Every [loan] commitment we have issued, we have been able to deliver," said Joseph Walden, a Farmers Home official in Athens.

He said that lenders may have misled some potential homebuyers. "They've been saying, 'Yeah it looks like you qualify,'" he said. That may have led borrowers to believe the loans had been approved.

Mr. Coverdell has asked Agriculture Secretary Mike Espy to use his discretionary authority to provide emergency funding to make good on outstanding loan guarantees for these potential buyers, including 125 affected Georgia families who have contacted his office.

Mr. Espy did not return phone calls Thursday. But he has agreed to meet with Mr. Coverdell today to discuss the funding issue, said Chris Allen, Mr. Coverdell's press secretary.

Farmers Home officials in Washington say they alerted their field representatives last December that a budget shortfall was likely.

"I don't think the agency mismanaged the program at all," said Ronnie Tharrington, a Farmers Home official in Washington. "It's just a good program with great demand."

The majority of potential homebuyers who use the program probably would not qualify for a home loan under other government or conventional loan guidelines because most other programs require a down payment, Mr. Walden said.

Mrs. Best, the homebuyer in Barrow County, said she and her husband would have to come up with more than \$3,000 for a down payment on another loan.

"We can't do that on our salaries," she said. She is a secretary and Mr. Best is a railway car loader.

Their builder, Mr. Limbach, said he will allow the Bests to stay in the house "as long as we know that the [funds for the loan] are forthcoming."

"But it creates a real hardship for us and these homebuyers," he said.

Mr. COVERDELL. Now, I wish to make this point very, very clear. This is a national problem: California, 25 individuals in this category; Georgia, 90; Michigan, 65; Minnesota, 42—a total of

720 people who predate the agency's statement that it would have to close the program.

I have been arguing with the agency that it ought to make full its promise and that it ought to correct the problem it created. I am not talking about people in the pipeline or people in the future. I am talking about people who in good faith entered into a transaction offered to them by their Government. This is people first.

The sum of money that it would take the department to correct and make whole these 720 people is \$340,000. That is \$340,000. We get used to talking about billions here and millions. This is \$340,000 that makes whole 720 families.

The Secretary advised me he was concerned about overutilization of the discretionary authority. Well, by discretionary authority, we send \$300 million to Michigan; by discretionary authority, we sent \$300 million to Russia. We have located \$8 plus million to move to supplemental appropriations, but we just leave these people out of their trailers, facing closings they cannot meet because we cannot locate \$340,000?

No wonder the American people have grown tired and wonder about the responsiveness of their Government when we would make a promise, admit that there is a burden, a moral responsibility on the part of the Government and just say it is too bad.

Madam President, as I said in keeping with my discussion with the majority leader, I withdraw the hold. I have no question about the qualifications of these individuals and will vote for their confirmation in whatever form it ultimately comes before us.

But I will not retreat from holding the Congress responsible for fulfilling an obligation to people who, through no fault of their own, who have been left stranded, and for which the solution is so uncomplicated and so minimum but for which the reaction or the problem that it places a burden on these people which is so great.

Madam President, I yield the floor. I thank the majority leader, and the manager of the measure for according me the opportunity to present this case before the Senate.

Mr. FORD addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Kentucky.

Mr. FORD. Madam President, the distinguished Senator from Georgia of course has pled his case here today. I am not familiar with all of the details involved and the amount of money he is talking about seems minimal when you look at the Federal budget. But the money in the jobs bill that was to supplement the funding in the area in which my friend from Georgia has such concern here tonight was defeated. It was defeated. And that money would

have taken care of the problem as I understand it that he is concerned about.

I do not blame him for his concern. But I also wonder why we did not get the jobs bill and the stimulus package so we would have had the money, and there would not be any question. There would not have been the use of holds on people who he has said is very, very qualified and that he will vote for them in any manner in which they come before the Senate.

But I am not qualified to go into detail with the distinguished Senator from Georgia. The chairman of the Agriculture Committee will have a detailed statement as it relates to his problem, and he will be here early in the morning. I hope that the Senator from Georgia will be here when the chairman of the Agriculture Committee makes his statement relative to his complaint of the USDA.

Mr. MATHEWS addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Tennessee.

Mr. MATHEWS. Madam President, I would like to take an opportunity to say thank you to my colleague from Georgia for releasing this hold on this nomination. And in the process of doing so, I would like to make a couple of statements.

Jim Gilliland was the first person from Tennessee nominated for a post in the Federal Government. He spent his entire career in a very successful law business. And he is in fact making a sacrifice to take this job.

He can be of immeasurable help to us here. I can understand the frustration that he and others face when some of us sometimes may get the solution mixed up with the problem.

I, too, feel that perhaps the Farmers Home Administration may have over-subscribed or may have run into some difficulties that they cannot handle. But Mr. Gilliland and some of the people who are up for confirmation tonight are a part of the solution. They are being asked to come in and help the Farmers Home Administration get some of these problems solved.

They were not here when those problems occurred. They were not a part of the problem that did occur. And I am hopeful that, as my colleague from Georgia is, when they get aboard, and these confirmations are made and they get aboard, we can all work together to help these people who find themselves in this unfortunate position.

But I do believe that we have taken an awful lot of time here. We are in our fifth month now in terms of conducting the business of Government. And this is the first nomination that was made from Tennessee and just today being confirmed. I believe we need to get on about our business.

I thank my colleague from Georgia for his courtesy in releasing the hold.

Madam President, I yield the floor.

CONGRESSIONAL SPENDING LIMIT
AND ELECTION REFORM ACT OF
1993

The Senate continued with the consideration of the bill.

Mr. HOLLINGS addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from South Carolina.

Mr. HOLLINGS. Madam President, is it the desire of the distinguished leader that I yield to the Senator from Texas?

Mr. FORD. Does the Senator wish to make any statement as it relates to his amendment tonight? If not, we will go in morning business and start the wrapup. That is fine.

Mr. HOLLINGS. Madam President, the crux of our efforts in the field of campaign finance reform is to undo the damage and distortion caused by the Buckley versus Valeo decision. I seek to remedy that damage by passing and ratifying a one-sentence constitutional amendment, empowering Congress to control expenditures in Federal elections.

This amendment would be a big boost to freedom of speech. It would end the unfairness of the current system. Currently, let us say the distinguished Chair has \$100,000 and I have \$1 million, I wait until October 10, have my negative TV ads in the can, have my charges and billboards ready, and then I unleash a last-minute barrage. Then my opponent has only limited speech, namely the amount of speech that can be bought for \$100,000. I can take away your speech with my wealth.

This is very unfortunate. This Senator is one of the few who were here two decades ago when this problem arose.

In 1974, with the Federal Election Campaign Amendments, we had a wonderful bipartisan agreement to limit spending. Then that superb bipartisan compromise was overturned by the Supreme Courts misbegotten 5-4 decision in Buckley versus Valeo. Since that 1976 decision, we have been the dog chasing its tail trying to come up with incentives, coercion actually, to impose spending limits.

We spent a lengthy time on an amendment earlier today whereby a candidate limits himself or herself to \$25,000 by the coercive agreement to certain limits. That is unconstitutional on its face. So let us clean it up.

The Committee on the Constitutional System downtown has endorsed my proposed constitutional amendment. We have a bipartisan effort. The distinguished Senator from Kansas [Mrs. KASSEBAUM], the distinguished Senator from Delaware [Mr. ROTH], the distinguished Senator from Pennsylvania [Mr. SPECTER], Senator EXON of Nebraska, Senator BRADLEY of New Jersey, Senator REID of Nevada, Senator CAMPBELL of Colorado, we have a wonderful bipartisan initiative on campaign reform. In fact, it is the only

truly bipartisan initiative on campaign reform.

And it is the only realistic one, as we will debate more thoroughly in the morning when my cosponsors are here. I see the distinguished principal cosponsor, the Senator from Pennsylvania, is here now. We are offering a joint resolution, not requiring, of course, the approval of the President, but rather requiring ratification by the States.

Over the years, this constitutional amendment has been kept back in deference to the leadership campaign finance bills. We cannot get out of the committee. And so to bring this proposed constitutional amendment to the forefront and to the understanding of our colleagues, we offer this sense of the Senate resolution. But I hope that it will pave the way to actually getting the joint resolution out of committee and before the Senate for an up-or-down vote.

Having said that, I will be delighted to yield to the distinguished Senator from Pennsylvania [Mr. SPECTER], and then we will move to the appointments.

Madam President, I ask unanimous consent that the Senator from Nevada, Senator BRYAN, be added as a cosponsor of my joint resolution.

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

Mr. FORD. Madam President, I understand we have one more speaker, the Senator from Pennsylvania, as it relates to this.

Mr. SPECTER. Madam President, I am pleased to join the distinguished Senator from South Carolina as cosponsor of this amendment to express the sense of the Senate that Congress should amend the Constitution to overrule the Supreme Court's erroneous decision in Buckley versus Valeo to allow Congress to regulate campaign spending. Because of the decision in Buckley, a constitutional amendment is the only direct way of establishing limits on campaign spending, which are so urgently needed.

The evidence is clear that campaign spending is out of control. Between 1974 and 1988, spending in the average Senate campaign increased from less than a half million dollars to almost \$2 million. Figures from the 1990 election cycle show a slight decrease in spending on Senate races, but while 1992 data are not yet completely available, all indications are that spending again rose. Spending for the average House race also has increased significantly, and continued to increase in 1990 races. Data from the 1992 election are not yet complete. Even if we use constant dollars to factor out inflation, the evidence demonstrates that costs have escalated dangerously. The 1990 Senate races cost almost 300 more, on average, in constant dollars than the 1974 races. In constant dollars, 1990 House races were more than twice as expensive as

1974 campaigns. And despite popular misconceptions, Democrats, on average, continue to spend far more than Republicans, a reflection of the hold that incumbency has on fundraising.

We have known for some time that our campaign finance system cries out for fundamental reform. For the past three Congresses, we have attempted to deal with these issues. In the 100th Congress, the Senate faced a series of cloture votes—nine, I believe—on S. 2. Legislation bogged down in the 101st Congress, but was passed in the 102d Congress, only to be vetoed.

Until we fix campaign financing, we will be unable to restore a sense of popular control over our institutions, and until we curb campaign spending, we cannot hope to reform campaign financing. Thus, as the issue of campaign finance reform must be a top priority for all of us, the first aspect of it that must be addressed is spending limits.

I come to this conclusion from personal experience. The 1974 legislation that was struck down in Buckley provided that Senate candidates in the 1976 primary in Pennsylvania would be limited to spending \$35,000. That was just about all the money I had, and as no other candidate could spend more than that, I thought all primary candidates faced the same odds and decided to enter the race. On January 29, 1976, however, the Supreme Court decided Buckley and held that any candidate could spend as much of his or her own money as he or she chose. The Court, however, upheld the limits on direct contributions. All of a sudden, the playing field that had been even was tilted. The decision in Buckley provided me with firsthand experience on the importance of having pre-established campaign spending limits.

Some opponents of this proposal to allow Congress to regulate campaign expenditures have argued that even if Buckley was wrongly decided, it would be an even greater mistake to pass this amendment and restrict first amendment rights. To this argument I respond that in my judgment we are not affecting a matter at the core of the first amendment, we are not restricting speech. Rather, this proposal would allow regulation of campaign spending. The two matters should not be equated under the first amendment, as Justice Thurgood Marshall pointed out in his ringing dissent. In Buckley, the Court did erroneously choose to equate the two. In doing so, it created a distortion in the effect money has on the political process that remains to this day. We must fix that distortion.

The Constitution expressly provides that Congress may correct such errant decisions of the Supreme Court through the amendment process. While the Constitution is sacrosanct, decisions of the Supreme Court, especially split decisions, are not. The Framers

intended that Congress be able to overturn erroneous decisions, as evidenced by the existence of the amending process.

It must be borne in mind that in passing this amendment, we would only be authorizing Congress to legislate in the area of campaign expenditures; we would be furthering debate on this important public issue. Article I, section 4 of the Constitution specifically vests the authority in Congress to regulate national elections. The issue of campaign spending is too important to be left beyond the ability of the political branches to debate and address. This is not a free speech issue; rather it is an issue that goes to the heart of our democracy—the ability of all persons to have access to their elected leaders without reference to their ability to pay for that access.

I urge my colleagues to consider this sense-of-the-Senate amendment carefully. When they do so, I am certain that they will recognize the urgent need to remove money as the driving force in campaigns.

Upon consideration, I know that the Members of this body will understand the purpose behind this amendment and I urge their support for it. Once this sense-of-the-Senate amendment is adopted, I hope the Judiciary Committee will move promptly to report the measure for consideration by the full Senate.

I want to recognize the work of the distinguished Senator from South Carolina on this issue. He has tirelessly pressed this amendment for several years. He is deeply committed to remedying the wrongs that money causes in our electoral system. I share his concerns and am pleased to be joining him once again to support this proposal calling on the Congress to overturn Buckley versus Valeo.

Madam President, again I am pleased to join my distinguished colleague from South Carolina, Senator HOLLINGS, in offering this sense-of-the-Senate resolution, which goes to the core of reform on campaign financing by suggesting the sense of the Senate that we ought to overrule Buckley versus Valeo, which was the landmark decision handed down in January 1976 holding that an element of first amendment free speech was the right of any individual to spend as much of his or her money as he or she chose.

That was a remarkable decision, because it upheld spending limits so that other individuals could contribute no more than \$1,000 to a Senator's primary election, \$1,000 to that Senator's general election, and upheld spending limits on PAC's of \$5,000 in a primary and \$5,000 in the general. But it set as indicia of first amendment freedom of speech that an individual can spend as much of his or her money as he or she chose.

I have engaged in some study of the Constitution since my days in law

school, in the practice of law, and serving as district attorney of Philadelphia, being in the U.S. Senate now for almost 12½ years, and having served on the Judiciary Committee; and it is my view, my opinion, my legal judgment, that the first amendment does not comprehend within freedom of speech the opportunity to spend as much money as anyone chooses to within his or her election.

We have been on campaign finance reform for a long time, and there is very serious objection by many Senators to having public financing in campaigns, and that has been the alternative suggestion in order to see to it that there is a compulsion for people to accept limitations on spending. And the structure has been put forward that there ought to be public financing, and that if someone does not accept the public financing and the limitations which that imposes, the consequences are so onerous that there will be, in effect, a compulsion for people to accept public financing.

There have been a variety of formulas worked out, but they all cost the taxpayers millions of dollars. It is my view that, in a time of deficit, that, simply stated, is unwise. I have a particular concern about Buckley versus Valeo, because I was engaged in a primary campaign for the U.S. Senate in 1976. When I started that campaign, I took a look at the statute in effect, the laws of 1974, and calculated the amount of money that someone from Pennsylvania could spend; and it turned out, as I recollect it, to be about \$35,000. It was just about as much money as I had in the bank, and I thought it would be a good thing to file for the Senate.

My opponent was the late John Heinz, who later turned out to be my colleague in this body for many years. In the midst of our campaign, the Supreme Court of the United States said there was no limit on what an individual could spend. My opponent, quite appropriately, utilized the law as it existed at that time and spent a considerable sum, and it was quite a dramatic election night. I recall at 1:30 a.m., I believe, the Associated Press declared me the winner. I came out of Pennsylvania with a very large lead—in Philadelphia, by about 10 to 1. The western counties came in, and that number was dwarfed by what the late Senator Heinz had.

It has been my sense ever since that there ought to be a limitation on how much an individual could spend of his or her money. As long as somebody has the opportunity to come into the field and spend many millions of dollars, that is a very, very onerous weapon.

Mr. HOLLINGS. Madam President, I have one unanimous-consent request, that at the conclusion of debate before the vote on the last amendment, we include a copy of the Constitution.

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

Mr. HOLLINGS. Thank you. By thus including the Constitution, we will point out the term limits as prescribed by the Founding Fathers, term limits that have been in the Constitution for more than 200 years and which have worked extremely well.

We do indeed have term limits, and I think the people ought to be reminded of that. We are limited to 6 years, and House Members are limited to 2 years under the Constitution. So we do have term limits already, and we do not need to engage in these monkeyshines about returning money if certain specified terms are exceeded, as in the preceding Brown-Faircloth amendment.

I thank the Chair.

Mr. FORD. Madam President, I thank the distinguished Senator from South Carolina for his constitutional lesson, and I thank my distinguished friend from Pennsylvania for putting a smile on my face.

MORNING BUSINESS

Mr. FORD. Madam President, I ask unanimous consent that the Senate proceed to morning business with Senators allowed to speak therein.

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

NEW MARKET BICENTENNIAL

Mr. SARBANES. Madam President, in a few weeks the town of New Market, MD, will host a parade as part of its yearlong festivities in celebration of its bicentennial. New Market, known as Maryland's antique capital, is a lovely town on the National Turnpike and has a rich history of community spirit and culture. Its ties to the past are evident to all who visit this quaint town, which has preserved much of its original flavor. Many of its earliest buildings, homes, and churches are still in use.

June 1, 1793, marked the official beginning of the town of New Market when Nicholas Hall sold 19 lots of land and William Plummer began building homes for his family members. George Smith purchased four lots at Hall's sale and erected the first house in the newly established town. The house was used as a tavern and soon became a popular stopover for those traveling along the turnpike which we know today as the National Pike, one of the most famous and well-traveled highways in America. The George Smith Tavern located on Federal Street is now an antique shop.

As in most small towns of the time, many community activities revolved around its religious institutions. William Plummer, a Quaker, and one of the founding fathers of the town, sold land to the Bush Creek Society of Friends which became the first reli-

gious institution of the town. However, others were quick to follow. The Methodist Episcopal Church of America was established in 1801 and although the original structure has been removed, the present structure has been there since 1821. The Methodist Protestant Church was built in 1831 and the Methodist Episcopal Church South was erected in 1867, and in 1872, the Grace Episcopal Church was built on East Main Street.

Unlike many other small towns that lacked railroad facilities, New Market, because of its location along the National Pike, grew quickly. Homes, churches, and businesses were established quickly in order to cater to the travelers moving along the turnpike. Main Street, the major thoroughfare on the Old National Pike, grew to include a number of hotels, inns, blacksmiths, livery stables, wheelrights, and dry goods and grocery stores to serve the road's travelers.

New Market remained an important stop for wagons and other travelers until the middle of the 19th century when the railroad reached Wheeling, WV and provided a new and easier route to transport goods. The train cars could carry heavy loads much faster than the traditional wagons and by 1867 the trains started hauling passengers in comfort. The National Turnpike was no longer the main route of travel; consequently, the town's traffic steadily declined until the advent of the automobile in the early 1990's.

New Market was incorporated by the Maryland Legislature on March 28, 1878, 87 years after its founding. Today, New Market is known as an important center of antiques. There are now 40 shops where visitors, collectors, and buyers can browse and purchase antiques.

New Market is still as hospitable a town today as it was 200 years ago. The old homes and shops stand as monuments to the rich history of this western Maryland town. I would like to extend my sincere appreciation to Mrs. Kathleen Snowden for sharing the history of New Market with me.

I join the citizens of New Market and Frederick County in honoring a town which has experienced two centuries of history and to wish the town a joyful celebration during this notable anniversary.

ADULT IMMUNIZATION AS A NATIONAL PREVENTIVE STRATEGY

Mr. PRYOR. Madam President, over the past 30 years, immunizations have been a major factor in improving the health of people of all ages. Yet despite these gains, thousands of adults are unprotected from the dangers of diseases that could have been prevented by vaccines.

Children, in particular, have benefited from immunization programs, and

we are thankful for that. Much of the debate over the last few months has focused on the need to establish a national program for childhood immunizations. In this debate, however, we have often overlooked the equally important issue of adult immunizations.

To remedy that omission, Madam President, I am sending a copy of a report on adult immunizations to each of our colleagues in the Senate. That report, which we are releasing today, was prepared by the Partnership for Prevention, a nonprofit organization whose mission is to increase the priority we place on prevention in national health policy.

The report contains some alarming findings. Few people realize, as the report states, that, "Up to 60 times more adults die from vaccine-preventable diseases than children." The unnecessary death of each of these Americans, many of whom are elderly, is a tragedy for them, for their families, and for their communities.

Three vaccines are considered key to protecting the public's health—influenza, pneumonia, and hepatitis-B. These account for the bulk of vaccine-preventable deaths among adults in the United States. Yet the report states that less than 40 percent of adults receive annual flu shots, and even fewer have been vaccinated against pneumonia. As a result, the report estimates that 10,000–40,000 adults die unnecessarily each year during influenza epidemics. Further, it reports that preventable pneumonia infections cause 40,000 deaths annually and as many as 120,000 hospitalizations. Another 4,000 to 5,000 deaths occur each year as a result of chronic hepatitis-B-related liver disease and liver cancer.

On May 6, I chaired a hearing of the Special Committee on Aging on the topic of preventive health care for older Americans. One of the witnesses was Dr. Robert Butler of the Mount Sinai Medical Center in New York, who is one of the America's foremost experts in geriatrics and preventive medicine. Dr. Butler testified that, "every older person should receive the vaccines against pneumonia, flu, and tetanus." He was right. To accomplish that goal, he argued that President Clinton's plan to immunize all children should be supplemented by adding universal immunizations for older persons. Mr. President, I believe his recommendation deserves serious consideration by our colleagues.

There are many reasons why older people who are at risk of infectious diseases are not properly immunized. The report being released today states that:

Immunizations are not integrated in the routine health care of adults. Primary health care providers infrequently monitor the immunization status of their adult patients and adults are often unaware that they may be at risk of diseases which are preventable through immunization.

All of us can begin by educating our constituents who are 65 and older, as

well as adults with chronic conditions, about the need to visit their doctor or clinic to get flu shots each year, and for a single dose of pneumonia vaccine. Many older Americans may not yet realize the President Clinton expanded Medicare coverage to include flu shots as of May 1 this year.

There is still more the Federal Government must do to increase the rates of adult immunization. For example, we need to establish a better system of tracking those older Americans who have received their vaccinations, and those who have not. The Government should establish guidelines on how best to reach different adult populations, and make them available to health practitioners and public health officials. Finally, the Government should examine strategies to reduce the financial barriers to immunizations for those that are both insured and uninsured.

Our strategy needs to unite Government agencies and the health care professions to protect older Americans. Madam President, I would like to call on my colleagues to join me in developing a national strategy to prevent disease among our Nation's elderly citizens by ensuring that more of them receive timely vaccinations.

EXECUTIVE CALENDAR UNANIMOUS CONSENT

Mr. FORD. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations:

Calendar 119, James S. Gilliland, to be general counsel of the Department of Agriculture;

Calendar 120, Eugene Moos, to be Under Secretary of Agriculture for International Affairs and Commodity Programs;

Calendar 121, Eugene Moos, to be a member of the Board of Directors of the Commodity Credit Corporation;

Calendar 122, Ellen Weinberger Haas, to be an Assistant Secretary of Agriculture;

Calendar 123, Ellen Weinberger Haas, to be a member of the board of Directors of the Commodity Credit Corporation; and

Calendar 198, those listed for appointment to the grade of rear admiral and those listed for appointment to the grade of rear admiral (lower half) of the U.S. Coast Guard, and all nominations placed on the Secretary's desk in the Coast Guard.

I further ask unanimous consent that the nominees be confirmed, en bloc, that any statements appear in the RECORD as if read, that the motions to reconsider be laid upon the table, en bloc, that the President be immediately notified of the Senate's action, and that the Senate return to legislative session.

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

The nominations considered and confirmed in bloc are as follows:

DEPARTMENT OF AGRICULTURE

James S. Gilliland, of Tennessee, to be General Counsel of the Department of Agriculture.

Eugene Moos, of Washington, to be Under Secretary of Agriculture for International Affairs and Community Programs.

Eugene Moos, of Washington, to be a Member of the Board of Directors of the Commodity Credit Corporation.

Ellen Weinberger Haas, of New York, to be an Assistant Secretary of Agriculture.

Ellen Weinberger Haas, of New York, to be a Member of the Board of Directors of the Commodity Credit Corporation.

IN THE COAST GUARD

The following officers of the United States Coast Guard for appointment to the grade of rear admiral:

Kent H. Williams.

James M. Loy.

John L. Linnon, Jr.

The following officers of the United States Coast Guard for appointment to the grade of rear admiral (lower half):

Howard B. Gehring.

Gordon G. Piche.

Paul M. Blayney.

John E. Shkor.

Paul E. Busick.

NOMINATIONS PLACED ON THE SECRETARY'S DESK IN THE COAST GUARD

Coast Guard nominations beginning Gary C. Anderson, and ending Darryl W. Flattum, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of February 16, 1993.

Coast Guard nominations beginning Thomas R. Greene, and ending John C. O'Connor, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of February 25, 1993.

Coast Guard nominations beginning Lawrence W. Ryan, Jr., and ending Michael J. Rauworth, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 2, 1993.

Coast Guard nominations beginning Glenna T. Sanchez, and ending Jennifer A. Ketchum, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 21, 1993.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislation session.

MESSAGE FROM THE HOUSE

At 1 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill and joint resolution, each without amendment:

S. 564. An act to establish in the Government Printing Office a means of enhancing electronic public access to a wide range of Federal electronic information; and

S.J. Res. 43. Joint resolution designating the week beginning June 6, 1993, and June 5, 1994, "Lyme Disease Awareness Week."

The message also announced that the House passed the following joint resolution with amendments, in which it requests the concurrence of the Senate:

S.J. Res. 45. Joint resolution authorizing the use of United States Armed Forces in Somalia.

The message further announced that the House has passed the following bills and joint resolutions, in which it requests the concurrence of the Senate:

H.R. 826. An act to provide for the establishment of strategic planning and performance measurement in the Federal Government, and for other purposes;

H.R. 2128. An act to amend the Immigration and Nationality Act to authorize appropriations for refugee assistance for fiscal years 1993 and 1994;

H.J. Res. 78. Joint resolution designating the weeks beginning May 23, 1993, and May 15, 1994, as "Emergency Medical Services Week"; and

H.J. Res. 135. Joint resolution to designate the months of May 1993 and May 1994 as "National Trauma Awareness Month."

ENROLLED BILL AND JOINT RESOLUTIONS SIGNED

At 3:06 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the Speaker has signed the following bill and joint resolutions:

S. 564. An act to establish in the Government Printing Office a means of enhancing electronic public access to a wide range of Federal electronic information.

S.J. Res. 43. Joint resolution designating the week beginning June 6, 1993, and June 5, 1994, "Lyme Disease Awareness Week".

H.J. Res. 80. Joint resolution designating May 30, 1993, through June 7, 1993, as a "Time for the National Observance of the Fiftieth Anniversary of World War II."

The enrolled bill and joint resolutions were subsequently signed by the President pro tempore [Mr. BYRD].

MEASURE REFERRED

The following bill was read the first and second times by unanimous consent, and referred as indicated:

H.R. 826. An Act to provide for the establishment of strategic planning and performance measurement in the Federal Government, and for other purposes; to the Committee on Governmental Affairs.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-851. A communication from the Administrator of the United States Environmental Protection Agency, transmitting, a draft of proposed legislation "to amend and extend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for two years"; to the Committee on Agriculture, Nutrition and Forestry.

EC-852. A communication from the Secretary of Agriculture, transmitting, pursuant to law, the report of the Forest Service for fiscal year 1992; to the Committee on Agriculture, Nutrition and Forestry.

EC-853. A communication from the Principal Deputy (Production and Logistics), Assistant Secretary of Defense, transmitting,

pursuant to law, the report on the National Defense Stockpile Requirements; to the Committee on Armed Services.

EC-854. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a supplement to the report entitled "Military Bases: Analysis of DOD's Recommendations and Selection Process for Closures and Realignment"; to the Committee on Armed Services.

EC-855. A communication from the Acting Administrator (Energy Information Administration), Department of Energy, transmitting, pursuant to law, a report entitled "Profiles of Foreign Direct Investment in U.S. Energy 1991"; to the Committee on Energy and Natural Resources.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. FORD, from the Committee on Rules and Administration, with an amendment in the nature of a substitute:

S. 345. A bill to authorize the Library of Congress to provide certain information products and services, and for other purposes (Rept. No. 103-50).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. RIEGLE, from the Committee on Banking, Housing and Urban Affairs:

Michael A. Stegman, of North Carolina, to be an Assistant Secretary of Housing and Urban Development.

Joseph Shuldiner, of California, to be an Assistant Secretary of Housing and Urban Development.

Marilyn A. Davis, of New York, to be an Assistant Secretary of Housing and Urban Development.

Aida Alvarez, of California, to be Director of the Office of Federal Housing Enterprise Oversight, Department of Housing and Urban Development, for a term of 5 years. (New position.)

Andrew M. Cuomo, of New York, to be an Assistant Secretary of Housing and Urban Development.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

By Mr. GLENN, from the Committee on Governmental Affairs:

Sally Katzen, of the District of Columbia, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget.

Philip Lader, of South Carolina, to be Deputy Director for Management, Office of Management and Budget.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

By Mr. NUNN, from the Committee on Armed Services:

Walter Becker Slocombe*, of the District of Columbia, to be Deputy Under Secretary of Defense for Policy.

Emmett Paige, Jr.*, of Maryland, to be an Assistant Secretary of Defense.

Deborah Roche Lee*, of Maryland, to be an Assistant Secretary of Defense.

Harold P. Smith*, Jr., of California, to be Assistant to the Secretary of Defense for Atomic Energy.

Anita K. Jones*, of Virginia, to be Director of Defense Research and Engineering.

Edward L. Warner*, III, of Virginia, to be an Assistant Secretary of Defense.

Steven S. Honigman*, of New York, to be General Counsel of the Department of the Navy.

The following-named officers for appointment as the Judge Advocate General and the Assistant Judge Advocate General, respectively, U.S. Army, in the grade of major general, under the provisions of title 10, United States Code, section 3037:

To be the judge advocate general and major general Brig. Gen. Michael J. Nardotti, Jr. xxx-xx-xxxx U.S. Army.

To be the assistant judge advocate general and major general Brig. Gen. Kenneth D. Gray. xxx-xx-xxxx U.S. Army.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. LOTT (for himself, Mr. THURMOND, Mr. D'AMATO, Mr. COCHRAN, Mr. COATS, Mr. McCONNELL, Mr. INOUE, Mr. BURNS, Mr. KEMPTHORNE, Mr. SPECTER, and Mr. STEVENS):

S. 1026. A bill to amend the Internal Revenue Code of 1986 to provide that certain deductions of members of the National Guard or reserve units of the Armed Forces will be allowable in computing adjusted gross income; to the Committee on Finance.

By Mr. BROWN (for himself, Mr. KOHL, Mr. CRAIG, Mr. GRASSLEY, Mrs. KASSEBAUM, Mr. DANFORTH, Mr. LUGAR, Mr. FAIRCLOTH, Mr. PRESSLER, Mr. NICKLES, and Mr. DURENBERGER):

S. 1027. A bill to amend certain cargo preference laws; to the Committee on Commerce, Science, and Transportation.

By Ms. MIKULSKI:

S. 1028. A bill to provide for the income tax treatment of certain distributions under a governmental plan; to the Committee on Finance.

By Mr. GORTON:

S. 1029. A bill to amend the Job Training Partnership Act to encourage the placement of youths in private sector jobs under the Summer Youth Employment and Training Program, and for other purposes; to the Committee on Finance.

By Mr. ROCKEFELLER (for himself, Mr. DECONCINI, Mr. GRAHAM, Mr. AKAKA, Mr. DASCHLE, Mr. CAMPBELL, Mr. KENNEDY, Mr. CONRAD, Mrs. MURRAY, and Mr. JEFFORDS):

S. 1030. A bill to amend chapter 17 of title 38, United States Code, to improve the De-

partment of Veterans Affairs program of sexual trauma counseling for veterans and to improve certain Department of Veterans Affairs programs for women veterans; to the Committee on Veterans' Affairs.

By Mr. PELL (by request):

S. 1031. A bill to authorize appropriations for fiscal year 1994 and 1995 for the United States Information Agency, and for other purposes; to the Committee on Foreign Relations.

By Mr. SIMON:

S. 1032. A bill to transfer vacant real property from the Federal Government to general units of local government when the property has been vacant for at least 7 years; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WARNER (for himself, Mr. ROBB, and Mr. JEFFORDS):

S. 1033. A bill to establish the Shenandoah Valley National Battlefields and Commission in the Commonwealth of Virginia, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. RIEGLE:

S. 1034. A bill to provide that the President may not extend to the People's Republic of China renewal of nondiscriminatory (most-favored-nation) treatment beginning July 3, 1994, unless the President determines that the People's Republic of China is not manipulating its currency to prevent effective balance of payments adjustments or to gain an unfair competitive advantage in trade; to the Committee on Finance.

By Mr. REID (for himself, Mr. BRYAN, Mr. GRAHAM, and Mr. SIMPSON):

S. 1035. A bill to amend the Indian Gaming Regulatory Act, and for other purposes; to the Committee on Indian Affairs.

By Mr. MITCHELL (for himself, Mr. AKAKA, Mr. BREAUX, Mr. CHAFEE, Mr. COCHRAN, Mr. COHEN, Mr. CONRAD, Mr. DECONCINI, Mr. DOLE, Mr. DORGAN, Mr. GORTON, Mr. GRAMM, Mr. HATCH, Mr. HOLLINGS, Mr. INOUE, Mr. LAUTENBERG, Mr. LEVIN, Ms. MIKULSKI, Mr. MOYNIHAN, Mrs. MURRAY, Mr. PELL, Mr. REID, Mr. RIEGLE, Mr. STEVENS, Mr. THURMOND, and Mr. WELLSTONE):

S.J. Res. 98. A joint resolution to designate the week beginning October 25, 1993, as "National Child Safety Awareness Week"; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BINGAMAN (for himself, Mr. HARKIN, Mr. FORD, Mr. KENNEDY, Mr. KERRY, Mr. LEAHY, Mr. DOMENICI, and Mr. JEFFORDS):

S. Res. 113. A resolution condemning the extraconstitutional and antidemocratic actions of President Serrano of Guatemala; to the Committee on Foreign Relations.

By Mr. MITCHELL (for himself and Mr. DOLE):

S. Res. 114. A resolution extending the provisions of Senate Resolution 106 of the One Hundred First Congress (agreed to April 13, 1989); considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LOTT (for himself, Mr. THURMOND, Mr. D'AMATO, Mr.

COCHRAN, Mr. COATS, Mr. McCONNELL, Mr. INOUE, Mr. BURNS, Mr. KEMPTHORNE, Mr. SPECTER, and Mr. STEVENS):

S. 1026. A bill to amend the Internal Revenue Code of 1986 to provide that certain deductions of members of the National Guard or reserve units of the Armed Forces will be allowable in computing adjusted gross income; to the Committee on Finance.

NATIONAL GUARD AND RESERVE LEGISLATION

• Mr. LOTT. Mr. President, I rise today on behalf of the men and women of our National Guard and Reserves. These citizen soldiers make up 40 percent of our Nation's defense. They comprise a strong, well-trained, and cost effective element of our Armed Forces.

The proposed reductions in defense spending will obviously reduce our active forces dramatically. As the force's end strength is drawn down, the Guard and Reserves will play an ever increasing role in the defense of our country. We should not allow financial impediments to stand in the way of their service to the Nation.

For this reason, I am introducing this legislation to amend the Internal Revenue Code to restore certain deductions for members of the Guard and Reserve in computing adjusted gross income. At the same time that our fiscal difficulties require us to reduce the active component of our force, the Reserve component becomes more and more cost effective. The small cost of this bill is money well spent.

Very often guardsmen and Reservists spend money out of their own pocket on travel expenses, lodging, personal vehicles, and uniforms to perform their military duty. These men and women, who proudly serve our country in the time honored tradition of the citizen soldier, should not be penalized with these costly personal expenses. This bill would allow them to deduct these business expenses in arriving at adjusted gross income for tax purposes.

The Guard and Reserve proved that they are a critical and effective part of the total force during Desert Storm. When the bugle blew, they answered the call promptly and proudly to defend America and its allies. In many cases they sacrificed personal businesses, jobs and families in order to serve their country. This bill will help to ease the financial burden placed on members of the Guard and Reserve by their commitment to serve.

In light of the anticipated reductions in our Active Forces, and the Guard and Reserve's valiant service in Desert Storm, this legislation to preserve and protect them is more important than ever.

I urge my distinguished colleagues to join me, and the cosponsors of this legislation, in demonstrating our support for the National Guard and Reserve. •

By Mr. BROWN (for himself, Mr. KOHL, Mr. CRAIG, Mr. GRASS-

LEY, Mrs. KASSEBAUM, Mr. DANFORTH, Mr. LUGAR, Mr. FAIRCLOTH, Mr. PRESSLER, Mr. NICKLES, and Mr. DURENBERGER

S. 1027. A bill to amend certain cargo preference laws; to the Committee on Commerce, Science, and Transportation.

CARGO PREFERENCE LAWS AMENDMENT ACT OF 1993

Mr. BROWN. Mr. President, this morning I will be introducing a bill that will end the cargo preference provisions of our statutes. As the Senate knows, currently 75 percent of our humanitarian food assistance comes under cargo preference provisions, 50 percent of the other cargo by the U.S. Government, and 100 percent of the military cargo goes under those provisions. In the past, it has cost us up to \$1 billion a year for this provision.

I think most Senators will be shocked to find what has happened with regard to Russian aid. Because of a continuing fall in our merchant marine, we have had fewer and fewer vessels willing to compete in the cargo preference provisions. Rates have risen dramatically. Under cargo preference, the U.S. Government has been required to pay up to 50 percent and even in some instances 100 percent more than competitive market rates to ship U.S. grain, for example, overseas, under these programs.

What has happened with the big surge in exports of grain to the Soviet Union, or the former Soviet Union, is a tragedy of the first order. Greedy ship owners, faced with the ability to corner the market because of this law, have not only demanded 50 percent more than the world market rates, or 100 percent more than the world market rates, but have been bidding 200 percent more and 300 percent more and 400 percent more.

I think most Senators are going to be shocked to find that the bids on the Russian grain exports now are almost five times what the world market rate is.

What has happened is simply this: Faced with a crisis with regard to humanitarian food aid to the former Soviet Union, greedy shipowners have priced their shipment rates at unconscionable rates of almost five times what the world market is.

Mr. President, this is a scandal. This is totally unacceptable that the American people would be stuck with shipment rates that exceed even the value of the grain. This is the kind of greed and corruption that the American people are demanding to be changed. There is no pretense that the rates they are shipping out are fair, or even half the rates they are demanding are fair, or even a third of the rates they are demanding are fair. This is a simple rip-off of the American taxpayer.

This bill would change cargo preference so that, indeed, American flag

carriers get cargo preference when they are competitive, but not when they are not competitive. This is the kind of tragedy, I think, that the American people are going to demand be changed. I intend to offer, not only this bill, in which I am joined by Senators GRASSLEY, CRAIG, KOHL, KASSEBAUM, DANFORTH, LUGAR, FAIRCLOTH, and PRESSLER, but I intend to offer a resolution tomorrow that deals with the specific rip-off of the taxpayers on the Russian food aid. When the supplemental comes before this body, I intend to offer a series of amendments that puts a limit on cargo preference.

How much should we allow these shipowners to rip off the taxpayers? How much do we have to pay in tribute? Is double the market price enough? We are going to test that, and if this body will not agree to limiting a double market price, we are going to triple the market price and quadruple the market price.

But what is going on now is unconscionable. To say that you are going to charge five times the going market rate because this kind of special interest legislation gives people a corner on the market is totally unacceptable, not only to this body but to the American people.

Mr. President, I ask unanimous consent that the text of the bill and additional material be printed in the RECORD.

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

S. 1027

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

SECTION 1. TRANSPORTATION IN AMERICAN VESSELS OF CERTAIN CARGOES.

Section 901(b)(1) of the Merchant Marine Act, 1936 (46 U.S.C. 1241(b)(1)) is amended by striking "at fair and reasonable rates for United States-flag commercial vessels, in such manner as will insure a fair and reasonable participation of United States-flag commercial vessels in such cargoes by geographic areas" immediately before the colon and inserting in lieu thereof the following: "at rates which are competitive with the rates charged by commercial vessels which are not United States-flag vessels, except that if the President determines that, for reasons of national security, it is necessary to use United States-flag vessels, and notifies the Congress to that effect, the President may require the use of United States-flag vessels, even if the rates charged by the United States-flag vessels are not competitive with the rates charged by vessels which are not United States-flag vessels".

SEC. 2. SHIPMENT OF EXPORTS FINANCED BY GOVERNMENT IN UNITED STATES VESSELS.

The Joint Resolution entitled "Joint Resolution requiring agricultural or other products to be shipped in vessels of the United States where the Reconstruction Finance Corporation or any other instrumentality of the Government finances by exporting of such products", approved March 26, 1934 (46 U.S.C. 1241-1), is amended by striking "or at reasonable rates" immediately before the pe-

riod at the end and inserting in lieu thereof the following: "or at rates determined by the Secretary of Transportation to be competitive with the rates charged by vessels other than United States vessels".

SEC. 3. SHIPMENT REQUIREMENTS FOR CERTAIN EXPORTS SPONSORED BY THE DEPARTMENT OF AGRICULTURE.

(a) IN GENERAL.—Section 2631 of title 10, United States Code, is amended by striking "is excessive or otherwise unreasonable" in the second sentence and inserting in lieu thereof the following: "is not competitive with the freight charged by vessels other than United States vessels".

(b) NATIONAL SECURITY EXCEPTION; CONGRESSIONAL NOTIFICATION REQUIRED.—Section 2631 of title 10, United States Code, is amended by inserting at the end: "Nothing in this section shall be construed to prohibit the President from requiring the use of United States vessels for the transportation by sea of supplies bought for the Army, Navy, Air Force, or Marine Corps, if the President determines that, for reasons of national security, such use is necessary and notifies the Congress to that effect, even if the rates charged by the United States vessels are not competitive with the rates charged by vessels other than United States vessels."

AMERICAN GREAT LAKES PORTS.

May 26, 1993.

Hon. HANK BROWN,
U.S. Senator, Hart Senate Office Building,
Washington, DC.

DEAR SENATOR BROWN: As American ports on the Great Lakes, we support the U.S. merchant marine and would like to see it become a healthy and internationally competitive part of the American economy. Unfortunately, under the present subsidy system, the U.S. flag fleet has not remained internationally competitive. Rather, the fleet has gone into serious decline. Also, while we continue to have foreign flag visits, U.S. flag vessels no longer provide regular ocean-going service to the Great Lakes. We would like to see a return of American ocean ships to our ports.

Cargo preference has been one of the elements of the subsidy system which, in its present form, fails to promote international competitiveness of the U.S. merchant marine. To the contrary, its payments are not related to world market prices, with a result that its costs to the government currently are budgeted at some \$600 million a year. This money would be better spent for commodities and for promoting competitiveness of U.S. ocean carriers. Furthermore, the exclusionary aspect of cargo preference effectively denies opportunities for most government cargo business to ports such as those in the Great Lakes because of our lack of U.S.-flag ocean-going service.

We believe you are taking a commendable step in introducing legislation which focuses on the need to make the U.S. flag fleet more competitive internationally. Such emphasis is vital to the success of an American merchant marine in the future.

Sincerely,

JOHN M. LOFTUS,
Chairman,
American Great Lakes Ports.

NATIONAL COAL ASSOCIATION,
Washington, DC, May 25, 1993.

Hon. HANK BROWN,
U.S. Senator, Hart Senate Office Building,
Washington, DC.

DEAR SENATOR BROWN: On behalf of the members of the National Coal Association

and its affiliate, the Coal Exporters Association, I am writing to commend you and your colleagues for introducing legislation which would limit cargo preference to those commercial vessels with competitive rates.

Every new Congress brings another version of expanded cargo preference requirements which have one purpose: to revitalize the U.S. merchant marine fleet. The NCA is certainly not opposed to this goal, but we have historically been opposed to any efforts which expand current preference requirements at the expense of U.S. exporters. If our Nation's exporters have to compete in the world market to survive, so should our maritime industry.

Last year 102 million tons of coal were shipped to 40 countries overseas including Canada. These exports contribute \$4.2 billion annually to the positive side of our balance of trade. Every year our coal exporters face stiff competition for our markets from other countries such as South Africa, Colombia, and Australia. If possible, our exporting companies would use U.S. flag vessels for the ocean transport of their coal; however, the rates for these vessels are as much as two to three times more than those for foreign-flagged vessels.

We look forward to working with you to ensure that this legislation receives the serious consideration and attention it deserves.

Sincerely,

RICHARD L. LAWSON.

Mr. GRASSLEY, Mr. President, I am pleased to join Senator BROWN in introducing legislation aimed at restoring fiscal responsibility and accountability to cargo preference. Cargo preference is a backdoor, hidden subsidy for the U.S.-flag commercial vessels and seafarers.

As does a parasite, cargo preference draws its lifeblood by latching onto money set aside to feed the hungry, literally snatching food from mouths of the starving overseas. It was recently reported that last year, more was spent on shipping food to the starving in Africa, than the cost of the food itself.

Cargo preference, and its widespread abuse, has turned a once proud, mighty U.S.-flag merchant marine, into the welfare queens of the highseas who plunder the American taxpayer with legalized piracy.

We appropriate money for other Federal programs, but cargo preference stands at water's edge, demanding 50 to 100 percent of the cargoes at monopoly rates several times higher than world market rates.

Like a parasite, it drains the lifeblood, and strength of Federal programs by gouging taxpayers through increased costs of shipping military cargoes, undermining market development efforts, and as we have seen recently with the \$700 million loan to Russia, jeopardizing critical foreign policy initiatives.

Can you imagine President Yeltsin trying to explain to the hard-line communist critics, who are trying to overthrow him, that much of the \$700 million loan that Russia must repay, went toward cargo preference subsidies for United States seafarers, instead of buying food for the Russian people?

The solution the Clinton administration finally came up with demonstrates the grip the U.S. maritime special interests have on the President and Congress. The law allows a waiver of cargo preference if the administration determines that a simple emergency exists. This would have allowed Russia to buy another \$150 million of food with its loan.

Instead, the Clinton administration did the incredible. They declared not only an emergency existed, but that an extraordinary emergency existed which triggered a different law. This law, in effect, allowed the President to transfer and spend hundreds of millions of taxpayer dollars, not save them. And it was aimed entirely at throwing more subsidies at the U.S.-flag merchant marine.

This, after spending well over \$500 million in cargo preference subsidies during this past year. To put this in perspective, this subsidy translates into \$250,000 per billet or seafaring job. The average cost of a billet in the regular military through the rank of captain is about \$32,000 per year.

Since cargo preference subsidies are supposed to be justified in the name of national defense, then they can start getting paid like our regular military. Then maybe we would not have to put so many of our men and women in uniform in unemployment lines as a result of budget cuts in defense.

But when we need our U.S.-flags and seafarers in time of war, they do not want to be treated like regular military. For instance, U.S. News reported that two U.S.-flag carriers charged \$70,000 to send gulf war material that could have been shipped for \$6,000 at world competitive prices. They called it unpatriotic profits.

If our reservists are called up and sent into a war zone, they have no choice—they go, and may collect up to \$150 per month as a war bonus.

If our U.S.-flag seafarers are called up, they can, and some do, say, "Thanks, but no thanks," to Uncle Sam. But if they do serve, and their vessel happens to enter a war zone area, they are entitled a war bonus of 100 percent their base pay.

The Maritime Administration reported that one U.S.-flag seafarer collected \$15,700 in war bonuses during a 2-month period. Had their vessels actually been attacked, they could have collected another \$600 per day.

Again, compare that to the maximum of \$150 per month that reservists and regular military could receive.

The fourth arm of national defense is a myth. A very expensive myth. You can get more bang for the buck by paying \$1,800 for toilet seats.

Let me emphasize that I am not questioning the patriotism of our U.S.-flag seafarers. I just don't think we can afford this kind of patriotism.

Just because the Defense Department needs toilet seats, doesn't mean they need to spend \$1,800 for them.

And certainly, we need national defense sealift capacity, and we need people to operate these vessels in time of war. But we can do it far more effectively, and for far fewer tax dollars, by either paying regular Navy personnel to man these sealift vessels in time of war, or set up a merchant marine reserve, but pay them the same as regular military reservists. We could spend our tax dollars on vessels that are truly militarily useful, and not waste money on old, slow, useless commercial vessels.

This legislation we are introducing today, gets at the heart of the problem with cargo preference. We are saying that the U.S.-flag fleet can have cargo preference, but only if they charge U.S. taxpayers world competitive rates. If our U.S.-flags think they face unfair foreign competition, then they should quit blocking attempts to put maritime on the GATT table.

We are replacing the existing fair and reasonable rates criteria because it is worthless. It is a loophole so wide, that you run the entire U.S.-flag merchant marine fleet through it sideways. And that is just about what happens.

Virtually any rate charged by a U.S.-flag vessel is fair and reasonable as far as the Maritime Administration is concerned.

I challenge the reporters here today to make some inquiries to MarAd. Ask them to give you details about how they determine what constitutes fair and reasonable rates for purposes of cargo preference.

Then ask them how they know whether or not the data and financial figures given to them from U.S.-flag companies are truthful.

Does MarAd do audits? Regularly?

And most important, what happens if a company is found to have provided MarAd with fraudulent information? Does MarAd impose fines and penalties? Does it even attempt to retrieve the subsidy?

Does the Justice Department investigate and prosecute?

I am not going to reveal any further details at this time, but there is a big story here for any enterprising investigative reporter.

The reason is simple. Companies send to MarAd data on their capital and operational costs. Based upon their costs, MarAd determines a range of rates for each vessel that MarAd believes constitutes a fair and reasonable cargo preference bid.

The higher the cost, the higher the allowable fair and reasonable rate, and the more the U.S.-flag can gouge Uncle Sam.

Aside from the fact this is irresponsible, what happens if the company lies?

Again, our legislation does not eliminate cargo preference, it simply says that if a U.S.-flag is going to get a preference cargo, it must offer a world competitive bid for it.

It is my view, that if we do not gain sufficient support for this fiscally prudent reform that still allows cargo preference, then we may need to turn our efforts entirely upon the elimination of cargo preference laws.

By Mr. GORTON:

S. 1029. A bill to amend the Job Training Partnership Act to encourage the placement of youths in private sector jobs under the Summer Youth Employment and Training Program, and for other purposes; to the Committee on Finance.

SUMMER YOUTH JOBS THROUGH BUSINESS ACT

Mr. GORTON. Mr. President, this summer thousands of disadvantaged youth will choose to participate in job training programs across the country. These young people make a conscious decision to give up long days in the sun, for long hours of hard work so they can take advantage of an opportunity to learn the skills and gain the necessary experience to help them find, and keep, real jobs. Yet many of those youths' expectations for learning the skills necessary to obtain future gainful employment may go unrealized.

Over the last 25 years, our Nation has made substantial investments in more than 50 Federal training programs, all of which sought to prepare America's youth for work in the private sector. However, these programs have become better known for placing young people who are eager for meaningful jobs and real work experience, in Government make-work positions that have little or nothing to do with the realities of today's working world. Yet under the structure of the current program, it is virtually impossible to place participants in an environment in which they can learn the most about finding and keeping a job—America's private businesses and industries.

Opportunities to reach out and make a real difference in the lives of our Nation's youth are few and far between—their desire to take part in Federal jobs training programs is one of these rare opportunities. We must take advantage of it by offering these young people the very best job training our country has to offer—and that will come best from jobs in what has provided America with its greatest achievements—private enterprise.

Today, with the strong support of the National Employment Opportunities Network [NEON], the International Mass Retailers Association, Boeing, the National Center for Community Enterprise, the National Association of Convenience Stores, and Congressman NEWT GINGRICH and HENRY BONILLA in the House, I am introducing the Youth Job Opportunities through Business Act—the Youth JOBS Act. It will expand and improve the Summer Youth Employment Training Program under the Job Training Partnership Act [JTPA] by putting a priority on plac-

ing young people into private sector jobs. This program will provide them with what they are looking for in a jobs training program—meaningful jobs that will teach them the skills, and give them the experience they need to land jobs in America's competitive workplace.

Earlier this year, President Clinton called on the private sector to "stretch a little bit to give *** young people a chance to work this summer." In this spirit of public-private partnership, the Youth JOBS Act links the public sector jobs program, the JTPA, with a mechanism designed specifically to help create private sector jobs, the targeted jobs tax credit.

By creating this public-private partnership, the Youth JOBS Act can more than double the number of summer youth jobs available for young people, decrease overall Federal expenditures, and increase the quality of jobs in which youth work.

In order to provide our Nation's youth with the best job training possible, it will cut through the boundaries separating business and Government—boundaries which are built out of bureaucratic redtape.

Mr. President, the Youth JOBS Act provides needed changes to the summer jobs program, because the summer job programs of the past haven't lived up to expectations. Young people have been paid to make up the detention time they failed to serve during the school year, build model cardboard cities, listen to talks on drug education, attend basketball reading incentive camps, learn communication skills, and paint pictures of cars on the sides of buildings. While some of these activities may have some value for those who would otherwise have nothing to do with their summer, they have little or nothing to do with preparing our Nation's youth for the challenges and pressures of today's workplace. These make-work activities not only deprive our youth of needed skills, but they repel other youth from even looking toward the current program. The National Academy of Sciences issued a report on job training programs which found:

Over time some young people who participate in youth employment programs become frustrated and demoralized by their experiences. They simply become worn down by the routine of the program and, often because of the inability to make visible "progress," become disgusted with the program and its staff. Progress for them is to feel equipped with marketable skills that will give them a chance to compete effectively for a permanent, well-paying job. Lacking clear signs of progress, many become frustrated and resign from the program, at times in an attempt to retain a sense of manhood and independence.

Government studies and reports have also repeatedly pointed out the inadequacies of large, Government-run jobs programs. In 1969, the General Ac-

counting Office said that "some workers have regressed in their conception of what should reasonably be required in return for wages paid." Ten years later, the GAO found that "almost three of every four enrollees were exposed to a worksite where good work habits were not learned or reinforced, or realistic ideas on expectations in the real world were not fostered." A report on last summer's youth jobs program, issued by the Department of Labor, identified inadequate controls over time and attendance of the participant payroll system—trainees had not signed in when they arrived, they signed time sheets in advance, and had signed both in and out simultaneously. And, in May 1992, a study conducted for the Department of Labor on the impacts on future earnings and employment of participants who had gone through JTPA youth job training, reported:

Overall, the JTPA appears to have [had] *** little or no effect on the earning and employment of female youths, and negative effects on the earnings and employment of male youths.

The earnings of some male youth were reduced as much as 13.3 percent of what their earnings would have been without access to the JTPA.

Not surprisingly, even some of those who have spent years administering these programs have tempered their expectations of what the Government-run programs will provide. Today, they acknowledge that the primary benefit of the current program is to keep kids from getting into trouble—and not to train them for jobs. Paul Osterman, an economist and expert on youth training programs at the Massachusetts Institute of Technology and a colleague of Labor Secretary Robert Reich, stated, "I think from everything we know about summer jobs programs *** they're a fine idea and they keep kids out of trouble, but it's not in any sense a long term solution. What they're accomplishing is keeping kids out of trouble.***"

Statements like this have led critics to label the programs as fire insurance—claiming that the programs serve only to keep peace in the cities during the summer. Many of the so-called jobs magically appear in June, and magically disappear in August. Whether it's cleaning up parks, or sitting in a classroom, the Government spends 3 months training kids for jobs that would not exist if the Government had not created them.

Calling such programs job programs is shamefully deceptive. Young people who are eager to hold down a real job should not be led to believe that the time they spend in such programs is job training. Not only is it a disappointment for them now, but when they do begin their first jobs, their expectations of the demands of the workplace will be sadly off course. This is

what one 21-year-old, inner-city youth stated about his experiences with Government-run youth training programs:

Boy, these programs were very misleading, 'cause they were very unsuccessful. Led the people to believe they would get permanent jobs. And they had the right people there. They had the motivators. * * * They hired all these young people just to get them off the street. It would be to your advantage [the kid's] not to get involved. Because it takes up time, and time is money. You start off with confidence, but down the line you gon' be let down. I don't know anyone that took that [was involved in the program] that's now independent. If they were on welfare before they started the program, they got back on. The program was just a sham. It was just a political move. People playing chess with other peoples' lives.

Clearly it is time for a true public-private partnership that will give youth an opportunity to get real jobs in the private sector. Mr. Osterman told my office that—

Skill training is something the private sector is better equipped to do. The key issue is the quality of the placement. You must ensure that the job is not make work. You must have the job be genuinely worthwhile. It must be a real job.

It only makes sense that if the purpose of these programs is to prepare America's youth to work in the private sector, that we look to the private sector to train them. The National Academy of Sciences report found that—

In [an] effort to solve what is too easily viewed as an intractable social problem, the private sector must become more deeply involved. Training programs must be made to work.

Our children's futures are too important to play chess with. Therefore the current summer jobs program is worth improving—and not abandoning. But we can no longer afford to cling to the misguided notion that throwing more money at the program will somehow improve it. And we certainly cannot afford to ignore the enthusiasm of hundreds of disadvantaged youth who are eager for real work experience.

The Youth JOBS Act will make bold and innovative changes to the existing program—changes that will give our Nation's youth the real job experiences they need, and want, to meet the demands of today's work force.

By linking the Summer Youth Employment and Training Program with the targeted jobs tax credit, we will cut the per job wage costs to the Federal Government by 60 percent, and thus will be able to help 150 percent more youth. The current summer jobs program pays 100 percent of a youths wages for the summer. By joining into partnership with private businesses, the government share would fall to 40 percent. For example, if under the current program a young person makes \$1,000 during the summer, the Federal Government pays for the full \$1,000. Under the Youth JOBS Act, the Government would only pay out \$400 and the business would pay the remaining \$600.

To put this into perspective let us look at some employment figures. During the summer of 1992 the program employed 774,200 young people. President Clinton wants to spend an extra \$1 billion this summer to employ a total of 1.3 million youth. The Youth JOBS Act, on the other hand, could provide real jobs, in the private sector to 1,935,500 youth without spending one dime more on wages than we did in 1992. That is 635,500 more youth employed and \$1 billion saved.

If you are worried about finding that many youth who want to participate, do not be. As the NAS report stated:

When trainees are well trained and systematically and effectively placed in gainful employment situations, they will declare the program effective and successful. Then young unemployed people will be standing in line to enroll in job-training programs instead of having to be recruited as they are now.

But we should be concerned not just about blindly expanding the number of jobs we create. As Secretary Reich has stated, "a lot of Americans confuse the number of jobs with the quality of jobs. We need more jobs, but we need better jobs." I could not agree more. Our Nation's youth job training programs should not create mere illusions of what the working world will be like—they should provide youths the opportunity to hold meaningful jobs where realistic ideas about real world expectations can grow. Real-life job skills are learned by working for a real boss with real demands and expectations in a company that experiences real-life consequences if those employed are not responsible. Only a real job, in the real world, can breed good work habits, teach the meaning of dependability, emphasize the importance of punctuality, and reward hard work.

Competition for jobs today is tough. Anyone who is struggling to find a job in today's economy—or anyone who has recently put out a help wanted ad—can attest to the scores of people lining up for job openings. If you are trying to enter today's work force, you are competing with the 12,000 people who enter the world economy every hour. Without the right skills and experience, finding a job is an impossible task.

The Youth JOBS Act will help create a program in which young people learn the attributes that distinguish a good employee from a bad employee, understand what traits employers look for in potential employees, and gain experience that will make them viable candidates for the jobs they seek.

The Youth JOBS Act is not only about creating today's jobs—but tomorrow's. At the end of the summer, a teenager leaves knowing that finding and keeping a job is not some distant and unreachable aspiration, but something that has already become a tangible reality. Spending summers working in businesses allows youths to make early connections with the work-

ing world. Not only do they gain an early understanding of the demands of the workplace—but they also meet members of their community who may serve as role models or mentors, and people who may even guide them in seeking their next job. They spend time working and learning with those who are best qualified to teach real job skills—people who have spent years developing their own.

A job in the private sector also provides a youth with a better chance for future employment by connecting him or her with a business that has jobs year round. That youth now has at least one contact in the private sector to whom he or she can turn for a job or a reference for a job in the future. If the young person does a good job for the employer, then the possibility arises for a part-time job during the school year, a job the next summer, or, for those transitioning from school to work, a permanent job with the company. The current program cannot provide that future job potential, because those jobs are only temporary.

If we give young people a summer of make-work activities, then we have only kept them busy for 3 months. But if we teach youth how to find and keep jobs, then we will have taught them skills they will need for the rest of their lives.

Young people can also begin to draw the connection between school and work. For many, this transition is tough. Putting last year's English assignments into practice and making practical sense of geometry are terrible important lessons. For most graduates, it's not the facts and figures that you use in your new job—most often, it is the process by which they learned them that will be used over and over again. Establishing that connection between education and the work world is something that comes only from firsthand experience. The Youth JOBS Act will provide America's youth with that vital firsthand experience.

The youth are not the only ones who stand to gain from the Youth JOBS Act—communities and businesses will as well. This program is customized in that it can be suited to match the needs of the local businesses. The effort and hard work that these young people put into their summer will contribute to the growth and productivity of their community's businesses and industries.

I fully agree with President Clinton when he states that summer youth jobs will "help to build local communities, to strengthen local economies, to solve local problems." We can bolster local communities and local economies even more, however, by taking them out of make-work Government programs and placing youth into private businesses where they will be actively contributing to America's productivity and economic growth.

Over the last 25 years, we have invested heavily in more than 50 dif-

ferent Federal training programs making only minimal gains in training youths for work in the private sector. We can spend another quarter century spending limited resources each summer on a program that only gives America's cities fire insurance—or we can make bold changes in the program that will give our Nation's youth real work experiences, practical job skills and a new beginning.

Preparing our Nation's youth for the challenges of tomorrow is one of the most demanding, and significant, tasks of our time. Our competitive position in this world, has and always will, rest on the skills and talents of our work force. It is their insights and ideas that are the resources on which our Nation's future depends. Whether it is their education, their health, or their future financial security—an investment in their future is an investment in America's future, and we cannot afford to shy away from bold, innovative programs such as the Youth JOBS Act that will make those investments work.

I look forward to the House and Senate's swift action on this important legislation to provide millions of America's youth the opportunity to receive a quality job.

By Mr. ROCKEFELLER (for himself, Mr. DECONCINI, Mr. GRAHAM, Mr. AKAKA, Mr. DASCHLE, Mr. CAMPBELL, Mr. KENNEDY, Mr. CONRAD, Mrs. MURRAY, and Mr. JEFFORDS):

S. 1030. A bill to amend chapter 17 of title 38, United States Code, to improve the Department of Veterans Affairs program of sexual trauma counseling for veterans and to improve certain Department of Veterans Affairs programs for women veterans; to the Committee on Veterans Affairs.

SEXUAL TRAUMA COUNSELING AMENDMENT OF 1993

• Mr. ROCKEFELLER. Mr. President, we will soon observe Memorial Day, the day on which we pause to remember those who sacrificed their lives in service to their Nation. I have always felt that we can best honor those courageous men and women by reinforcing our commitment to meet the needs of their living compatriots, many of whom bear deep physical and emotional scars from their service.

It is with those thoughts in mind that I am today introducing a bill that would extend and improve Department of Veterans Affairs' services for veterans who were sexually assaulted while serving on active duty in the Armed Forces, and would enhance VA's women veterans coordinator program. I am delighted that Senators DECONCINI, GRAHAM, AKAKA, DASCHLE, CAMPBELL, KENNEDY, CONRAD, MURRAY, and JEFFORDS have joined with me as original cosponsors.

Representative PATRICIA SCHROEDER, a tireless advocate for all American

women, will introduce a companion bill in the House of Representatives today. I feel privileged to be working with her to help women veterans who were treated so shabbily by their fellow soldiers while defending their Nation.

Our legislation builds on companion bills, S. 2973 and H.R. 5885, introduced in the 102d Congress. On October 1, 1992, the Senate passed S. 2973 as part of the Veterans Health Care Act of 1992, an omnibus veterans health measure. However, because the House did not act on H.R. 5885, we had to make many compromises in order to enact the legislation necessary to establish VA's sexual trauma counseling program, compromises that may well threaten the program's success. The bill we introduce today seeks to prevent that from happening by providing VA with the broader legislative authority embodied in the original Senate bill.

SUMMARY OF PROVISIONS

Mr. President, this legislation contains three sets of provisions, all of which are designed to improve veterans' access to sexual trauma counseling and women's health services.

Section 1 contains modifications to provisions in Public Law 102-585, the legislation governing VA's sexual trauma counseling program, that would:

First, extend VA's authority to provide sexual trauma counseling at VA health care facilities for 3 years, through December 31, 1998.

Second, extend VA's authority to provide sexual trauma counseling through contracts with non-VA providers for 4 years, through December 31, 1998.

Third, delete provisions in current law that require veterans to seek sexual trauma counseling within 2 years of discharge from active duty or, in the case of veterans discharged before December 31, 1991, by December 31, 1993.

Fourth, delete the 1-year limit in current law on the period of time during which a veteran may receive sexual trauma counseling.

Fifth, require that veterans seeking sexual trauma counseling have the same priority for that care as veterans who are entitled to VA outpatient services.

Sixth, authorize VA to provide sexual trauma counseling to male veterans.

Seventh, require VA, not later than 6 months after enactment, to establish and advertise a toll-free phone number to provide confidential crisis intervention and referral services to veterans needing sexual trauma counseling. VA would also be required to submit a detailed report to Congress on this program, not later than 18 months after enactment.

Section 2 contains provisions that would require VA, not later than June 30, 1994, to submit a report to Congress on the difficulties veterans encounter in obtaining from VA determinations of service-connection for disabilities

resulting from sexual trauma experienced while serving on active duty in the Armed Forces.

Section 3 contains modifications to provisions enacted in Public Law 102-585 concerning VA's women veterans coordinators that would:

First, require VA's four regional women veterans coordinators to serve in those positions on a full-time basis.

Second, require regional women veterans coordinators, in addition to carrying out other responsibilities specified in current law, to facilitate communication between women veterans coordinators at VA facilities in their regions, and the Under Secretary for Health and the Secretary.

Third, require the Secretary to ensure that women veterans coordinators at VA health care facilities are provided sufficient resources, including clerical support, to carry out their responsibilities.

Fourth, ensure that women veterans coordinators have direct access to the directors and chiefs of staffs at the VA health care facilities at which they are employed.

BACKGROUND

Mr. President, for far too long our Nation refused to take seriously the problems of rape and sexual assault. Unlike victims of other crimes, rape victims were presumed to have provoked their attackers by their comments, dress, or actions. Thanks to the persistent efforts of Representative SCHROEDER and other leaders of the women's movement, most civilians who are raped now have access to the help they need to recover from their assaults and persecute their attackers.

I am sad to report that the same cannot be said about members of the Armed Forces. Military officials have long tolerated, indeed condoned, flagrant and brutal displays of sexual violence toward military and civilian women. The Department of Defense Inspector General's report on the disturbing incidents at the 1991 Tailhook convention indicates that similar incidents had taken place at previous conventions and suggests that the 1991 convention may have been tame by comparison.

One might dismiss events at the Tailhook conventions as isolated incidents perpetrated by inebriated young military personnel set free from the rigid constraints of military life. Unfortunately, these outrageous sexual pranks are merely a manifestation of a problem pervasive throughout the Armed Forces. A 1988 Department of Defense survey indicated that 5 percent of the women who responded had experienced actual or attempted rape or other forms of sexual assault within 12 months prior to taking the survey. If the respondents were representative of the approximately 222,000 serving on active duty in 1988, over 11,000 military women would have been victims of sex-

ual violence in that year alone. Those estimates may well be conservative, given that many military women believe that reporting rape or sexual assault will lead to demotion or discharge from active duty.

These figures have profound implications for the Department of Veterans Affairs. Extrapolating the 5-percent figure to our Nation's 1.2 million women veterans, at least 60,000 women veterans may have been raped or sexually assaulted while serving on active duty. Because the military rarely provides victims with assistance when rapes or assaults occur, women veterans are likely to experience even greater trauma than civilian victims. Experts have told the committee that victims who do not receive counseling soon after a rape or assault occurs are far more likely to develop rape-related post traumatic stress disorder [PTSD] as well as severe eating and sleeping disorders.

These problems first came to light at hearings that the committee held last summer. At those hearings, four brave women veterans told the committee about brutal sexual assaults that military officials failed to document or prosecute. These women also vividly described the profound difficulties they had experienced in obtaining assistance from VA facilities. Many of the VA health and benefits personnel with whom they came in contact were unwilling or unprepared to address their unique needs.

Those hearings led to the enactment provisions of Public Law 102-585 that established VA's sexual trauma counseling program. Since that law was enacted, VA officials have been working hard to carry out its objectives. Vet centers across the Nation, including the Charleston Vet Center in my State of West Virginia, are hiring 60 new, part-time, experienced sexual trauma counselors. Several weeks ago, VA held its first nationwide video conference to train VA health care personnel in how to respond to sexual assault survivors.

However, Public Law 102-585 is at best a first step in the right direction. Indeed, some of the compromises incorporated into that legislation may impede VA's ability to meet women veterans' needs. The bill we are introducing today would address this distressing situation by extending and improving VA's sexual trauma counseling program. Secretary Brown also has recommended further legislation and I am very pleased that he shares our commitment to ensuring the program's success.

I will now highlight briefly three provisions that underscore the critical need for this legislation. First, the bill would repeal the restriction in current law that requires women veterans to seek sexual trauma counseling within 2 years of discharge from active duty, or by December 31, 1993, in the case of

women discharged before December 31, 1991. Experts tell the committee that persons who suffer from rape-related PTSD may not display symptoms until many years after the rape occurred. Victims who do not receive assistance soon after the rape takes place are even more likely to exhibit delayed reactions. The restriction in current law prevents VA from helping veterans who may not realize they need counseling until many years after they leave the Armed Forces. Current law imposed no comparable restrictions on veterans who have combat-related PTSD.

In addition, the bill would extend the entire sexual trauma counseling program through 1998 to give VA more time to reach veterans who need these services. Under current law, VA's authority to carry out this program would expire on December 31, 1995, less than 3 years from now. VA officials are just now getting the program up and running. Services remain unavailable in many communities. VA needs time to train and hire sexual trauma counselors, develop referral mechanisms for veterans who need inpatient or contract care, and promote the program.

Publicity is especially important. Women veterans, who constitute the vast majority of sexual assault survivors, often do not perceive themselves as eligible for VA services. Others have had bad experiences with VA in the past and may not seek care unless VA makes concerted efforts to inform them about these services.

Third, our bill would require the Secretary to undertake a study regarding the difficulties veterans face in obtaining from VA determinations that they are entitled to disability compensation for sexual trauma experienced while serving on active duty. These difficulties appear to stem primarily from incomplete and inaccurate military records. Other factors may include insensitivity or ignorance on the part of VA claims personnel. I know that Secretary Brown is firmly committed to improving claims adjudication, and I strongly encourage him to examine these matters whether or not our bill is enacted.

CONCLUSION

Mr. President, in closing, I thank Representative SCHROEDER for working with me on this legislation. I also thank Senator Cranston for calling our Nation's attention to the inexcusable sexual abuse to which so many women veterans were subjected while on active duty. Thanks to his strong commitment, VA is now working hard to help women veterans address mental and physical consequences that have been ignored for far too long. Our bill would ensure that VA can carry out his proud legacy.

Most importantly, I thank the many courageous women veterans who have contacted the committee staff about their sexual assaults and their often fu-

tile attempts to obtain assistance from VA. Their willingness to reveal very private aspects of their lives so that other women veterans might receive the help they need to put these awful incidents behind them embodies the finest spirit of the American military tradition.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1030

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

SECTION 1. DEPARTMENT OF VETERANS AFFAIRS SEXUAL TRAUMA COUNSELING PROGRAM.

(a) EXTENSION OF PERIOD OF AUTHORITY TO PROVIDE SEXUAL TRAUMA COUNSELING.—Subsection (a) of section 1720D of title 38, United States Code, is amended—

(1) by striking out "December 31, 1995," in paragraph (1) and inserting in lieu thereof "December 31, 1998,"; and

(2) by striking out "December 31, 1994," in paragraph (3) and inserting in lieu thereof "December 31, 1998,".

(b) PERIOD OF ELIGIBILITY TO SEEK COUNSELING.—(1) Such subsection is further amended—

(A) by striking out paragraph (2); and
(B) by redesignating paragraph (3) (as amended by subsection (a)(2)) as paragraph (2).

(2) Section 102(b) of the Veterans Health Care Act of 1992 (Public Law 102-585; 106 Stat. 4946; 38 U.S.C. 1720D note) is repealed.

(c) REPEAL OF LIMITATION ON PERIOD OF RECEIPT OF COUNSELING.—Section 1720D of title 38, United States Code, is further amended—

(1) by striking out subsection (b); and
(2) by redesignating subsections (c), (d), and (e) as subsections (b), (c), and (d), respectively.

(d) INCREASED PRIORITY OF CARE.—Section 1712(i) of title 38, United States Code, is amended—

(1) in paragraph (1)—
(A) by inserting "(A)" after "To a veteran"; and

(B) by inserting ", or (B) who is eligible for counseling under section 1720D of this title, for the purposes of such counseling" before the period at the end; and

(2) in paragraph (2)—
(A) by striking out ", (B)" and inserting in lieu thereof "or (B)"; and

(B) by striking out ", or (C)" and all that follows through "such counseling".

(e) PROGRAM REVISION.—(1) Section 1720D of title 38, United States Code, is further amended—

(A) by striking out "woman" in subsection (a)(1);

(B) by striking out "women" in subsection (b)(2)(C) and in the first sentence of subsection (c), as redesignated by subsection (c); and

(C) by striking out "women" in subsection (c)(2), as so redesignated, and inserting in lieu thereof "individuals".

(2)(A) The heading of such section is amended to read as follows:

"§ 1720D. Counseling for sexual trauma".

(B) The item relating to such section in the table of sections at the beginning of chapter 17 of such title is amended to read as follows:

"1720D. Counseling for sexual trauma."

(f) INFORMATION ON COUNSELING BY TELEPHONE.—(1) Paragraph (1) of section 1720D(c) of title 38, United States Code, as redesignated by subsection (c) of this section, is amended by striking out "may" and inserting in lieu thereof "shall".

(2) In providing information on counseling available to veterans through the information system required under section 1720D(c)(1) of title 38, United States Code (as amended by this section), the Secretary of Veterans Affairs shall ensure—

(A) that the telephone system described in such section is operated by Department of Veterans Affairs personnel who are trained in the provision to persons who have experienced sexual trauma of information about the care and services relating to sexual trauma that are available to veterans in the communities in which such veterans reside, including care and services available under programs of the Department (including the care and services available under section 1720D of such title) and from non-Department agencies or organizations;

(B) that such personnel are provided with information on the care and services relating to sexual trauma that are available to veterans and the locations in which such care and services are available;

(C) that such personnel refer veterans seeking such care and services to appropriate providers of such care and services (including care and services that are available in the communities in which such veterans reside);

(D) that the telephone system is operated in a manner that protects the confidentiality of persons who place telephone calls to the system; and

(E) that the telephone system operates at all times.

(3) The Secretary shall ensure that information about the availability of the telephone system is visibly posted in Department medical facilities and is advertised through public service announcements, pamphlets, and other means.

(4) Not later than 18 months after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the operation of the telephone system required under section 1720D(c)(1) of title 38, United States Code (as so amended). The report shall set forth the following:

(A) The number of telephone calls placed to the system during the period covered by the report, with a separate display of (i) the number of calls placed to the system from each State (as such term is defined in section 101(20) of title 38, United States Code) during that period, and (ii) the number of persons who placed more than one call to the system during that period.

(B) The types of sexual trauma described to personnel operating the system by persons placing calls to the system.

(C) A description of the difficulties, if any, experienced by persons placing calls to the system in obtaining care and services for sexual trauma in the communities in which such persons live, including care and services available from the Department and from non-Department agencies and organizations.

(D) A description of the training provided to the personnel operating the system.

(E) The recommendations and plans of the Secretary for the improvement of the system.

(4) The Secretary shall commence operation of the telephone system required under section 1720D(c)(1) of title 38, United States Code (as so amended), not later than 180 days after the date of the enactment of this Act.

SEC. 2. REPORT RELATING TO DETERMINATIONS OF SERVICE CONNECTION FOR SEXUAL TRAUMA.

(a) REPORT.—The Secretary of Veterans Affairs shall submit to the Committees on Veterans Affairs of the Senate and House of Representatives a report containing the Secretary's assessment of—

(1) the difficulties that veterans encounter in obtaining from the Department of Veterans Affairs determinations that disabilities relating to sexual trauma resulting from events that occurred during active duty are service-connected disabilities; and

(2) the extent to which Department personnel fail to make determinations that such disabilities are service-connected disabilities.

(b) RECOMMENDATIONS.—The Secretary shall include in the report the Secretary's recommendations for actions to be taken to respond in a fair manner to the difficulties described in the report and to eliminate failures to make determinations that such disabilities are service-connected disabilities.

(c) DEFINITION.—In this section, the term "sexual trauma" means the immediate and long-term physical or psychological trauma resulting from rape, sexual assault, aggravated sexual abuse (as such term is described in section 2241 of title 18, United States Code), sexual harassment, or other act of sexual violence.

(d) DEADLINE FOR REPORT.—The report required by this section shall be submitted not later than June 30, 1994.

SEC. 3. COORDINATORS OF WOMEN'S SERVICES.

(a) REQUIREMENT OF FULL-TIME SERVICE.—Section 108 of the Veterans Health Care Act of 1992 (Public Law 102-585; 106 Stat. 4948; 38 U.S.C. 1710 note) is amended—

(1) by inserting "(a)" before "The Secretary"; and

(2) by adding at the end the following:

"(b) Each official who serves in the position of coordinator of women's services under subsection (a) shall so serve on a full-time basis."

(b) ADDITIONAL RESPONSIBILITIES.—Subsection (a) of such section (as designated by subsection (a) of this section) is further amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following new paragraph (5):

"(5) Facilitating communication between women veterans coordinators under the jurisdiction of such regional coordinator and the Under Secretary for Health and the Secretary."

(c) SUPPORT FOR WOMEN'S SERVICES COORDINATORS.—The Secretary of Veterans Affairs shall take appropriate actions to ensure that—

(1) sufficient funding is provided to each Department of Veterans Affairs facility in order to permit the coordinator of women's services to carry out the responsibilities of the coordinator at the facility;

(2) sufficient clerical and communications support is provided to each such coordinator for that purpose; and

(3) each such coordinator has direct access to the Director or Chief of Staff of the facility to which the coordinator is assigned.●

By Mr. PELL (by request):

S. 1031. A bill to authorize appropriations for fiscal years 1994 and 1995 for the U.S. Information Agency, and for other purposes; to the Committee on Foreign Relations.

U.S. INFORMATION AGENCY AUTHORIZATION ACT, FISCAL YEARS 1994 AND 1995

Mr. PELL. Mr. President, by request, I introduce for appropriate reference a bill to authorize appropriations for fiscal years 1994 and 1995 for the U.S. Information Agency, and for other purposes.

This proposed legislation has been requested by the U.S. Information Agency, and I am introducing it in order that there may be a specific bill to which Members of the Senate, and the public, may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill be printed in the RECORD at this point, together with the section-by-section analysis and the letter from the Acting Director of the U.S. Information Agency, which was received on May 21, 1993.

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

S. 1031

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

SHORT TITLE

SEC. 101. This title may be cited as the "United States Information Agency Authorization Act, Fiscal Years 1994 and 1995."

AUTHORIZATION OF APPROPRIATIONS

SEC. 102. In addition to amounts otherwise available for such purposes, there are authorized to be appropriated for the United States Information Agency to carry out international information activities, and educational and cultural exchange programs under the United States Information and Educational Exchange Act of 1948, as amended, the Mutual Educational and Cultural Exchange Act of 1961, as amended, Reorganization Plan No. 2 of 1977, the Radio Broadcasting to Cuba Act, as amended, the Television Broadcasting to Cuba Act, the Inspector General Act of 1978, as amended, the Center for Cultural and Technical Interchange Between North and South Act, the National Endowment for Democracy Act, as amended, and for other purposes authorized by law:

- (a) For the fiscal year 1994:
- (1) "Salaries and Expenses," \$773,024,000;
 - (2) "Educational and Cultural Exchange Programs," \$242,922,000;
 - (3) "Broadcasting to Cuba," \$28,351,000;
 - (4) "Office of the Inspector General," \$4,390,000;
 - (5) "East-West Center," \$26,000,000;
 - (6) "National Endowment for Democracy," \$50,000,000;
 - (7) "Radio Construction," \$228,720,000;
 - (8) "Eisenhower Exchange Fellowship Program," \$300,000;
 - (9) "Israeli Arab Scholarship Program," \$397,000.
- (b) For the fiscal year 1995:
- (1) "Salaries and Expenses," \$800,286,000;
 - (2) "Educational and Cultural Exchange Programs," \$249,238,000;
 - (3) "Broadcasting to Cuba," \$28,382,000;
 - (4) "Office of the Inspector General," \$4,396,000;
 - (5) "East-West Center," \$26,676,000;

- (6) "National Endowment for Democracy," \$50,780,000;
 (7) "Radio Construction," \$106,271,000;
 (8) "Eisenhower Fellowship Exchange Programs," \$308,000;
 (9) "Israeli Arab Scholarship Program," \$407,000.

CHANGES IN ADMINISTRATIVE AUTHORITIES

SEC. 103. Section 801 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1471) is amended by replacing the period at the end of subsection "(6)" with a semicolon, and adding a new subsection "(7)" as follows:

"(7) notwithstanding any other provision of law, to carry out projects involving security construction and related improvements for Agency facilities not collocated with Department of State facilities abroad."

SEC. 104. Section 804(6) of the United States Information and Educational Exchange Act of 1948 [22 U.S.C. 1474(6)] is amended to read as follows:

"(6) contract with individuals for personal service abroad: *Provided*, That such individuals shall not be regarded as employees of the United States Government for the purpose of any law administered by the Office of Personnel Management."

SEC. 105. Section 206(b) of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993, Pub. L. 102-138 (22 U.S.C. 1475g note), is hereby repealed.

SEC. 106. Subsection (a) of Section 501 of the United States Information and Educational Exchange Act of 1948 [22 U.S.C. 1461(a)] is hereby amended by deleting the second sentence in said subsection and inserting in lieu thereof the following:

"Subject to subsection (b) any such information shall not be disseminated within the United States, its territories or possessions, but, on request, shall be made available following its release as information abroad, to representatives of United States press associations, newspapers, magazines, radio and television systems and stations, research students and scholars, and Members of Congress."

Section 208 of Public Law 99-93 (22 U.S.C. 1461-1a) is amended by adding the following sentence at the end of such section:

"Nothing herein shall preclude the United States Information Agency from reasonably keeping the United States public informed of its operations, policies or programs."

SEC. 107. Section 802(b)(3) of the United States Information and Educational Exchange Act of 1948, as amended, [22 U.S.C. 1472(b)(3)] is amended by adding the following sentence at the end thereof:

"However, notwithstanding this or any other provision in this section, the United States Information Agency is authorized to enter into contracts not to exceed seven years for circuit capacity to distribute radio and television programs."

SEC. 108. Subsection (f) of Section 701 of the United States Information and Educational Exchange Act of 1948 [22 U.S.C. 1476(f)(4)], is amended as follows:

(1) in subsection (f)(1) by striking ", for the second fiscal year of any two-year authorization cycle may be appropriated for such second fiscal year" and inserting in its place "for a given fiscal year may be appropriated for such year"; and,

(2) by striking subsection "(f)(4)".

SEC. 109. Section 902 of the United States Information and Educational Exchange Act of 1948, 22 U.S.C. § 1431 et seq., is amended by inserting on line one after the word "any" the following language: "international organization of which the United States is a member, or"

SEC. 110. The Immigration and Nationality Act, as amended, is amended by adding the following new section after Section 216A (8 U.S.C. 1186b):

"Section 216B. Conditional permanent resident status for certain USIA employees:

(a) conditional Basis for Admission: Conditional immigrant visas may be issued to employees of the United States Information Agency beginning fiscal year 1994 in a number not to exceed one hundred per fiscal year. Upon enactment, one hundred fifty additional visas shall be available to present USIA employees. Such employees shall be identified by the Director of USIA, and, if otherwise admissible, shall be admitted conditionally for a period not to exceed four years. Spouses and dependent children of such employees may also be admitted as conditional permanent residents but shall not be subject to numerical limitation.

(b) Removal of Conditional Basis: Persons admitted under this provision shall be eligible for removal of the conditional basis of their admission for permanent resident status after three years, upon certification by the Director of USIA to the Attorney General; the Attorney General shall remove the conditional basis of his or her admission, if the alien is otherwise admissible, effective as of the date of such certification.

(c) Termination of Status: At any time during such four year period, the Director of USIA may certify to the Attorney General that such conditional status with respect to any alien should be terminated. Upon receipt of such notice, the Attorney General shall terminate such status and the alien and any other family members admitted with such alien shall be subject to deportation proceedings. The conditional status of any such alien, admitted under this provision who has not had the conditional basis of his or her admission removed by a date four years after such admission, shall be deemed to have been terminated.

Section 101(a)(27) of the Immigration and Nationality Act [8 U.S.C. 1101(a)(27)] is amended by adding a new subsection "(L)", as follows:

"(L) an immigrant who is employed by the United States Information Agency for service in the United States, and his or her accompanying spouse and children, under conditions set forth in Section 216B of this Act."

Section 804(1) of the United States Information and Educational Exchange Act of 1948 [22 U.S.C. 1474(1)], as amended, is amended by inserting the words "or as an immigrant under section 101(a)(27)(L) of that Act [8 U.S.C. 1101(a)(27)(L)]" immediately after the words "as nonimmigrants under section 101(a)(15) of the Immigration and Nationality Act [8 U.S.C. 1101(a)(15)]."

SECTION-BY-SECTION ANALYSIS

AUTHORIZATION OF APPROPRIATIONS

Section 101—Short Title.

This section is self-explanatory.

Section 102—Authorization of Appropriations for the Fiscal years 1994 and 1995.

Section 102 (a) and (b) of the United States Information Agency Authorization Act, Fiscal Years 1994 and 1995, authorizes the appropriation of \$1,354,104,000 in fiscal year 1994 and \$1,266,744,000 in fiscal year 1995 for all Agency accounts as shown in the following table comparing the Agency's fiscal year 1993 appropriations, in thousands. The funds are required as presented in the Agency's justification materials to carry out a full range of public diplomacy activities in a challenging and changing world environment:

Appropriation	1993 appropriation	1994 request	1995 request
Salaries and Expenses	\$742,871	\$773,024	\$800,286
Educational and Cultural Exchange Programs	242,269	242,922	249,238
Broadcasting to Cuba	28,531	28,351	28,382
Office of Inspector General	4,390	4,390	4,396
East-West Center	26,000	26,000	26,676
North/South Center	8,700		
National Endowment for Democracy	30,000	50,000	50,780
Russian Technical Assistance Center	2,000		
Radio Construction	103,647	228,720	106,271
Subtotal, USIA Federal Funds	1,188,408	1,353,407	1,266,029
Trust Funds: Eisenhower Exchange Fellowship Program	300	300	300
Israeli Arab Scholarship Program	397	397	407
Total 1993 Enacted and 1994 and 1995 Proposed	1,189,105	1,354,104	1,266,744

¹ Reflects a proposed transfer of \$553,000 from Exchanges to S&E for the administrative costs related to 1993 exchange program enhancements. Also reflects \$19,475,000 transferred from USAID to the USIA Educational and Cultural Exchange Programs appropriation and \$525,000 to S&E to implement secondary school exchanges in the NIS appropriated in 1993 to carry out the Freedom Support Act.

CHANGES IN ADMINISTRATIVE AUTHORITIES

Section 103. Amend Section 801 of the United States Information and Educational Exchange Act of 1948 to authorize USIA to Obtain Direct Appropriations For Security Construction Requirements for its Facilities That Are Not Collocated With Department of State Facilities.

This requested amendment to the United States Information and Educational Exchange Act of 1948 would authorize direct appropriations to USIA of funds for selected security construction requirements. Current law requires the Secretary of State to provide an equitable level of funding for the overseas security requirements of other foreign affairs agencies. In practice, however, because of the keen competition for scarce resources, many of USIA's security requests abroad have gone unfunded in successive fiscal years. With 209 overseas posts and a similar number of affiliated institutions, such as binational centers and Fulbright Commission offices, USIA has a significant need for resources to provide adequately for the protection of its employees and facilities located separately from the Department of State's embassy and consulate buildings. In recent years, the amounts allocated to USIA have fallen short of its requests. The proposed legislation would allow the Agency to budget for its own overseas security construction needs, thus ensuring a consistent and predictable funding source.

A precedent for authorizing direct appropriations for security purposes to agencies other than State was set when the Agency for International Development (AID) succeeded in obtaining, for FY 90 and thereafter, such authority for four types of security projects, namely, residential security communications, office building security, and vehicle armoring.

The difference between AID and USIA in implementing this solution is twofold. First, AID already had the requisite statutory authority under Section 8A of the Inspector General Act of 1978, pursuant to which AID's Inspector General is responsible for "all security activities" of AID. Thus, security funds for AID could readily be included in its Inspector General's annual appropriation. By contrast, USIA's Inspector General does not have such authority. Second USIA's authority will be limited to security construction for physical upgrades to official facilities not collocated with Department of State facilities abroad. Other security needs will continue to be addressed in the Department of State's Salaries and Expenses account.

Section 104. Amend Section 804(6) of the United States Information and Educational Exchange Act to Permit Overseas Hiring Under Personal Service Contracts.

Several U.S. foreign affairs agencies, including the Department of State and AID, already have this authority. USIA does not. The extension of USIA of the authority to hire individuals with personal service contracts (PSCs) is needed for our posts in the former Soviet Union for it would enable posts to hire from the pool of talent among mission-dependent spouses and other in-country U.S. citizens, who often have advanced university degrees and practical skills of great value to post programs, making such special talents available as America House directors or to serve in situations where it is difficult to hire local nationals to meet USIA program needs.

Such contracting authority would also permit the hiring of architects and engineers and English teachers at selected overseas posts. For example, an area of immediate need concerns the American Language Centers in the Middle East and Africa, where our posts presently hire a Director of Courses to run the centers under non-personal service contracts. Our posts are ultimately responsible for the use of USG funds and the programs of the American Language Centers, and the Public Affairs Officers at the posts should be supervising the course directors. Under current arrangements, the Director of Courses is an independent contractor and our posts are prevented from exercising the direct control that we would have with personal service contracts.

PSC's will also be needed for the Radio Free Asia (RFA) operation.

Section 105. Amend the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (Pub. L. 102-138) by repealing Section 206(b) thereof.

Section 206(b) of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 175g note) provides as follows:

"(b) REDUCTIONS IN AMERICAN EMPLOYEES.—Reductions may not be made in the number of positions filled by American employees of the United States Information Agency stationed abroad until the number of such employees is the same percentage of the total number of American employees of the Agency as the number of American employees of the Agency stationed abroad in 1981 was to the total number of American employees at the Agency at the same time in 1981."

The requirements imposed by the above section are extremely difficult, if not impossible, to achieve. Since 1981, the number of American positions in Washington has increased by almost 900 positions. These increases have come about mainly due to increases in Broadcasting to Cuba, Voice of America, and Exchange Visitor Program activity which were mandated by Congress. During the same period, USIA has had to eliminate some positions in Western Europe and elsewhere and reprogram other resources. Changing circumstances and priorities prevent USIA from complying with this provision.

Section 106. Amend Section 501 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1461) and Section 208 of Public Law 99-93 (the Zorinsky Amendment) to Relax the Ban on Domestic Dissemination.

Two statutory provisions prohibit the dissemination of program materials produced by USIA within the United States and forbid the use of funds appropriated to the Agency

"to influence public opinion in the United States."

Section 501, the older of the two, dates from the earliest days of the Agency and represents an effort by Congress, with still-vivid memories of wartime propaganda, to limit the power of any administration to utilize the Agency to influence domestic public opinion for its own purposes.

Section 208 (the Zorinsky Amendment) (22 U.S.C. 1461-1a) further strengthened the ban on the domestic dissemination of program materials by prohibiting the Agency from using appropriated funds to influence public opinion in the United States and from distributing in the United States any program material prepared by USIA.

Although the fears of the original drafters of the domestic dissemination bans may have been well-founded in the history of the first half of this century, subsequent developments in media communications technology as well as the phenomenal growth and influence of private print and broadcast media serve to limit severely the possible domestic misuse of the Agency.

American taxpayers have read about the role of VOA in changing the political landscape of Eastern Europe and about award-winning USIA motion picture and television productions and magazines but cannot view or judge these activities and products, paid for with tax dollars, except when specifically authorized by Congress. So, too, with the wide range of special publications issued abroad by USIA, covering items of immediate concern, such as the Gulf War, to excellent soft-cover booklets of substance, such as the popular *Outline* series, which focuses on issues in American history, government, economic and geography, which would be of interest to educators and others in this country.

As a result, the ban may often appear to many Americans as an interference with the public's right to know, an impression which damages the Agency's credibility at home and abroad. Similarly, the ban has often resulted in situations where foreign news media are often better or more quickly informed about foreign policy issues because transcripts of Agency radio and television programs, interviews with the leaders and policy makers and news conferences sponsored by the Agency in the U.S. are limited to the foreign press.

In addition, because of the bans, the Agency and its resources have been neither fully nor efficiently utilized. For example, USIA, with its global communication network and skilled employees stationed throughout the world, is in an excellent position to help American business better compete internationally by providing executives with information about foreign attitudes, needs and developments.

The amendment to Section 501 is designed to allow USIA to respond reasonably to requests from the media and students and scholars for information about the Agency's mission and activities. Section 208 (the Zorinsky Amendment), which includes a prohibition barring USIA from using appropriated funds to influence public opinion in the United States, would be amended by adding the following sentence: "Nothing herein shall preclude the United States Information Agency from reasonably keeping the United States public informed of its operations, policies, or programs."

Section 107. Amend Section 802(b)(3) of the United States Information and Educational Exchange Act of 1948 to Allow USIA to Enter Into Seven-Year Contracts for Satellite Leases.

The Agency's contracting authority under section 802(b) of the United States Information and Educational Exchange Act of 1948, as amended, is currently limited to five years. However, many vendors, particularly in the satellite industry, offer discounted tariff rates on seven-year contracts. For example, COMSAT offers a half television transponder for \$56,795 per month on five-year contracts and \$53,350 per month on seven-year contracts, a saving of approximately \$290,000 over a seven-year period for one full transponder. USIA presently leases ten full transponders (at varying rates) and the availability of discounted rates could result in substantial savings to the taxpayer.

To maintain its position in the competition for scarce satellite capacity, USIA should be able to procure the same range of services offered to private industry. Vendors are stressing long-term commitments and are willing to negotiate more favorable rates with customers who will commit to a period longer than five years. In the future, USIA could be passed over in favor of a customer who is willing to contract for seven years, even if the technical requirements are the same. Finally, longer contracting periods would allow an Agency communications network to stay in place for longer periods of time with a minimum of technical changes, thus allowing for greater stability in the operation of the network and the provision of program services.

Section 108. Extend Section 701(f) of the United States Information and Educational Exchange Act of 1948 (Appropriations Transfer Authority) Until September 30, 1995.

In 1992 Congress amended Section 701 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1476) to permit USIA appropriations to exceed corresponding authorization levels by five or ten percent depending on the accounts. This authority provides that when funds are authorized to be appropriated to specific accounts for two fiscal years, in the second fiscal year of a two-year authorization the appropriators may transfer portions of the authorized amounts to other accounts, subject to certain limitations. The limitations are that "amounts appropriated for the Salaries and Expenses and Exchange Programs accounts may not exceed by more than 5 percent the amount specifically authorized to be appropriated for each such account for a fiscal year. No other appropriations account may exceed by more than 10 percent the amount specifically authorized to be appropriated for such account for a fiscal year." This transfer authority expires on September 30, 1993. The proposed amendment would make the transfer authority available in either fiscal year and would make such authority permanent.

Section 109. Amend Section 902 of the United States Information and Educational Exchange Act of 1948 to Allow USIA to Retain Funds Received from any Cooperating International Organization As Well As From Any Other Government.

Currently, Section 902 allows the Agency to accept funds from "any other government [which] shall express the desire to provide funds, property, or services to be used by this Government . . . for the expenses of any specific part of the program undertaken pursuant to this Act." Funds so received from "any other government" are placed in a special deposit account in the U.S. Treasury and are thereafter available to the Agency for the specified purpose.

The proposed change would allow the Agency to receive funds from any inter-

national organizations of which the United States is a member and apply those funds either for the specific purpose for which they were received or for any activity which furthers the purpose of the Act.

As an example, the Agency currently carries broadcasts of the United Nations Transitional Authority in Cambodia (UNTAC) on its Bangkok transmitter. The UN reimburses USIA for these costs. However, under present §902 the funds received are not available for USIA programs since the UN is not a foreign government. Instead, the funds are received under the authority of §901 and are passed through to the U.S. Treasury. This amendment would place the receipts for the service provided in the appropriate place—where the costs are incurred. It would have the indirect effect of providing a built-in incentive for the Agency to secure such agreements, thereby making greater use of government resources.

Section 110. Amend the Immigration and Nationality Act to Create a New Special Immigrant Category for certain Employees of the United States Information Agency and Amend Section 804 of the United States Information and Educational Exchange Act of 1948 to Allow USIA to Employ Such Special Immigrants

In carrying out its mission, USIA's Voice of America (VOA) employs approximately 900 International Radio Broadcasters (IRB's) who serve as reporters, writers, translators, editors, producers and announcers for news, interviews, news analyses, editorials and other broadcast features covering a wide range of issues and subjects.

VOA's mission requires it to be able to attract and retain a large number of Foreign Language IRB's who have a unique combination of native fluency in the broadcast language, an in-depth knowledge of the people, history and culture of the broadcast area, and professional journalistic skills. The U.S. workforce simply does not contain a sufficient number of people with this rare combination of skills to meet VOA's needs. VOA must be able to attract and employ non-U.S. citizens.

In recognition of this, VOA is authorized under section 804(1) of the United States Information and Educational Exchange Act of 1948 [22 U.S.C. 1474(1)] to recruit aliens abroad and domestically for work in the U.S. to carry out its foreign language programming when it cannot find suitably qualified U.S. citizens. The Act provides that such aliens may be admitted to the U.S. as non-immigrants under section 101 (a) (15) of the Immigration and Nationality Act [8 U.S.C. 1101 (a) (15)].

In the past, VOA utilized the J visa (Exchange Visitor) to meet its needs for non-immigrant alien foreign language broadcasters, and it presently has approximately 150 foreign language broadcasters on that visa. When VOA determines that a foreign language broadcaster's continued service is necessary, it typically sponsors the alien for permanent residence.

However, problems involving the use of the J visa have arisen. J visa holders who have filed for an immigrant visa may be barred from reentering the U.S. after traveling abroad, even if they were on official Government travel, and they are therefore unable to be sent abroad to cover stories for VOA or travel on such personal business as attending the funeral of a family member. Also, unless the requirement is waived, most J visa holders are required by §212(e) of the Immigration and Naturalization Act to return to their home country for two years before they

can adjust to another nonimmigrant U.S. visa or acquire legal permanent resident status through an immigrant visa. Moreover, dependents of J visa employees generally cannot remain in the U.S. beyond the age of 21, which has led to serious morale problems and loss of staff.

VOA has investigated the possibility of utilizing other nonimmigrant visas, the most appropriate of which would be the H visa. Many of VOA's IRB's do not have a four-year degree and would therefore fail to qualify for the H visa. Moreover, spouses and dependents of H visa holders are barred from working, which causes serious financial problems and prevents VOA from attracting and retaining non-U.S. citizens as IRB's.

The proposed conditional special immigrant visa would meet the unique needs of VOA, as it would allow the IRB's to travel freely outside the U.S., they would not be legally bound to return to their home country for two years before adjusting to permanent resident status in the U.S., their spouses and dependents could work, and their dependents could remain in the U.S. beyond the age of 21. Under the proposed legislation, employees needed for long-term employment at VOA, after remaining in conditional status for three years, could quickly and easily be converted to permanent resident alien status.

U.S. INFORMATION AGENCY,
Washington, DC, May 21, 1993.

Hon. AL GORE,

President of the Senate.

DEAR MR. PRESIDENT: Pursuant to the United States Information and Educational Exchange Act of 1948, as amended, the Mutual Educational and Cultural Exchange Act of 1961, as amended, Reorganization Plan No. 2 of 1977, the Radio Broadcasting to Cuba Act, as amended, the Television Broadcasting to Cuba Act, the Inspector General Act of 1978, as amended, the Center for Cultural and Technical Interchange Between East and West Act of 1960, the National Endowment for Democracy Act, as amended, I am submitting the enclosed proposed legislation to authorize appropriations for the United States Information Agency for Fiscal Years 1994 and 1995 to enable the Agency to carry out international information and educational and cultural exchange programs. A section-by-section analysis further explaining the proposed legislation is also enclosed.

The Office of Management and Budget advises that there is no objection to the submission of this proposed legislation to Congress and that its enactment would be in accord with the program of the President.

Sincerely,

JOHN CONDAYAN,
Acting Director.

By Mr. WARNER (for himself,
Mr. ROBB, and Mr. JEFFORDS):
S. 1033. A bill to establish the Shenandoah Valley National Battlefield and Commission in the Commonwealth of Virginia, and for other purposes; to the Committee on Energy and Natural Resources.

THE SHENANDOAH VALLEY NATIONAL
BATTLEFIELDS PARTNERSHIP ACT OF 1993

Mr. WARNER. Mr. President, I am pleased to introduce today, along with Senator ROBB and Senator JEFFORDS, legislation establishing a new national park in the Shenandoah Valley of Virginia.

This new park will preserve and commemorate the strategic significance of

the Civil War battles in the valley which occurred from 1862 to 1864.

The Shenandoah Valley National Battlefields Partnerships Act is the product of an in-depth study by the National Park Service which was authorized by the Congress in 1990.

In the draft report issued in 1991, the Park Service conducted field surveys of 15 battlefields in the valley and concluded in their analysis that because of their size and unprotected status, the battlefields of the Shenandoah Valley were its most important, most neglected, and most threatened resource.

Mr. President, throughout my service in this body, I have been actively involved in the preservation of several Civil War battlefields in Virginia. One of my first legislative initiatives was to sponsor legislation in 1980 to expand the boundaries of the Manassas National Battlefield Park by 1,522 acres. While some battlefield preservation efforts in Virginia have been accomplished by a consensus of support from local governments, the preservation community and the Federal Government, other battlefield issues have involved a great deal of acrimony.

I am pleased today that I bring to the Senate legislation which represents a significant investment of time, understanding, and accommodation by preservation groups and local governments which has resulted in legislation to protect and preserve these treasures of our American heritage.

Each party interested in fostering the protection of the Shenandoah Valley battlefields has worked for the past year to craft a consensus proposal that recognizes the limits on the Federal Government's resources to acquire substantial acreage in the valley and balances the needs of property owners and local governments to provide for their economic future.

The Shenandoah Valley National Battlefields Partnership Act can be, I believe, a responsible method of preserving unprotected, yet significant Civil War sites.

While authorizing limited Federal acquisition of eight battlefields in the valley, the core of this legislation is to foster and encourage an atmosphere of cooperation between the Federal Government, State and local governments, property owners, and preservation groups who currently own some of this historic property.

Local governments will benefit from and have endorsed the creation of a new national park within their jurisdictions because they recognize that the Park Service can provide technical assistance about the location of Civil War engagements. This assistance will allow local governments to plan appropriately for new growth and development within their borders.

Mr. President, specifically, my legislation establishes the Shenandoah Valley National Battlefields consisting of

the boundaries of 1,140 acres at eight battlefields throughout the valley.

They include Stonewall Jackson's valley campaign of 1862 of the battles of McDowell, Cross Keys, and Port Republic; the Gettysburg campaign in 1863 marked by the Second Battle of Winchester; the Lynchburg campaign of 1864 at the Battle of New Market; and Union General Sheridan's valley campaign of 1864 of the Battles of Fishers Hill, Toms Brook, and Cedar Creek.

As the Park Service's draft report identifies more than 33,000 acres as core battlefield engagement areas, I propose the creation of the Shenandoah Valley National Battlefields Commission to make recommendations on which of these core areas should be added to the battlefields.

These recommendations will be developed as the Commission discharges its duties of preparing a heritage plan with the assistance of the Park Service and active public involvement. The heritage plan must be approved by the Secretary of Interior and transmitted to the Congress for approval. The heritage plan will identify the final boundaries of the battlefields and identify which areas are part of the core engagement areas and which areas contributed in a significant way to the historical events that occurred in the valley from 1862 to 1864.

Mr. President, there is no question about the value of these properties. They are essentially undisturbed and continue to tell an important story of the military strategy employed during the battles of Thomas J. "Stonewall" Jackson's valley campaign of 1862 and the battles associated with Union Gen. Philip Sheridan's burning of the Shenandoah Valley in 1864.

Approximately one-third of the recorded events of the Civil War occurred in Virginia. Dyers "Compendium of the War of the Rebellion" records 297 incidents of armed conflict in the Shenandoah Valley during the Civil War: 6 battles, 18 engagements, 21 actions, and 252 skirmishes. The Shenandoah Valley—referred to as the granary of Virginia—was the richest agricultural region in Virginia, providing provisions to the Confederate forces. In addition, the Confederates used the valley as a natural corridor for invading or threatening invasion of the North, while the Union forces realized the importance of denying the valley's use to the Confederacy.

One of the most brilliant and most studied military campaigns in history was Stonewall Jackson's valley campaign of 1862. During his campaign, Jackson's army of 17,000 men defeated three northern armies with a combined strength of 33,000 in a single month, winning five battles: McDowell, Front Royal, Winchester, Cross Keys, and Port Republic. Most importantly, Jackson's valley campaign created a strategic division to draw strength

from the Federals' advance on Richmond. It was Robert E. Lee who unleashed Jackson in the valley. Lee realized the importance of creating a diversion in the valley to keep Union troops from moving toward Richmond.

Jackson's performance during the 1862 valley campaign had transformed this southern, VMI professor into a military legend. As James McPherson recounts in "Battle Cry of Freedom":

Jackson's victories in the valley created an aura of invincibility around him and his foot cavalry. They furthered the southern tradition of victory in the Virginia theater that had begun at Manassas * * * Stonewall became larger than life in the eyes of many northerners; he had gotten the drop on them psychologically, and kept it until his death a year later.

Confederate advances preceding August 1864—including Jubal Early's victories at the Battle of Cool Springs and the Second Battle of Kernstown—led Lt. Gen. Ulysses S. Grant to instruct Gen. Philip H. Sheridan to put an end to the Confederate threat to the lower Shenandoah Valley. In October 1864, Sheridan introduced the concept of total warfare to the Shenandoah Valley—later to be referred to as "the Burning" or "Red October."

In Sheridan's own words he described his actions in the fall of 1864 in this way:

I have destroyed over 2,000 barns, filled with wheat, hay, and farming implements; over 70 mills, filled with flour and wheat. * * * When this is completed, the Valley from Winchester up to Staunton, ninety-two miles, will have but little in it for man or beast.

Even with the incredible devastation wrought by Sheridan during the Battle of the Opequon, the Battle of Fishers Hill, and the battle of Toms Brook, the Confederates refused to surrender the valley, even successfully pulling off a surprise attack on Union forces at Cedar Creek.

However, Sheridan counterattacked, and as James McPherson states in "Battle Cry":

Within a few hours Sheridan had converted the battle of Cedar Creek from a humiliating defeat into one of the more decisive Union victories of the war.

With the Confederate threat in the valley eliminated, Sheridan moved on to Petersburg to participate in the final campaign of the Civil War in Virginia.

The events which occurred in the Shenandoah Valley during the Civil War deserve a permanent place in history, just as Manassas, Gettysburg, and Antietam. As stated in the National Park Service's 1991 draft of the Civil War sites in the valley:

Few regions in the United States have experienced the horrors of systematic destruction, and the memories are still close to the surface for many long-time Valley residents. Family histories are filled with stories that relate to the hardships of that time. It took a generation to repair the savages of "The Burning" and another generation before life

in the Valley returned to its pre-war condition. There can be found there today a fierce pride in ancestors who survived the war and who struggled to rebuild all that was lost.

The history of the Civil War in the Shenandoah Valley bears witness to the devastation and waste of warfare, but more importantly, it underscores the irrepressible human will to survive, to rebuild, to carry on. The historic events and the human players of the Valley—heroic and the tragic alike—have contributed significantly to the texture of our American cultural heritage.

Mr. President, I am confident that these battlefields will make a very positive contribution to the Park Service's preservation of this tragic chapter in our American history. These lands are important to our understanding of the events that occurred from 1862 to 1864 when the momentum and tide of the Confederacy's struggle turned and the Union forces began to take hold.

Mr. President, I request that the following letters from the National Trust for Historic Preservation, the National Parks and Conservation Association and the Association for the Preservation of Civil War Sites—all endorsing this bill—be printed in the RECORD.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1033

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Shenandoah Valley National Battlefields Partnership Act of 1993".

SEC. 2. FINDINGS.

Congress finds that—

(1) there are situated in the Shenandoah Valley in the Commonwealth of Virginia the sites of Civil War battles;

(2) certain sites, battlefields, structures, and districts in the Shenandoah Valley are collectively of national significance in the history of the American Civil War;

(3) the National Park Service has assessed the suitability and feasibility of recognizing Shenandoah Valley battlefield sites and affiliating these sites with the National Park System, and has found that these sites possess national significance and a high degree of historical integrity;

(4) the preservation and interpretation of these sites, battlefields, structures, and districts can make a vital contribution to the understanding of the heritage of the United States;

(5) the goal of preserving Civil War sites within a regional framework is to promote cooperation among local property owners and Federal, State, and local government entities that seek to promote the preservation of sites and places significant to the history of the Nation; and

(6) partnerships between Federal, State, and local governments and their regional entities, and the private sector—

(A) offer the most effective opportunities for the enhancement and management of the Civil War battlefields and related sites in the Shenandoah Valley; and

(B) are best fostered through establishment of a regionwide Commission.

SEC. 3. PURPOSES.

The purposes of this Act are to—

(1) preserve, conserve, and interpret the legacy of the Civil War in the Shenandoah Valley of Virginia;

(2) recognize and interpret important events and geographic locations in the conduct of the Civil War in the Shenandoah Valley of Virginia, including those battlefields associated with the Thomas J. (Stonewall) Jackson Campaign of 1862 and the decisive campaigns of 1864;

(3) recognize and interpret the effect of war on the civilian population of the Valley during the war and the postwar reconstruction period;

(4) create partnerships among Federal, State, and local governments and their regional entities, and the private sector to preserve, conserve, enhance, and interpret the nationally significant battlefields and related sites associated with the Civil War in the Shenandoah Valley; and

(5) establish and maintain a geographic database and information system that can be used to locate, track, and cross reference significant historical and cultural properties, structures, and markers.

SEC. 4. DEFINITIONS.

For the purposes of this Act:

(1) **BATTLEFIELDS.**—The term "Battlefields" means the Shenandoah Valley National Battlefields established under section 101.

(2) **COMMISSION.**—The term "Commission" means the Shenandoah Valley National Battlefields Commission established under title II.

(3) **CONTRIBUTING AREAS.**—The term "contributing areas" means those areas identified in the National Park Service study, "Civil War Sites in the Shenandoah Valley of Virginia", that encompass all important components of a conflict that provide a strategic context and geographic setting for understanding the conflict.

(4) **HERITAGE PLAN.**—The term "Heritage Plan" means the Shenandoah Valley National Heritage Plan approved pursuant to section 102.

(5) **HISTORIC CORE.**—The term "historic core" means areas identified in the National Park Service study, "Civil War Sites in the Shenandoah Valley of Virginia", containing sites of confrontation deployment, heaviest fighting, and most severe casualties.

(6) **MAJOR INTERPRETATIVE FACILITY.**—The term "major interpretative facility" means a year-round staffed facility that may serve as the headquarters for the Commission, provides an orientation to the Battlefields, and, through interpretive exhibits and media, communicates to the public the story of the Civil War in the Shenandoah Valley of Virginia.

(7) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior.

**TITLE I—SHENANDOAH VALLEY
NATIONAL BATTLEFIELDS**

SEC. 101. ESTABLISHMENT OF THE SHENANDOAH VALLEY NATIONAL BATTLEFIELDS.

(a) **ESTABLISHMENT.**—To carry out the purpose of this Act, there is established the Shenandoah Valley National Battlefields.

(b) **BOUNDARIES.**—

(1) **IN GENERAL.**—The Battlefields shall consist of approximately 1,140 acres as generally depicted on the map entitled "Shenandoah Valley National Battlefields", numbered _____ and dated _____,

located in the counties of Frederick, Highland, Rockingham, Shenandoah, and in the city of Winchester, Virginia.

(2) **AVAILABILITY OF MAP.**—The map shall be on file and available for public inspection in the offices of the Commission and in the offices of the National Park Service.

(3) **REVISIONS.**—The Secretary may, with the advice of the Commission and following an opportunity for public comment and timely notice to the Committee on Energy and Natural Resources of the Senate and to the Committee on Natural Resources of the House of Representatives, make minor revisions to the boundaries of the Battlefields. Any revision shall take effect upon publication by the Secretary in the Federal Register of a revised boundary map or other description.

(c) **ADMINISTRATION.**—The Secretary, acting through the Director of the National Park Service, shall manage the Battlefields in accordance with this Act and the provisions of law generally applicable to the National Park System, including the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.) and the Act of August 21, 1935 (49 Stat. 666). The Secretary shall protect, manage, and administer the Battlefields for the purposes of preserving and interpreting the cultural and natural resources of the historic site and providing for the public understanding and appreciation of the Battlefields in such a manner as to perpetuate these qualities and values for future generations.

(d) **ACQUISITION.**—

(1) **IN GENERAL.**—Subject to paragraph (2), the Secretary is authorized to acquire lands and interests in lands with the consent of the landowner—

(A) within the Battlefields, by donation, purchase with donated or appropriated funds, or exchange, only with the consent of the landowners; and

(B) within the boundaries of the contributing areas, by donation or exchange pursuant to the Heritage Plan.

(2) **LIMITATIONS ON AUTHORITY.**—

(A) **STATE OR LOCAL LAND.**—Lands, and interests in lands, within the Battlefields or contributing areas, that are owned by a State, county, or municipal entity, or any political subdivision of the entity, may be acquired only by donation or exchange.

(B) **CONDEMNED LAND.**—The Secretary may not accept lands acquired by the State through condemnation.

SEC. 102. ESTABLISHMENT OF THE SHENANDOAH VALLEY NATIONAL BATTLEFIELDS HERITAGE PLAN.

(a) **IN GENERAL.**—Not later than 3 years after the date of enactment of this Act, the Secretary, with the advice of the Commission, shall transmit to Congress for approval a Shenandoah Valley National Battlefields Heritage Plan that meets the requirements of subsection (c).

(b) **PREPARATION AND APPROVAL OF THE HERITAGE PLAN.**—

(1) **SUBMISSION OF DRAFT HERITAGE PLAN TO THE SECRETARY.**—Not later than 2 years after the date on which the Commission conducts the first meeting of the Commission, the Commission shall submit to the Secretary a draft Shenandoah Valley National Battlefields Heritage Plan that meets the requirements of subsection (c).

(2) **PUBLIC REVIEW OF DRAFT HERITAGE PLAN.**—Prior to submitting the draft Heritage Plan to the Secretary, the Commission shall ensure that—

(A) the State and any political subdivision of the State that would be affected by the Heritage Plan receives notice of the draft Heritage Plan;

(B) adequate notice of the draft Heritage Plan is given by publication in the area of the Battlefields; and

(C) a public hearing is conducted by the Commission with respect to the draft Heritage Plan.

(3) **REVIEW OF DRAFT HERITAGE PLAN BY THE SECRETARY.**—The Secretary shall review the draft Heritage Plan, and, not later than 90 days after the date on which the draft Heritage Plan is submitted to the Secretary, shall—

(A) approve the plan and submit the Plan to Congress for approval; or

(B) reject the plan and submit suggestions for modifications to the Commission.

(c) **SPECIFIC PROVISIONS.**—The Heritage Plan shall include—

(1) a description of the final boundaries of the Battlefields, including the areas identified as contributing areas and historic core areas, giving special consideration to lands containing the locations of the battles of Cool Spring, First and Second Kernstown, and Opequon (Third Winchester);

(2) a description of appropriate protection, management, uses, and development of the Battlefields consistent with the purposes of this Act;

(3) the information described in section 12(b) of Public Law 91-383 (16 U.S.C. 1a-7(b));

(4) identification of partnerships between the Secretary and other Federal, State, and local governments and regional entities, and the private sector, for the management of the Battlefields and contributing areas;

(5) proposed locations for visitor contact and major interpretive facilities, including one interpretive facility in the upper valley and the lower valley vicinities;

(6) plans for implementing a continuing program of interpretation and visitor education concerning the resources and values of the Battlefields and contributing areas;

(7) plans for a uniform valley-wide historical marker and wayside exhibit program, including a provision for marking, with the consent of the owner, historic structures and properties contained in the areas identified in section 101(b) that contribute to the understanding of the Civil War of the Shenandoah Valley;

(8) plans for the management of natural and cultural resources of the Battlefields and contributing areas, with particular emphasis on the preservation of historic landscapes and scenes, including a reassessment of the historic integrity of lands within Battlefields every 5 years, or otherwise, as considered necessary by the Commission; and

(9) proposals for future operation of concessions for the Battlefields by locally owned businesses, certification of Battlefields guides, and a Battlefields-wide interpretive training program.

SEC. 103. PARTNERSHIPS AND COOPERATIVE AGREEMENTS.

(a) **IN GENERAL.**—

(1) **AGREEMENTS.**—The Secretary may establish partnerships and enter into cooperative agreements relating to planning, development, use, management, and interpretation of properties within the Battlefields and contributing areas with other Federal agencies, State and local subdivisions, and private persons to advance the purposes of this Act.

(2) **HISTORIC MONUMENTS.**—Secretary may enter into agreements with the owners of property in the Battlefields and contributing areas on which historic monuments and tablets commemorating the battles have been erected.

(b) **MAINTENANCE.**—The Secretary may make funds available for the maintenance, protection, and interpretation of the monuments and tablets pursuant to the agreements.

(C) RESTORATION OF PROPERTIES.—Notwithstanding any other provision of law, the Secretary may restore and rehabilitate property within the Battlefields and contributing areas pursuant to partnerships and cooperative agreements without regard to whether title to the property vests with the United States.

(d) INTERIM AUTHORITY.—During the period the Heritage Plan is being prepared, the Secretary may enter into agreements described in subsection (a) to advance the purposes of this Act.

SEC. 104. GRANT PROGRAM.

(a) IN GENERAL.—Within the Battlefields and contributing areas, the Secretary may award grants to property owners and governmental entities and provide technical assistance, information, and advice to promote the use of natural and cultural resources to conserve and maintain the historic character of the area.

(b) PLANNING COSTS.—

(1) IN GENERAL.—Subject to paragraph (2) and subsection (d), the Secretary, with the advice of the Commission, may award a grant to a State or local government, or regional planning entity that has jurisdiction over the Battlefields or contributing areas, for the development of comprehensive plans and land use guidelines, regulations, and ordinances that are consistent with conserving the historic character of the area.

(2) GRANT CONDITIONS.—The Secretary may award a grant under this subsection only upon—

(A) submission by the local government or regional planning entity of a comprehensive plan, prepared in consultation with the Commission, for the implementation of a strategy designed to protect the historic character of the area; and

(B) approval of the strategy by the Secretary.

(3) AWARD.—An award under this subsection shall be in an amount not to exceed 90 percent of the planning cost incurred by the entity.

(c) IMPLEMENTATION GRANTS.—

(1) IN GENERAL.—Subject to subsection (d), the Secretary may award a grant to a State or local government, or regional entity to implement a protection plan or strategy approved by the Secretary under subsection (b)(2).

(2) SUSPENSION OF GRANTS.—The Secretary, after consulting with the Commission, may suspend the provision of grants under this subsection if the Secretary has withdrawn approval of the protection plan or strategy.

(3) REVIEW.—

(A) IN GENERAL.—The Commission shall conduct a regular review of approved protection plans and strategies for the purpose of ensuring that the protection plans and strategies continue to meet the requirements of subsection (a).

(B) RECOMMENDATION.—If the Commission finds that a protection plan or strategy or the implementation of a protection plan or strategy is no longer in accordance with the purposes of this Act, after consultation with the affected governmental entity, the Commission may recommend that the Secretary withdraw approval of the protection plan or strategy.

(d) ADDITIONAL CONDITIONS.—The Secretary may require such terms and conditions as the Secretary determines are necessary to carry out this Act.

TITLE II—SHENANDOAH VALLEY NATIONAL BATTLEFIELDS COMMISSION

SEC. 201. ESTABLISHMENT; ADMINISTRATION OF THE COMMISSION.

(a) ESTABLISHMENT.—There is established the Shenandoah Valley National Battlefields Commission.

(b) MEMBERSHIP.—The Commission shall be composed of the following members:

(1) 12 members appointed by the Secretary from recommendations made by appropriate local governing bodies, of whom—

(A) 2 members shall represent each of the areas in the historic core, including 1 member who is a property owner in the historic core;

(B) 1 member shall be a member of a chamber of commerce from a county in which part of the historic core is located; and

(C) 1 member shall be a business leader from a county in which part of the historic core is located.

(2) The executive director of the Lord Fairfax Planning District Commission.

(3) The executive director of the Central Shenandoah Planning District Commission.

(4) 2 members who have demonstrated expertise in historic preservation, appointed by the Secretary.

(5) 2 members who are recognized historians with expertise in Civil War history, appointed by the Secretary.

(6) The executive director or designee from each of the following nonprofit entities that own property within the Battlefields:

(A) The National Trust for Historic Preservation/Belle Grove Incorporated.

(B) The Cedar Creek Battlefield Foundation.

(C) The New Market Battlefield Park.

(D) The Association for the Preservation of Civil War Sites.

(E) The Lee Jackson Foundation.

(F) The Stonewall Brigade Foundation.

(G) The Society of Port Republic Preservationists.

(H) Preservation of Historic Winchester.

(7) The Governor of Virginia, or a designee of the Governor, to serve as an ex officio member of the Commission.

(8) The Director of the National Park Service, or a designee of the Director, to serve as an ex officio member of the Commission.

(c) OPERATIONS.—

(1) APPOINTMENTS.—Members of the Commission shall be appointed for staggered terms of 3 years, as designated by the Secretary at the time of the initial appointment. Any member of the Commission appointed for a definite term may serve after the expiration of the term until the successor of the member is appointed.

(2) ELECTION OF OFFICERS.—The Commission shall elect one of the members of the Commission as Chairperson and one as Vice Chairperson. Terms of the Chairperson and Vice Chairperson shall be 2 years. The Vice Chairperson shall serve as Chairperson in the absence of the Chairperson.

(3) VACANCY.—Any vacancy on the Commission shall be filled in the same manner in which the original appointment was made, except that the Secretary, if responsible for the appointment, shall fill any vacancy within 30 days after the vacancy occurs.

(4) QUORUM.—Eleven members of the Commission shall constitute a quorum.

(5) MEETINGS.—

(A) IN GENERAL.—The Commission shall meet not less than quarterly, or at the call of the Chairperson or a majority of the members of the Commission. Notice of meetings and agendas shall be published in local newspapers that have a distribution throughout

the Shenandoah Valley. Commission meetings shall be held at various locations throughout the Valley and in a manner that ensures adequate public participation.

(B) SUBPOENAS.—The Commission may not issue subpoenas or exercise any subpoena authority.

(6) EXPENSES.—Members of the Commission shall serve without compensation, but the Secretary may reimburse members for expenses reasonably incurred in carrying out the responsibilities of the members under this Act.

(7) ADMINISTRATIVE SUPPORT SERVICES.—The Administrator of General Services shall provide to the Commission, on a reimbursable basis, such administrative support services as the Commission may request.

(8) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(9) GIFTS.—

(A) IN GENERAL.—The Commission may, for purposes of carrying out the duties of the Commission, seek, accept, and dispose of gifts, bequests, or donations of money, personal property, or services, received from any source.

(B) GIFTS.—For the purposes of section 170(c) of the Internal Revenue Code of 1954, any gift to the Commission shall be deemed to be a gift to the United States.

(d) STAFF.—

(1) DIRECTOR.—The Commission shall have a Director who shall be appointed by the Commission and who shall be paid at a rate not to exceed the maximum rate of basic pay for level GS-14 of the General Schedule.

(2) STAFF.—The Commission may appoint such additional staff as the Commission considers appropriate and may pay the staff at rates not to exceed the minimum rate of basic pay for level GS-14 of the General Schedule. The staff may include specialists in areas such as interpretation, historic preservation, recreation, conservation, financing, and fundraising.

(3) APPOINTMENTS; COMPENSATION.—Except as otherwise provided in this subsection, the Director and staff—

(A) shall be appointed by the Secretary; and

(B) shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(4) OTHER AGENCIES.—Upon request of the Commission, the head of any Federal agency may detail to the Commission on a reimbursable basis, personnel of the agency to assist the Commission in carrying out the duties of the Commission under section 202.

SEC. 202. DUTIES OF THE COMMISSION.

(a) DUTIES.—The Commission shall—

(1) develop the Heritage Plan in consultation with the National Park Service;

(2) assist the State, any political subdivision of the State, or any nonprofit organization in the implementation, coordination, protection, promotion, and management of the Battlefields resources in the Shenandoah Valley of Virginia;

(3) in providing assistance, in no way infringe upon the authorities and policies of the State or any political subdivision of the State concerning the management of the Battlefields and contributing areas property;

(4) take appropriate action to encourage heritage preservation within the Battlefields and contributing areas by landowners, local governments, organizations, and businesses; and

(5) cooperate to promote appropriate levels of heritage tourism in the Shenandoah Val-

ley of Virginia that are compatible with resource protection.

(b) MAJOR INTERPRETATIVE FACILITY.—

(1) PURCHASE OR LEASE.—The Commission is authorized with the assistance of the General Services Administration to purchase or lease a facility within the Battlefields to serve as a headquarters and interpretative facility.

(2) FUNDING.—Any funds made available for the lease or purchase of an interpretative facility may be authorized from the Federal Building Fund.

TITLE III—AUTHORIZATION OF APPROPRIATIONS

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION.—There are authorized to be appropriated—

(1) such sums as are necessary to carry out title I; and

(2) \$250,000 to carry out title II.

(b) AVAILABILITY OF FUNDS.—Sums made available under subsection (a) shall remain available until expended.

NATIONAL TRUST FOR
HISTORIC PRESERVATION,
Washington, DC, May 26, 1993.

Hon. JOHN WARNER,
U.S. Senate, Russell Senate Office Building,
Washington, DC.

DEAR SENATOR WARNER: On behalf of the trustees and nearly quarter of a million members of the National Trust, I am writing to endorse your new legislation, the Shenandoah Valley National Battlefields Partnership Act of 1993. We are grateful for your ongoing efforts to protect the many historic Civil War sites in Virginia, whether in the Shenandoah Valley or elsewhere in the Commonwealth.

The legislation addresses the interests of local citizens, preservation advocates and historians. The bill's collaborative approach will provide a model for other communities seeking to both care for historic sites as well as protect the interests of local land holders.

Thank you for your work to save the Civil War battlefields in the Shenandoah Valley.

Sincerely,

RICHARD MOE,
President.

THE ASSOCIATION FOR THE PRESER-
VATION OF CIVIL WAR SITES, INC.,
Fredericksburg, VA, May 25, 1993.

DEAR SENATOR WARNER: The Association for the Preservation of Civil War Sites is pleased to endorse the legislation you and Senator ROBB are introducing entitled A Bill to Establish the Shenandoah Valley National Battlefields and Commission The APCWS has been working with local citizens and governments as well as the national Civil War preservation community on this issue for more than two years. We believe that your legislation balances the need to protect and make accessible the Shenandoah Valley's rich Civil War heritage while safeguarding the rights of property owners and involving local citizens in the preservation process.

The Association for the Preservation of Civil War Sites stands ready to assist you with your legislation as it proceeds through the Senate in any way we can. As you know, the APCWS owns significant portions of the Valley's battlefields acquired through the work of private citizens using private resources. We look forward to continuing our contribution to Civil War history and preservation in the context of the Shenandoah Val-

ley National Battlefields and representation on the Heritage Commission.

Sincerely,

A. WILSON GREENE,
Executive Director.

NATIONAL PARKS
AND CONSERVATION ASSOCIATION,
Washington, DC, May 25, 1993.

Hon. JOHN W. WARNER,
Russell Office Building,
Washington, DC.

DEAR SENATOR WARNER: On behalf of the 350,000 members of National Parks and Conservation Association (NPCA), I wish to take this opportunity to congratulate you for introducing legislation to establish the Shenandoah Valley National Battlefields and Commission in the Commonwealth of Virginia.

As you are aware, NPCA along with dozens of landowners, governmental officials, the Association for the Preservation of Civil War Sites (APCWS), and other preservation groups have been working for many months to create feasible framework for the long-term preservation of nationally significant resources associated with the Civil War in the Shenandoah Valley. That effort led H.R. 746, the Shenandoah Valley National Battlefields Partnership Act of 1993, introduced earlier this year by Representative Frank Wolf.

NPCA also supports your legislative proposal, as we believe it reflects the consensus reached by the working group. Although there are some differences in the two bills, the essence of the consensus proposal remains intact in your initiative. Your legislation protects individual property rights, provides preservation incentives for local governments and individuals, and encourages a balanced approach to heritage tourism. It also ensures the long-term preservation of the priceless Civil War heritage in the Shenandoah Valley in a manner that is fully consistent with the standards and management philosophy of the National Park System.

On behalf of our membership and Board of Trustees, National Parks and Conservation Association is pleased to support your bill as introduced. We appreciate your interest in making the battlefield park a reality.

Sincerely,

PAUL C. PRITCHARD,
President.

Mr. ROBB. Mr. President, I rise today as an original cosponsor and strong supporter of legislation offered by my senior colleague from Virginia, Senator WARNER, to help preserve for future generations the many significant Civil War battlefields in the Shenandoah Valley of Virginia. The bill would create a new national park in Virginia and establish a Commission, made up of local landowners and historians, to devise a plan for further preservation in the valley.

Mr. President, the Shenandoah Valley is particularly rich in Civil War history. The valley is the site of both General "Stonewall" Jackson's 1862 valley campaign, in which the South posted victories in five key battles, and General Sheridan's 1864 Union campaign.

Mr. President, in recent years, the Civil War battlefields at sites like Manassas and Brandy Station have been the subject of intense and heated pub-

lic debate between preservationists on the one hand and private property owners on the other. It is my strong hope that the legislation we are introducing today will go a long way to ending this second Civil War in Virginia, at least in the Shenandoah Valley.

The bill Senator WARNER and I are introducing is the product of a grass root effort of preservationists, local governments, and local residents and property owners, who came together in a spirit of compromise to find a way to preserve our national heritage without unduly infringing on the rights of property owners. This legislation is very similar to a bill introduced in the House by Representative FRANK WOLF (H.R. 746), with some refinements to improve its changes of ultimate enactment into law.

The bill builds on legislation passed unanimously by this body in the 101st Congress, the Shenandoah Valley Civil War Sites Study Act of 1990. That legislation, offered by Senator JEFFORDS and cosponsored by Senators WARNER, LEAHY, and me, required the National Park Service to conduct a study of the significance of Civil War sites in the valley. A draft of the study, which was released in November 1991, confirmed that many of the sites in the Shenandoah Valley are both historically significant and largely retain their integrity.

The bill offered today would immediately establish boundaries for a small, 1,140-acre, Shenandoah Valley National Battlefields in Virginia, to be made up exclusively of land now owned by certain Civil War preservation and/or nonprofit groups. The park will allow visitors to better appreciate eight key battles: at McDowell, Cross Keys, and Port Republic; at the Second Battle of Winchester; and at the Battles of New Market, Fisher's Hill, Toms Brook, and Cedar Creek. Several preservation groups have indicated a willingness to donate land in this area. The battlefields will be administered and managed by the National Park Service.

In addition, the bill would establish a Commission, made up of local landowners, local officials, and Civil War historians and preservationists, to come up with a heritage plan to preserve other battlefield sites in the valley. The Commission, relying on the existing National Park Service study, would identify important core areas and less important contributing areas. After receiving public input, the Commission would advise the Secretary of the Interior as to what boundary expansions should be made within 2 years of the legislation's enactment. The Secretary would then submit the boundary expansions to Congress for its consideration.

If and when the Congress passes a second law authorizing boundary expansions, the Secretary of the Interior would be authorized to acquire lands in

the core areas by purchase through Federal appropriation, by donation, or by exchange. Lands in less important contributing areas could be acquired only by donation or exchange.

A key provision of the bill provides that under no circumstances could the Secretary condemn lands from an unwilling seller or accept lands acquired by the State through condemnation.

The bill encourages cooperative agreements and partnerships between the Federal Government and private individuals. The bill also authorizes a planning grants program, which will encourage localities to be sensitive to history as they make local zoning decisions.

Mr. President, I am pleased to co-sponsor this important legislation and I urge my colleagues to support the measure.

Mr. JEFFORDS. Mr. President, I stand before you today in full support of this bill which would establish the Shenandoah Valley National Battlefields and Commission in the Commonwealth of Virginia. I commend my distinguished colleagues from Virginia, Senator WARNER and Senator ROBB, for the leadership they have displayed in bringing this important piece of legislation before us today.

Bruce Catton, in "Stillness at Appomattox," wrote:

There may be lovelier country somewhere—in the Island Vale of Avalon, at a gamble—but when the sunlight lies upon it and the wind puts white clouds racing their shadows, the Shenandoah Valley is as good as anything America can show.

Those words well describe my impressions when I first visited the Shenandoah Valley, one early autumn day in 1989. If there is a lovelier place in America, it is likely to be somewhere in my home State of Vermont. Indeed, Vermonters who served in the valley during the Civil War likened it to the countryside back home.

In 1989, the 125th anniversary of the Battle of Cedar Creek, the Vermont Legislature passed a resolution asking that the places where Vermonters fought be saved. Vermont soldiers nowhere served with more distinction than at Cedar Creek. One day when the clouds happened to be racing, I was taken to a ridgetop outside Middletown where the Vermont Brigade had made an heroic stand to bring the great Confederate surprise attack of October 19, 1864, to a halt. I quickly learned that, except for a parcel of land around Belle Grove Mansion, Cedar Creek was unprotected. Clearly, something had to be done.

Cedar Creek is a battlefield in which Americans, North and South, can take great pride. There, Jubal Early launched one of the great surprise attacks of the Civil War. Then, Philip Sheridan sent forward one of the great counterattacks of the war. Though it all ended in Union victory, both sides did themselves proud.

Indeed, the Shenandoah Valley was the setting for major triumphs for both Union and Confederate forces; most prominently Stonewall Jackson's Valley Campaign of 1862 and Sheridan's campaign of 1864. Many of the battlefields remain considerably unspoiled, like Cedar Creek, Port Republic, Cross Keys, Piedmont, and Kernstown. Others, such as First Winchester and Front Royal, have been lost to development. Yet even amid aggressive development, the core of the great Third Winchester field remains pristine.

In response to the Vermont initiative, I introduced legislation in the fall of 1989 that resulted, thanks in large part to the leadership and parallel interest of Senator BUMPERS, in the Park Service's Shenandoah Valley Civil War sites study.

Mr. President, the time has come for Congress to create a national battlefield park in the Shenandoah Valley. This park would, initially, consist of battlefield lands that have already been preserved. Because of the determined efforts of private preservation groups, such as the Association for the Preservation of Civil War Sites, the Friends of Cedar Creek, the Lee-Jackson Association, the National Trust; and through the work of Virginia Military Institute, some 1,000 acres of battlefield land is protected.

That land lies at New Market, Cedar Creek, McDowell, Fisher's Hill, Cross Keys, Toms Brook, and Port Republic.

It is important to note, that this bill authorizes no condemnation authority in the Shenandoah Valley. The park will be created and grow, only with the consent of willing sellers. The role of private battlefield preservation groups will become even more important. As I allude here to dollars and cents, I should note that a national battlefield park in the valley should be of considerable economic benefit to residents of the valley. I believe that a great number of Americans, like myself, will go to this lovely landscape to see for themselves the storied places where Jackson and Sheridan, Mosby and Jubal Early, and tens of thousands of Americans did battle a century-and-a-third ago.

Also within this legislation, a Commission would be created that would assist and cooperate in the development and promotion of the Shenandoah Valley National Battlefield Park.

At Winchester, for instance, where the great Battle of the Opequon took place in 1862, no land has been saved and much of the battlefield has been lost to housing development. We are past the eleventh hour at third Winchester. Battlefield land is being lost daily to development as pressures increase on the valley, as improved roads put it in commuting distance of the greater Washington area.

Americans' interest in the Civil War increases every day. At stake, in the

Shenandoah Valley, is some of America's most precious historic landscape that should be available to future generations of Americans to walk, to ponder, and understand. The battlefield land of Cedar Creek and Winchester, Kernstown and Piedmont, New Market and Cross Keys constitute a national treasure. It is no less hallowed ground that the fields of Antietam, Manassas, and Gettysburg. This is the last chance for us to preserve that land's historical landscape. And while it is a part of the State of Virginia, we must remember that men from Vermont and New Hampshire, Michigan and Maryland, Alabama and Georgia, Texas and Mississippi, fought and died there. Let us act now to give the Nation, and the people of the valley, a Shenandoah Valley National Battlefield Park such as we have at Antietam, Manassas, Gettysburg, and other treasured places where our forefathers, North and South, did battle in the greatest of all American conflicts.

By Mr. RIEGLE:

S. 1034. A bill to provide that the President may not extend to the People's Republic of China renewal of non-discriminatory (most-favored-nation) treatment beginning July 3, 1994, unless the President determines that the People's Republic of China is not manipulating its currency to prevent effective balance of payments adjustments or to gain an unfair competitive advantage in trade; to the Committee on Finance.

FAIR TRADE WITH CHINA ACT

• Mr. RIEGLE. Mr. President, I introduce S. 1034, the Fair Trade With China Act. This legislation provides that beginning July 3, 1994 the President may not renew the most-favored-nation [MFN] trade status the United States currently extends to the People's Republic of China without first determining that country is no longer manipulating its currency to gain unfair competitive advantages in trade with our country. The United States is presently running a trade deficit with China that is approaching \$20 billion—our second largest bilateral trade deficit after Japan.

The Treasury Department, in reports to Congress on international economic and exchange rate policy required by section 3005 of the Omnibus Trade and Competitiveness Act of 1988, stated in both May and December of 1992 and again in May 1993 that China is manipulating its exchange rate to gain competitive advantages in trade with our country. This is trade cheating. We should not be extending MFN treatment to a country that engages in such a practice in order to run up massive trade surpluses with our country.

This bill is designed to get China to stop manipulating its exchange rate. If it does not, then it would no longer be eligible to receive most-favored-nation

trade treatment. The United States cannot continue to sacrifice American jobs and our economic base for transitory political advantages that may accrue to us from giving China such favorable trade terms.

The Senate Banking Committee was concerned about the problem of exchange rate manipulation when it formulated its contributions to the Omnibus Trade and Competitiveness Act of 1988. To help stop the practice it developed section 3004 of that act. That provision requires the Secretary of the Treasury to assess semiannually:

*** whether countries manipulate the rate of exchange between their currency and the United States dollar for purposes of preventing effective balance of payments adjustments or gaining unfair competitive advantages in international trade.

The act also requires the Treasury Secretary to report to Congress the names of currency manipulating countries and to promptly initiate discussions with them to halt the unfair practice.

Pursuant to that law, the Treasury Secretary reported to Congress in May 1992 that:

According to United States customs data, China's bilateral trade surplus with the United States grew in 1991. The surplus rose from \$10.4 billion in 1990 to \$12.7 billion last year, an increase of 22 percent. China thereby surpassed Taiwan as the United States' second largest bilateral deficit [after Japan].

It further stated that China's growing trade surplus with the United States was "a major concern" and was "destabilizing to the global economy." In that same report the Treasury indicated that at least part of our growing trade deficit with China could be traced to China's strict import controls and its active use of exchange rate management to obtain trade advantages. Referring to section 3004 of the Omnibus Trade and Competitiveness Act of 1988, Treasury stated:

It is the present judgment of Treasury that China is manipulating its exchange rate within the meaning of that legislation.

The Treasury indicated that in the summer of 1991 it started negotiating with the Chinese to halt this unfair practice and would continue to press them on it.

On December 2, 1992, the committee received an updated Treasury Report on Exchange Rate Policy. This report indicated that Treasury had held two more negotiating sessions with Chinese officials regarding exchange rate manipulation. It also told the Congress that China's bilateral trade surplus with the United States was expected to reach \$17 billion in 1992—up from \$12.7 billion in 1991. This increase, the Treasury reported, came from a slowdown in United States exports to China and a rapid increase in United States imports from China. "Toys, sporting goods, clothing and footwear lead the rapid growth of United States imports from China," the Treasury stated. It also

noted that the Chinese "employ exchange rate and foreign exchange policies to attain their balance of payment objectives," and then concluded:

It is Treasury's judgment that China is manipulating its exchange rate within the meaning of Section 3004.

Yesterday, on May 25, the Treasury Department released its May 1993 report on international economic and exchange rate policy at a hearing before the Subcommittee on International Finance and Monetary Policy of the Senate Banking Committee. In this latest report the Treasury Department informed the committee that China's overall trade surplus with the United States is approaching \$20 billion and that China is continuing to manipulate its currency in order to capture United States markets and restrict American imports into China. The latest Treasury report indicated that while in 1992 the United States received \$25.7 billion of China's \$85 billion of merchandise exports, almost one-third, China took only \$7.5 billion of its total \$80.6 billion of merchandise trade imports from the United States, less than 10 percent. The Treasury reported that China manipulates its foreign exchange system by restricting imports from the United States and this impedes effective balance of payments adjustments between our two countries. In other words, China is engaging in trade cheating to run up huge surpluses in its trade with the United States.

The latest Treasury report confirms again that the United States continues to give most-favored-nation trade treatment to a country which is actively manipulating its currency in order to capture U.S. markets and take jobs from American workers. Our workers who make toys, sporting goods, footwear, and clothing are losing their livelihood, in part, because our Government continues to let China get away with this unfair practice. Because of this practice we are also losing opportunities to expand American exports to China, and are in effect losing jobs that would be associated with such expanded exports. This should not continue.

The time has come to deny any further extensions of MFN status to China unless it stops manipulating its currency to gain unfair trade advantages with the United States. We can no longer sacrifice jobs and our economic strength for short term, political advantages. Under S. 1034, any extensions of MFN status to China after July 3, 1994, would be made dependent on China halting this unfair trade practice.

In my view the United States should not renew China's MFN status this year without getting a commitment from its officials that it would stop this unfair trade practice immediately. I understand, however, that the new administration will ask for an uncondi-

tional extension of MFN this year, so it can negotiate with the Chinese about issues such as human rights, weapons proliferation, and unfair trade practices. If the President commits that he will vigorously address these matters this year, and will not seek a renewal of MFN for China in 1994 unless results are achieved, I expect Congress will go along. I will state, however, that I will press for passage of this bill in 1994 if China continues to engage in exchange rate manipulation to achieve unfair advantages in trade with our country to the detriment of American workers.●

By Mr. MITCHELL (for himself, Mr. AKAKA, Mr. BREAUX, Mr. CHAFEE, Mr. COCHRAN, Mr. COHEN, Mr. CONRAD, Mr. DECONCINI, Mr. DOLE, Mr. DORGAN, Mr. GORTON, Mr. GRAMM, Mr. HATCH, Mr. HOLLINGS, Mr. INOUE, Mr. LAUTENBERG, Mr. LEVIN, Ms. MIKULSKI, Mr. MOYNIHAN, Mrs. MURRAY, Mr. PELL, Mr. REID, Mr. RIEGLE, Mr. STEVENS, Mr. THURMOND, and Mr. WELLSTONE):

S.J. Res. 98. A joint resolution to designate the week beginning October 25, 1993, as "National Child Safety Awareness Week"; to the Committee on the Judiciary.

NATIONAL CHILD SAFETY AWARENESS WEEK
JOINT RESOLUTION

Mr. MITCHELL. Mr. President, I am pleased to introduce legislation in the Senate today to designate the week of October 25 through 31 of this year as "National Child Safety Awareness Week." This resolution seeks a national effort to recognize the many dangers that our children encounter in everyday life.

Every year, our children are the victims of abuse, abduction, and accidents. They are injured by faulty toys. They are burned by fires in their homes. They are kidnaped by strangers. They are abducted by people they know. They are abused. And they are the victims of gang violence.

According to a report by the National Safety Council, accidents are the leading cause of death among children under the age of 15. Each year, well over 7,000 children under the age of 14 die in accidents. Nearly half of these young lives are taken in automobile accidents alone, and more than 2,000 perish in fires or drown. In 1988, fire claimed the lives of more 3-year-olds than any other age. In 1989, nearly 150,000 people, mostly children, were admitted into emergency rooms for injuries from toys.

In 1988, there were 114,000 reported attempted abductions of children, and nearly 4,600 children were kidnaped by nonfamily members. Two-thirds were sexually assaulted.

All these threats know no boundary. The dangers are just as real to the children of Kansas, New York, and urban

California as they are to the children of rural Maine. They are as real for the children of America as for their brothers and sisters in other lands such as Somalia and Bosnia. While America's youth have not witnessed firsthand the ravages of war, children across the sea have not been as fortunate.

Nothing can entirely eliminate the dangers children face, but we do have a duty to try and diminish these threats. To make our streets and homes safer. To protect our children. To prevent needless injury and death. To give them unimpeded opportunities to live, grow old, and raise their own children in turn.

That is what this resolution hopes to accomplish—to raise the awareness of the dangers our children face, work toward preventing such occurrences, and protect our society's most indispensable asset and our brightest hope for the future.

I thank my colleagues who have already joined me in introducing this resolution and I welcome any other Senators who wish to become additional cosponsors.

I ask unanimous consent that the bill be printed in the RECORD.

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

S.J. RES. 98

Whereas there is a need to promote awareness of all aspects of child safety in government, education, business, law enforcement, and private sectors within each community of the United States;

Whereas a combined effort and national awareness will help to eliminate or discourage possibly harmful or criminal actions against children;

Whereas statistics suggest an increase in incidents involving missing and exploited children during the week preceding a holiday season; and

Whereas the children of the United States are our greatest resource and warrant the protection necessary to ensure their healthy and happy lives: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week of October 25, 1993, through October 31, 1993, is designated as "National Child Safety Awareness Week". The President is authorized and requested to issue a proclamation calling upon the people of the United States to observe the week with appropriate programs, ceremonies, and activities.

ADDITIONAL COSPONSORS

S. 67

At the request of Mrs. KASSEBAUM, the name of the Senator from North Carolina [Mr. HELMS] was added as a cosponsor of S. 67, a bill to regulate interstate commerce by providing for uniform standards of liability for harm arising out of general aviation accidents.

S. 266

At the request of Mr. SIMON, the name of the Senator from Montana

[Mr. BAUCUS] was added as a cosponsor of S. 266, a bill to provide for elementary and secondary school library media resources, technology enhancement, training and improvement.

S. 297

At the request of Mr. STEVENS, the names of the Senator from South Dakota [Mr. PRESSLER] and the Senator from Vermont [Mr. JEFFORDS] were added as cosponsors of S. 297, a bill to authorize the Air Force Memorial Foundation to establish a memorial in the District of Columbia or its environs.

S. 412

At the request of Mr. EXON, the name of the Senator from New Hampshire [Mr. GREGG] was added as a cosponsor of S. 412, a bill to amend title 49, United States Code, regarding the collection of certain payments for shipments via motor common carriers of property and nonhousehold goods freight forwarders, and for other purposes.

S. 487

At the request of Mr. MITCHELL, the names of the Senator from Rhode Island [Mr. CHAFEE] and the Senator from Washington [Mrs. MURRAY] were added as cosponsors of S. 487, a bill to amend the Internal Revenue Code of 1986 to permanently extend and modify the low-income housing tax credit.

S. 573

At the request of Mr. BREAUX, the names of the Senator from Kansas [Mr. DOLE] and the Senator from Hawaii [Mr. AKAKA] were added as cosponsors of S. 573, a bill to amend the Internal Revenue Code of 1986 to provide for a credit for the portion of employer social security taxes paid with respect to employee cash tips.

S. 618

At the request of Mr. RIEGLE, the name of the Senator from Wyoming [Mr. WALLOP] was added as a cosponsor of S. 618, a bill to amend the Immigration and Nationality Act to permit the admission to the United States of non-immigrant students and visitors who are the spouses and children of U.S. permanent resident aliens, and for other purposes.

S. 666

At the request of Mr. DANFORTH, the name of the Senator from Minnesota [Mr. DURENBERGER] was added as a cosponsor of S. 666, a bill to amend the Internal Revenue Code of 1986 to permanently extend and modify the credit for increasing research activities, and for other purposes.

S. 674

At the request of Mr. THURMOND, the names of the Senator from Utah [Mr. HATCH] and the Senator from New Mexico [Mr. BINGAMAN] were added as cosponsors of S. 674, a bill to require health warnings to be included in alcoholic beverage advertisements, and for other purposes.

S. 687

At the request of Mr. ROCKEFELLER, the name of the Senator from North Carolina [Mr. HELMS] was added as a cosponsor of S. 687, a bill to regulate interstate commerce by providing for a uniform product liability law, and for other purposes.

S. 716

At the request of Mr. BOND, the name of the Senator from Kansas [Mrs. KASSEBAUM] was added as a cosponsor of S. 716, a bill to require that all Federal lithographic printing be performed using ink made from vegetable oil, and for other purposes.

S. 732

At the request of Mr. KENNEDY, the names of the Senator from Vermont [Mr. JEFFORDS] and the Senator from Kansas [Mrs. KASSEBAUM] were added as cosponsors of S. 732, a bill to provide for the immunization of all children in the United States against vaccine-preventable diseases, and for other purposes.

S. 764

At the request of Mr. WOFFORD, the name of the Senator from Nevada [Mr. BRYAN] was added as a cosponsor of S. 764, a bill to exclude service of election officials and election workers from the Social Security payroll tax.

S. 784

At the request of Mr. HATCH, the name of the Senator from New Mexico [Mr. DOMENICI] was added as a cosponsor of S. 784, a bill to amend the Federal Food, Drug, and Cosmetic Act to establish standards with respect to dietary supplements, and for other purposes.

S. 874

At the request of Mr. PRESSLER, the names of the Senator from Colorado [Mr. BROWN], and the Senator from Idaho [Mr. CRAIG] were added as cosponsors of S. 874, a bill to reauthorize Public Law 81-874 (Impact Aid), and for other purposes.

S. 894

At the request of Mr. BAUCUS, the names of the Senator from Nevada [Mr. BRYAN], the Senator from Colorado [Mr. CAMPBELL], the Senator from South Dakota [Mr. DASCHLE], and the Senator from North Dakota [Mr. DORGAN] were added as cosponsors of S. 894, a bill to amend the Internal Revenue Code of 1986 to deny the benefits of certain export subsidies in the case of exports of certain unprocessed timber.

S. 915

At the request of Mr. BAUCUS, the names of the Senator from Minnesota [Mr. DURENBERGER], and the Senator from Michigan [Mr. RIEGLE] were added as cosponsors of S. 915, a bill to amend the Internal Revenue Code of 1986 to more accurately codify the depreciable life of semiconductor manufacturing equipment.

S. 923

At the request of Mr. DASCHLE, the name of the Senator from Pennsylvania

nia [Mr. WOFFORD] was added as a cosponsor of S. 923, a bill to amend the Public Health Service Act to provide a comprehensive program for the prevention of Fetal Alcohol Syndrome, and for other purposes.

S. 967

At the request of Mr. SHELBY, the name of the Senator from Nevada [Mr. REID] was added as a cosponsor of S. 967, a bill to amend the Internal Revenue Code of 1986 and the Social Security Act to repeal provisions relating to the State enforcement of child support obligations, to require the Internal Revenue Service to collect child support through wage withholding, and for other purposes.

S. 978

At the request of Mr. BAUCUS, the name of the Senator from New York [Mr. MOYNIHAN] was added as a cosponsor of S. 978, a bill to establish programs to promote environmental technology, and for other purposes.

S. 991

At the request of Mr. JOHNSTON, the name of the Senator from Mississippi [Mr. LOTT] was added as a cosponsor of S. 991, a bill to direct the Secretary of the Interior and the Secretary of Energy to undertake initiatives to address certain needs in the Lower Mississippi Delta Region, and for other purposes.

S. 993

At the request of Mr. KEMPTHORNE, the names of the Senator from Montana [Mr. BURNS] and the Senator from South Dakota [Mr. PRESSLER] were added as cosponsors of S. 993, a bill to end the practice of imposing unfunded Federal mandates on States and local governments and to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations.

S. 1002

At the request of Mr. HATCH, the names of the Senator from Iowa [Mr. GRASSLEY] and the Senator from Minnesota [Mr. WELLSTONE] were added as cosponsors of S. 1002, a bill to require each recipient of a grant or contract under section 1001 of the Public Health Service Act to provide information concerning breast and cervical cancer.

S. 1004

At the request of Mr. BROWN, the names of the Senator from Montana [Mr. BURNS], and the Senator from Missouri [Mr. DANFORTH] were added as cosponsors of S. 1004, a bill to limit amounts expended by certain government entities for overhead expenses.

S. 1007

At the request of Mr. PRYOR, the name of the Senator from Louisiana [Mr. JOHNSTON] was added as a cosponsor of S. 1007, a bill to recreate the common good by supporting programs that enable adults to share their experience and skills with elementary and secondary school age children.

S. 1011

At the request of Mr. PRYOR, the names of the Senator from Ohio [Mr. GLENN], the Senator from Oregon [Mr. HATFIELD], and the Senator from Pennsylvania [Mr. WOFFORD] were added as cosponsors of S. 1011, a bill to amend title XI of the Social Security Act to improve and clarify provisions prohibiting misuse of symbols, emblems, or names in reference to social security programs and agencies.

SENATE JOINT RESOLUTION 52

At the request of Mr. PACKWOOD, the name of the Senator from South Dakota [Mr. DASCHLE] was added as a cosponsor of Senate Joint Resolution 52, a joint resolution to designate the month of November 1993 and 1994 as "National Hospice Month."

At the request of Mr. LEVIN, his name was added as a cosponsor of Senate Joint Resolution 52, supra.

SENATE CONCURRENT RESOLUTION 25

At the request of Mr. DORGAN, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of Senate Concurrent Resolution 25, a concurrent resolution expressing the sense of the Congress that China should purchase a majority of its imported wheat from the United States in order to reduce the trade imbalance between China and the United States.

SENATE RESOLUTION 92

At the request of Mr. ROBB, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of Senate Resolution 92, a resolution condemning the proposed withdrawal of North Korea from the Treaty on the Non-Proliferation of Nuclear Weapons, and for other purposes.

SENATE RESOLUTION 112

At the request of Mr. MOYNIHAN, the name of the Senator from Oregon [Mr. HATFIELD] was added as a cosponsor of Senate Resolution 112, a resolution urging sanctions to be imposed against the Burmese government, and for other purposes.

AMENDMENT NO. 372

At the request of Mr. PRESSLER the names of the Senator from Maine [Mr. COHEN], the Senator from Kansas [Mr. DOLE], the Senator from Rhode Island [Mr. CHAFEE], and the Senator from Vermont [Mr. JEFFORDS] were added as cosponsors of amendment No. 372 proposed to S. 3, a bill entitled the "Congressional Spending Limit and Election Reform Act of 1993."

SENATE RESOLUTION 113—RELATING TO THE ACTIONS OF PRESIDENT SERRANO OF GUATEMALA

Mr. BINGAMAN (for himself, Mr. HARKIN, Mr. FORD, Mr. KENNEDY, and Mr. KERRY) submitted the following resolution which was referred to the Committee on Foreign Relations:

S. RES. 113

Whereas Guatemala has had a democratically elected government since 1985;

Whereas President Jorge Serrano and the members of the Guatemalan Congress were freely and fairly elected;

Whereas on May 25, 1993, President Serrano seized near dictatorial powers by spatially suspending Guatemala's Constitution, dissolving Congress and the Supreme Court, and ruling by decree;

Whereas these events are extraconstitutional and antidemocratic and require immediate international attention and action; and

Whereas the Organization of American States agreed in Santiago, Chile, in 1991 to convene an emergency meeting of the Hemisphere's foreign ministers in the event of a coup d'etat in a member country in order to consider joint actions to bring about a return to democracy in that country: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the extraconstitutional and antidemocratic actions of President Serrano of Guatemala and considers those actions a serious blow to democracy in Guatemala and a serious threat to democracy in the Hemisphere;

(2) calls on President Serrano to restore immediately the democratically elected Congress and the judiciary and to ensure full respect for internationally recognized human rights;

(3) commends President Clinton for his rapid and decisive response to the situation in Guatemala, in particular his condemnation of President Serrano's actions and his suspension of disbursements of United States assistance;

(4) calls on the President to suspend the United States assistance program to Guatemala, and to seek to delay approval of any international loans for Guatemala, until constitutional government is restored to Guatemala; and

(5) commends the organization of American States (OAS) for its plan to send a fact-finding mission headed by the Secretary General to Guatemala and for calling a meeting of the foreign ministers of the OAS member countries, to be held within 10 days.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to the President of the United States.

Mr. BINGAMAN. Mr. President, I rise today to submit a resolution condemning the actions taken yesterday morning by President Jorge Serrano of Guatemala.

Yesterday, in a dawn radio and television broadcast, President Serrano announced that he was seizing near-dictatorial powers. The heads of Congress, members of the Supreme Court, and the Attorney General were all placed under house arrest. Serrano's actions are very similar to the actions taken by the President of Peru, Alberto Fujimori, a little over a year ago, when he dissolved the Peruvian Congress and declared martial law. This is a dangerous precedent for a region that has seen a growing number of democracies emerge in the last couple of years, and I believe that it is important that the Senate go on record in opposition to these actions.

I would like to commend the Clinton administration for its quick and decisive response to Serrano's actions. Assistant Secretary for Inter-American Affairs Bernard Aronson telephoned

President Serrano early yesterday morning to express strong U.S. opposition to this seizure of power and urge that Serrano reverse his decision. President Clinton stated that "this illegitimate course of action threatens to place Guatemala outside the democratic community of nations. We strongly condemn such efforts to resolve Guatemala's problems through non-democratic means."

I would also like to commend the Organization of American States [OAS] for immediately convening an emergency permanent council meeting to discuss the situation. In a bid to deter suspensions of democratic rule in the hemisphere, the OAS established a procedure in 1991 requiring such meetings when democratic rule in a member country is disrupted.

Mr. President, I and many of my colleagues have joined together to condemn human rights violations in Guatemala over the past several years. Most recently, together with several of my colleagues, I joined Senator HARKIN in writing to President Serrano to express our concerns for the continued violation of human rights in Guatemala.

It is somewhat ironic then that yesterday's action coincided with a summit of indigenous people in Guatemala, attended by 50 delegates from around the world, and called by the country's own Rigoberta Menchu, last year's Nobel Peace Prize winner, to call attention to human rights issues for indigenous people. Despite worldwide acclaim for her work, Serrano has never officially recognized Rigoberta Menchu's work on behalf of her people, or the prize she received last year.

Mr. President, I would conclude by urging my colleagues to support this resolution. The suspension of the Guatemalan Constitution and dissolution of Congress puts in jeopardy the political democratization of the region. This process is particularly fragile due to the recent return of peace to El Salvador. Latin American is ill served by this undemocratic action, and the Senate should go on record in opposition to Serrano's actions.

SENATE RESOLUTION 114—RELATIVE TO SENATE RESOLUTION 106 OF THE ONE HUNDRED FIRST CONGRESS

Mr. MITCHELL (for himself and Mr. DOLE) submitted the following resolution; which was considered and agreed to:

S. RES. 114

Resolved, That (a) section 9 of Senate Resolution 106 of the One Hundred First Congress (agreed to April 13, 1989) (as amended by Senate Resolution 351 of the One Hundred First Congress (agreed to October 27, 1990) and as further amended by Senate Resolution 366 of the One Hundred Second Congress (agreed to October 8, 1992)) is further amended by strik-

ing "March 31, 1993" and inserting in lieu thereof "December 31, 1993".

(b) The amendment made by subsection (a) shall be deemed to have become effective as of March 30, 1993.

AMENDMENTS SUBMITTED

CONGRESSIONAL CAMPAIGN SPENDING LIMIT AND ELECTION REFORM ACT OF 1993

MCCONNELL AMENDMENT NO. 376

Mr. MCCONNELL proposed an amendment to amendment No. 366 (in the nature of a substitute) to the bill (S. 3) entitled the "Congressional Spending Limit and Election Reform Act of 1993," as follows:

At the appropriate place insert the following:

SEC. . APPLICATION OF INCREASED REVENUES TO REDUCE THE DEFICIT.

(a) DEFICIT REDUCTION.—Notwithstanding any other provision of this Act, amendment made by this Act, or any other law, the amount of increased revenue to the United States that is determined to be attributable to the disallowance of a deduction from income tax for lobbying expenses made by any such provision, amendment, or law shall be paid into the general fund of the Treasury, and shall not be paid into or credited to the Senate Election Campaign Fund or any other fund or account, so that such increased revenues will go to reduce the budget deficit that would otherwise accrue.

(b) SUPERSEDE.—Subsection (a) shall supersede any other provision of this Act, amendment made by this Act, or any other law unless such other provision, amendment, or law explicitly provides otherwise by specific reference to this section.

BOREN (AND MITCHELL) AMENDMENT NO. 377

Mr. BOREN (for himself and Mr. MITCHELL) proposed an amendment to amendment No. 376 proposed by Mr. MCCONNELL to amendment No. 366 (in the nature of a substitute) to the bill, (S. 3), supra, as follows:

In the amendment strike all after Deficit Reduction in line 4 and insert the following: ".—The amount of increased revenue to the United States that is determined to be attributable to the disallowance of a deduction from income tax for lobbying expenses made by any law shall be paid into the general fund of the Treasury, to reduce the deficit and, to the extent provided by law, shall be used to reduce the role of special interests in congressional elections by funding the provision of benefits to candidates to encourage their agreement to campaign expenditure limits.

KERRY AMENDMENT NO. 378

Mr. KERRY proposed an amendment to amendment No. 366 (in the nature of a substitute) to the bill (S. 3), supra, as follows:

On page 1, after line 9, insert the following:

SEC. 2. FINDINGS AND DECLARATIONS OF THE SENATE.

(a) NECESSITY FOR SPENDING LIMITS.—The Senate finds and declares that—

(1) the current system of campaign finance has led to public perceptions that political contributions and their solicitation have unduly influenced the official conduct of elected officials;

(2) permitting candidates for Federal office to raise and spend unlimited amounts of money constitutes a fundamental flaw in the current system of campaign finance, and has undermined public respect for the Senate as an institution;

(3) the failure to limit campaign expenditures has caused individuals elected to the Senate to spend an increasing proportion of their time in office as elected officials raising funds, interfering with the ability of the Senate to carry out its constitutional responsibilities;

(4) the failure to limit campaign expenditures has damaged the Senate as an institution, due to the time lost to raising funds for campaigns; and

(5) to prevent the appearance of corruption and to restore public trust in the Senate as an institution, it is necessary to limit campaign expenditures, through a system which provides public benefits to candidates who agree to limit campaign expenditures.

(b) NECESSITY FOR LIMITS ON POLITICAL ACTION COMMITTEES.—The Senate finds and declares that—

(1) contributions by political action committees to individual candidates have created the perception that candidates are beholden to special interests, and leave candidates open to charges of corruption;

(2) unconstrained contributions by political action committees to individual candidates have undermined public confidence in the Senate as an institution; and

(3) to prevent the appearance of corruption and to restore public trust in the Senate as an institution, it is necessary to limit contributions by political action committees, while allowing such committees to continue to participate in the political process through other means, such as through independent expenditures.

(c) NECESSITY FOR ATTRIBUTING COOPERATIVE EXPENDITURES TO CANDIDATES.—The Senate finds and declares that—

(1) public confidence and trust in the system of campaign finance would be undermined should any candidate be able to circumvent a system of caps on expenditures through cooperative expenditures with outside individuals, groups, or organizations;

(2) cooperative expenditures by candidates with outside individuals, groups, or organizations would severely undermine the effectiveness of caps on campaign expenditures, unless they are included within such caps; and

(3) to maintain the integrity of the system of campaign finance, expenditures by any individual, group, or organization that have been made in cooperation with any candidate, authorized committee, or agent of any candidate must be attributed to that candidate's cap on campaign expenditures.

FAIRCLOTH (AND OTHERS) AMENDMENT NO. 379

Mr. FAIRCLOTH (for himself, Mr. BROWN, Mr. COATS, and Mr. KEMPTHORNE) proposed an amendment to amendment No. 366 (in the nature of a substitute) to the bill (S. 3), supra, as follows:

At the appropriate place, add the following new section:

SEC. 137. TERM LIMITS FOR CANDIDATES WHO RECEIVE PUBLIC FINANCING.

(a) AGREEMENT.—Acceptance of public financing by a candidate for election to the

Senate or the House of Representatives constitutes an agreement on the part of the candidate, enforceable by the United States, that if the candidate is thereafter elected to the Senate or the House of Representatives, the candidate will seek election to and will serve terms (including the first full term that the candidate serves after receiving public financing) in the Senate or the House of Representatives, or both, aggregating no more than 12 years.

(b) PROHIBITION OF FURTHER PUBLIC FINANCING.—After a candidate has received public financing of campaigns for election to the Senate or the House of Representatives, or both, that result in the candidate's election to terms in the Senate or the House of Representatives, or both, aggregating 12 years, the candidate shall no longer be eligible to receive public financing of a campaign for election to the Senate or the House of Representatives.

(c) REPAYMENT UPON VIOLATION.—A candidate who has received public financing of campaigns for election to the Senate or the House of Representatives, or both, that result in the candidate's election to terms in the Senate or the House of Representatives, or both, aggregating 12 years, shall, within 10 days after again becoming a candidate for nomination for election, or election, to the Senate or the House of Representatives, repay the United States the entire amount of the public financing received by the candidate.

(d) ENFORCEMENT.—

(1) BY THE ATTORNEY GENERAL.—(A) If a candidate who is required to make repayment fails to make full repayment within the 10-day period described in subsection (c), the Attorney General shall bring and shall vigorously prosecute a civil action against the candidate in United States district court to collect the entire amount of the public financing received by the candidate.

(B)(i) The Attorney General shall not have discretion to decline to bring and vigorously prosecute an action as required by subparagraph (A).

(ii) The duty of the Attorney General to bring and vigorously prosecute an action as required by subparagraph (A) shall be enforceable by a writ of mandamus obtained by any citizen of the United States.

(2) BY A CITIZEN.—If the Attorney General fails to bring an action as required by paragraph (1)(A) within 5 days after the expiration of the 10-day period described in paragraph (1)(A), a citizen of the United States may bring a civil action on behalf of the United States, in accordance with the procedures stated in section 3730 (b), (c), (d), and (g) of title 31, United States Code, and the United States shall pay the expenses incurred by the citizen in bringing the action.

(3) ATTACHMENT AND GARNISHMENT.—(A) Upon bringing an action under paragraph (1) or (2), the Attorney General or citizen plaintiff, as the case may be, shall seek, and not later than 5 days after commencement of the action the court shall issue, an order—

(i) attaching contributions that the candidate has received (including funds carried over from prior campaigns) or receives after the date of the order;

(ii) attaching personal assets of the candidate; and

(iii) garnishing the candidate's earnings to be received from the Government and from all other sources,

in an amount that will be sufficient to secure repayment of the entire amount of public financing received by the candidate, plus interest from the date on which the 10-day

period described in paragraph (1)(A) expired to the date of full repayment.

(B) An order under subparagraph (A) shall remain in effect until the entire amount of public financing received by the candidate, plus interest, has been repaid.

(e) REDUCTION OF PUBLIC DEBT.—Funds received by the Treasury from a candidate in repayment of public financing under this section shall be deposited in the sinking fund described in section 3112 of title 31, United States Code, to retire the public debt.

HOLLINGS (AND OTHERS)
AMENDMENT NO. 380

Mr. HOLLINGS (for himself, Mr. SPECTER, Mr. REID, Mr. CAMPBELL, Mr. EXON, and Mr. BRYAN) proposed an amendment to amendment No. 366 in the nature of a substitute) to the bill (S. 3), supra, as follows:

At the appropriate place insert the following:

SEC. . SENSE OF THE SENATE THAT CONGRESS SHOULD ADOPT A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION THAT WOULD EMPOWER CONGRESS AND THE STATES TO SET REASONABLE LIMITS ON CAMPAIGN EXPENDITURES.

It is the sense of the Senate that Congress should adopt a joint resolution proposing an amendment to the Constitution that would—

(1) empower Congress to set reasonable limits on campaign expenditures by, in support of, or in opposition to any candidate in any primary, general, or other election for Federal office; and

(2) empower the States to set reasonable limits on campaign expenditures by, in support of, or in opposition to any candidate in any primary, general, or other election for State or local office.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. FORD. Mr. President, I ask unanimous consent that the Governmental Affairs Committee be authorized to meet for a markup on the nomination of Philip Lader, to be Director for Management, OMB, and the nomination of Sally Katzen, to be Administrator, Office of Information and Regulatory Affairs, OMB.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. FORD. Mr. President, I ask unanimous consent that the Governmental Affairs Committee be authorized to meet on Wednesday, May 26, at 9:30 a.m., for a hearing on the legislation: S. 404, the Federal Employee Fairness Act.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, May 26, at 3 p.m. to receive a closed briefing from the State Department on the administration's policy toward China.

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

SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mr. FORD. Mr. President, I ask unanimous consent that the Subcommittee on East Asian and Pacific Affairs of the Foreign Relations Committee be authorized to meet during the session of the Senate on Wednesday, May 26, at 10 a.m. to hold a hearing on "North Korea's Withdrawal From the NPT: Implications for U.S. Policy."

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Wednesday, May 26, 1993, at 10 a.m. on the Coast Guard reauthorization.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. FORD. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, May 26, 1993, at 2:30 p.m. to hold a closed hearing on intelligence matters.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, May 26, 1993, at 2 p.m. on S. 738, High Risk Drivers Act of 1993.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for an executive session to consider an original bill, title IV, the National Skill Standards Board, of the Goals 2000: Educate America Act, during the session of the Senate on Wednesday, May 26, at 9 a.m. in SD-430.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on improving the student loan system for students and schools, during the session of the Senate on Wednesday, May 26, 1993, at 10 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs

be authorized to meet during the session of the Senate on Wednesday, May 26, 1993, at 10 a.m. to mark up the nominations of Michael Stegman, Joseph Shuldiner, Marilyn Davis, and Andrew Cuomo to be Assistant Secretaries of Housing and Urban Development; and Aida Alvarez, to be Director of the Office of Federal Housing Enterprise Oversight.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, 9:30 a.m., May 26, 1993, to consider pending calendar business.

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

SUBCOMMITTEE ON NUCLEAR DETERRENCE, ARMS CONTROL AND DEFENSE INTELLIGENCE

Mr. FORD. Mr. President, I ask unanimous consent that the Subcommittee on Nuclear Deterrence, Arms Control and Defense Intelligence of the Committee on Armed Services be authorized to meet at 9:30 a.m. on Wednesday, May 26, 1993, in open session, to receive testimony on chemical demilitarization and chemical defense programs in review of the defense authorization request for fiscal year 1994 and the future years defense program.

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

ADDITIONAL STATEMENTS

MEMORIAL DAY, 1993

• Mr. ROCKEFELLER. Mr. President, next Monday, we as a nation will pause to pay tribute to the nearly 1,200,000 military service men and women who paid the ultimate price to gain and defend our freedom and our security. From Bunker Hill to the Argonne, from Iwo Jima, Inchon, and the Mekong Delta to Kuwait City—the price of liberty has been paid for with the sweat, blood, and lives of these brave and selfless men and women.

Memorial Day is the day we set aside to reflect on their solemn sacrifices and honor the memory of those who gave their all in our defense. Some of these service members rest just across the Potomac River on the hillside known as Arlington National Cemetery, in view of this Capitol. It is incumbent upon us, as Members of Congress, vested with the awesome responsibility to send our citizens to war, never to forget their ultimate sacrifice.

Some of my colleagues in the Congress have experienced the sacrifices of military service firsthand—waking up in a hospital without all of their limbs or spending years in enemy prison camps, wondering if they would live to return to their families and their coun-

try. These Members, and the millions of other veterans who have faced the trials of warfare, understand this sacrifice in ways that the rest of us can only imagine. Monday, we honor those former military men and women who cannot look back. I am moved by a quote from Henry Ward Beecher which I feel embodies the spirit of Memorial Day:

They that die for a good cause are redeemed from death. Are they dead that yet move upon society and inspire the people with nobler motives and more heroic patriotism? Ye that mourn let gladness mingle with your tears. It was your son, but now he is the Nation's. He made your household bright; now his example inspires a thousand households.

As chairman of the Senate Veterans' Affairs Committee, I believe that the best way we can honor those who have paid the ultimate price on our behalf is to uphold our responsibilities to their colleagues, who are still with us, by ensuring that surviving veterans receive all they so richly deserve in light of the services and sacrifices they have made for their country. I am very proud of the men and women from every branch and action who have served our Nation with such courage, and I am committed to upholding their honor. I know that my colleagues here in the Congress share my concern for the welfare of the millions of veterans who depend on the Department of Veterans Affairs for quality health care and other benefits and services. They did not fail their country in times of crisis. And now, we must not fail them.●

LOWERING ESTATE TAX EXEMPTION IS WRONG

• Mr. GORTON. Mr. President, last year legislation was introduced in Congress that would have reduced the current estate tax exemption from \$600,000 to \$200,000. The legislation did not pass, but I am afraid that some Members of Congress may try again this year to accomplish that goal. That would be disastrous.

Recently I wrote people in Washington to ask their opinion on lowering the estate tax exemption. Almost everyone who responded opposed this tax hike. Many of the respondents owned or worked on family farms or ranches and were very worried that lowering the estate tax exemption would jeopardize their livelihood. They felt their farms or ranches would have to be sold off in order to pay the higher taxes.

Mr. President, the average farm in Washington State is 421 acres. Most are relatively small operations working on the very thinnest of margins. They cannot afford a huge increase in taxes when a farm or ranch passes on to the next generation.

We have heard for many years about the dwindling number of small family

farms and ranches and we have worked very hard to keep these hardworking people in business. Lowering the estate tax exemption will do just the opposite.

It means that the families who have scrimped and saved all their lives to build a productive business, to build something they could pass on to their children, could find themselves in a terrible situation. Their children would be served a huge tax bill by the IRS and have to sell off assets or land in order to pay the bill. Worse, it could mean bankruptcy for many of the State's family farms and ranches. These are the real life consequences of this proposal.

We must do all we can to protect the property of those who have scrimped and saved in order to carve out a little share of the American dream for themselves and their children, whether it's a rancher, a farmer, a small businessman, a retired teacher. These people have worked very hard their entire lives to create something they can pass on to their children, to leave them a legacy. It is incomprehensible that some would try and take that away by reducing the exemption. I oppose the lowering of the estate tax exemption and I will continue to fight any attempts to do so.●

U.S. WEST

• Mr. KERREY. Mr. President, on May 17, U.S. West and Time Warner announced a strategic partnership to create an information superhighway to deliver interactive communications, entertainment and information to the home.

The purposes of the partnership is to provide consumers with immediate access to movies, programming, video games, computer data bases and services, which I hope will also include a significant amount of education and training information.

The new partnership is in many ways simply the manifestation of developments which have been evolving as the telecommunications, computer, software and related industries have converged. It is simply a market recognition that in the electronic age, the structure of the industry is going to be different. It brings together U.S. West's telecommunications expertise, including the switching capabilities which it—and the other regional bells—enjoy, and the cable infrastructure and programming capabilities of Time Warner. It is but a harbinger of things to come.

Ironically enough, Mr. President, my constituents in Nebraska—which U.S. West serves—do not stand to benefit, at least in the near term, from this new arrangement. Because of the 1984 Cable Act, U.S. West could not have entered into a partnership with a cable company in its service area. Additionally, restrictions in the modified final judg-

ment [MFJ] continue to hamper the regional bells both in region and outside their service area.

But, that is only one of the longer term regulatory issues which are beginning to surface as a result of this alliance and other agreements which we can expect in the near future.

It is only the beginning of questions about local service competition and long distance connections.

Earlier this week, I commented on the Ameritech filing which seeks a number of changes in the way both local and long distance services are provided. I urged the FCC to review carefully the Ameritech proposal. I think it is important that the FCC do so.

But I also believe that it is time to begin a more comprehensive review of telecommunications and related policy. The world market for telecommunications, computer and related industries have been estimated by John Scully of Apple Computer at \$3.5 trillion by the year 2002. In the knowledge or information age, those who succeed are likely to be those who know how to access and use information. Technology offers opportunity but it also forces adjustment. Benefit will not naturally accrue to all. I do not believe that the Government should pick winners and losers. I do not believe that the Government should do what the private sector can do. But, I do believe that Government needs to provide the investment and regulatory environment which will allow the United States to participate fully in the multimedia world. And I believe there are equities, such as universal service and educational and public service offerings, which must be preserved.●

TRIBUTE TO HAROLD WHITE

● Mr. MCCONNELL. Mr. President, I rise today to pay tribute to one of Kentucky's outstanding citizens, who has shown how much can be accomplished through hard work and dedication to a lifelong dream.

Harold White has been a pioneer in Kentucky's lumber industry from the age of 19 when he sold lumber from the bed of an old truck. Today, Harold White Lumber, Inc. employs 85 employees and sales volume has exceed \$9,400,000. Recently, Harold was named 1993 Exporter of the Year by the U.S. Small Business Administration, an outstanding accomplishment.

Harold White began Harold White Lumber, Inc. in 1968 with four employees, one truck, and one forklift. At that time, a majority of the lumber was shipped to the Carolina furniture belt. Following a severe recession in the lumber industry, domestic furniture production came to a virtual standstill. Harold saw the need for diversification in the industry and recognized the potential of export markets

could play in the lumber industry. In 1978, Harold constructed his first set of dry kilns so that the company could enter the export markets with kiln dried lumber. This foresight has allowed export sales to account for almost 60 percent of the company's sales. Hard work, a benevolent attitude, and good decision making has resulted in one of the largest small businesses in eastern Kentucky.

Helping Harold in the lumber business is his wife, Barbara, and their five children. In addition to running an excellent business, Harold and his family are also very involved in community-oriented projects. Following Hurricane Andrew in 1992, Harold sent supplies and trained individuals for the relief effort. Harold has sponsored several less-fortunate students at his alma mater, the National Hardwood Lumber Grading School in Memphis, TN. He was a charter member of the Kentucky World Trade Center, which assists other businesses in becoming competitive on a global market. Harold is also a founding member of the Kentucky Forest Industries Association which tackles environmental concerns as well as assisting in different aspects of the industry.

I congratulate Harold White for being a successful businessman and also being a kind and generous man to his community and others.●

LEAVE SOCIAL SECURITY ALONE

● Mr. GORTON. Mr. President, we have heard a lot of talk recently about taxes, spending cuts, and balancing the Federal budget. While most of us agree on the goal of reducing the deficit and achieving a balanced Federal budget, we do not necessarily agree on how to accomplish those goals.

Unfortunately, some Senators, House Members, and even our President have decided that we should tap into the Social Security system to raise necessary revenues. That is wrong.

Initially, the President floated a proposal to limit COLA's on Social Security as a way to reduce the deficit. I spoke out against this, along with some of my colleagues, on the Senate floor and the President chose not to pursue this policy. We hardly had time to breathe a sigh of relief when the President announced he would seek a 70 percent tax hike on Social Security. As if the tax hike was not bad enough by itself, the President also announced that the money raised by this tax hike on Social Security will go into the general fund, not back into the Social Security system.

I was very alarmed by this proposal because I felt it would unfairly impact our seniors. Recently, I wrote to people in Washington and asked them what they thought about limiting COLA's and taxing Social Security. Almost unanimously, they opposed these ef-

forts. And even among those few who supported the tax hike on Social Security, most felt it should kick in at a much higher income level than is currently proposed.

The people who wrote back said, and I believe, that the Social Security system should not be used for anything but what it was intended for, to provide retirement benefits for America's seniors. We should not be cutting benefits when the system has a \$300 billion surplus, and we should not be taxing these benefits to fund other programs. The new proposal by the Clinton administration to tax Social Security and use that money for the general fund is unacceptable.

Social Security is solvent, it runs a surplus. But because it is one of the few Government programs that actually is working, some people regard it as a cash cow. I am very worried, as are the people in Washington, that attempts to tax or tinker with Social Security will jeopardize its solvency.

I have heard from the people of Washington State and they have spoken loud and clear: "Leave Social Security alone." I agree with them 100 percent and will fight any attempts to tax, cut, or tamper in any way with Social Security.●

LINCOLN SCHOOL CELEBRATES EARTH WEEK

● Mr. BAUCUS. Mr. President, a few weeks ago, the fourth grade class at Lincoln School in Miles City, MT, celebrated Earth Week. Students Ben Wemmer, Tara Larimore, Stephanie Laney, Ivy Bartz, and Megan Bundy wrote to me to explain what they learned about the importance of taking care of the Earth. Discussions on various environmental topics and picking up garbage were among the many activities scheduled to commemorate the week.

This program, and similar environmental education programs are very important. They represent a significant step toward heightening our Nation's awareness of environmental issues. By teaching our children about recycling, rain forests, and pollution—and the effect that each has on our environment—our children will learn how to be responsible stewards of the planet. What could be more important than that? These young people are our future.●

TRIBUTE TO WICKLIFFE

● Mr. MCCONNELL. Mr. President, I rise today to pay tribute to the town of Wickliffe in Ballard County.

Wickliffe is a small town overlooking two of the world's mightiest rivers. Nestled on a hillside, Wickliffe is located at the confluence of the Ohio and Mississippi Rivers.

The people of Wickliffe thrive on their city's smalltown hospitality and

rural charm. Wickliffe's 300 homes and smattering of businesses do not even have street addresses. The residents take pride in the strong sense of community. Wickliffe is a tightknit community where citizens go out of their way to help friends and neighbors.

One of the popular attractions to Wickliffe is the 8,600-acre Ballard County Wildlife Management Area. A few miles upriver, this is the winter home for tens of thousands of ducks and Canadian geese. This area attracts more than 19,000 hunters from nearly every State each year.

Wickliffe has a slow-paced lifestyle, but it is planning for the future. There is a new park in Wickliffe and plans to develop waterfront property for industry are in the works. Growth will occur in Wickliffe, but not at the expense of losing the smalltown qualities that make it so unique and enjoyable.

I applaud Wickliffe's efforts to preserve simple living and smalltown values, making it one of Kentucky's finest towns.

Mr. President, I ask that a recent article from Louisville's Courier-Journal be submitted in today's CONGRESSIONAL RECORD.

The article follows:

[From the Courier-Journal, April 19, 1993]

WICKLIFFE: IT'S A NICE TOWN WHERE YOU NEED NOT LOCK YOUR DOORS WHEN YOU GO OUT

(By James Malone)

Logic suggests there should be a city with a fast-paced, sophisticated lifestyle at the confluence of two of the world's mightiest rivers, the Ohio and the Mississippi.

Instead, nestled on a hillside overlooking the water, there is Wickliffe—an idyllic town whose 300 homes and a smattering of businesses don't even have street addresses. There were no street signs until the mid-1980s.

It's a community where the postman doesn't ring twice.

"He doesn't ring at all," said Wickliffe Postmaster Ted Roberts. That's because nearly everyone rents one of 586 post office boxes. The Community is too small for home delivery.

Roberts, one of Wickliffe's few African Americans, calls it a nice town.

"I've had opportunities to leave but I have chosen to stay because the people here are wonderful," he said. "They pull together to help anyone that needs it."

Apple cider is the strongest legal drink and hot races in the Democratic primary are on the lips of early risers at the Coffee Shop, a downtown institution for the breakfast crowd in the western end of Ballard County.

Lori Parham, who owns the Coffee Shop, said it's a rare day when she doesn't know the names of every one of her customers. "You'd be surprised at how many walk back to the kitchen and get their own food," she said.

Many residents will confide that they are none the worse off when they forget to lock their doors.

"Seldom anything had happens here," said Teresa Sullivan, editor of the weekly Advance Yeoman newspaper.

Wickliffe probably would be a lot smaller than the 851 who stood up to be counted in

the 1990 census were it not for a profound change in the late 1960s. That's when West Virginia Pulp and Paper Corp., now called Westvaco, built an \$80 million paper mill along the Mississippi just south of town.

Westvaco's presence is subtle but overwhelming. Though the plant's stench sometimes wafts over the town, its high-paying jobs and benefits pump more than \$38 million a year into an otherwise lackluster economy.

Ballard County is home for about 200 of Westvaco's 678 employees, including the mayors of Wickliffe and Barlow, the town just up U.S. 60 from Wickliffe. The average hourly wage is \$17.50.

The mill is built on 2,000 acres and the company owns some 230,000 acres of timberland, most of it in Western Kentucky and Tennessee. Westvaco's investment has grown to \$1 billion, said Sandra Jones, a plant spokeswoman.

You can see Westvaco's finished product by reading National Geographic magazine. The mill started producing the glossy paper after a \$170 million addition that went on line in 1990. Westvaco also produces about 75 percent of the paper on which those annoying little subscription offers that fall out of magazines are printed.

The mill is what brought Wickliffe Mayor Sylvio L. Mayolo to town.

"Not many people around here with a name like that," he quips.

Mayolo, a West Virginia native, is Westvaco's quality control superintendent and came with the mill in 1969. He looked at Paducah and other towns but he and his wife liked Wickliffe the moment they saw it.

"This is not your New York City, rush time of living," Mayolo said.

Mayolo is Wickliffe's biggest booster, showing off a new park and explaining plans to develop waterfront property for industry. He's proud of the recent improvement in the city's fire-safety rating, giving homes and shops a break on insurance rates. He says the city, along with Ballard County, is preparing to give everyone a house number.

The most important issue facing the community is stemming the exodus of young people, says Mayolo.

He and others are at a loss to explain why Wickliffe can't seem to grow or even maintain its population, which is down some 200 from the 1960s.

Ironically, while Westvaco spends millions to control noxious odors, a fledgling Wickliffe business is making a name of its own creating fragrances.

A visitor might have a hard time finding the manufacturing arm of Hillhouse Naturals Farm. It's on Ky. 288 east of town, but has no sign and doesn't cater to the walk-in trade.

Full-time farmers for 25 years, owners Shelly and Peggy Batts started the venture about six years ago, and today they ship dried flowers, fruits, herbs and potpourri all over the country and as far away as Japan.

Locals will tell you that jobs are hard to find. The husbands of the women who work at the Coffee Shop all work out of town.

"Around here, you work for the river, Westvaco or farm or go somewhere else," said Dwanda Sullivan, whose husband is a towboat pilot.

Parham, the Coffee Shop owner, said her husband commutes daily to a construction job in Calvert City—about 140 miles round trip.

One of the community's few tourist attractions is the Wickliffe Mounds Research Center, operated since 1983 by Murray State University. Begun with the donation of a 1,000-

year-old Indian village to the school, the excavations and displays draw about 9,000 visitors a year, said Murray anthropologist Kit Wesler.

A common misconception, Wesler said, is that the mounds are burial sites. Actually, the mounds—built by Mississippian Indians between 900 and 1400 A.D.—were raised bases for what were central located town-hall type structures. Archaeological digs have uncovered evidence the mound builders took trade from Wisconsin, the Gulf of Mexico and the Appalachian mountains, said Wesler.

In 1988 thieves broke into the buildings and stole 18 pieces of pottery unearthed from nearby digs.

"Among private collectors, many will buy artifacts without asking questions," Wesler said.

Why the Indians abandoned their riverbank villages around the end of 1400 remains an archaeological mystery.

Another popular attraction is a few miles upriver at the 8,600-acre Ballard County Wildlife Management Area near La Center, the winter home for tens of thousands of ducks and Canada geese. More than 19,000 hunters from nearly every state in the union come to the region each year.

The influx of hunters might account for the abundance of restaurants and small motels, which line the long straight stretches of U.S. 60.

If Wickliffe has a matriarch, she is 80-year-old Mildred Swain Maxberry, proprietor of the Swain Motel and for 20 years the city's tax collector.

Maxberry came to Wickliffe in 1934 and since 1952 has managed the 17-room hotel next to City Hall. She also has been executive secretary for the Red Cross in Ballard County for 30 years and at age 73, she took on the chore of becoming the agency's local caseworker.

Her living quarters in the hotel are trimmed in virgin oak and decorated with antiques. In her youth, Maxberry played bridge and traveled to St. Louis to see the theater. Maxberry said she wouldn't think of leaving.

"I like the people," she said. "They are so friendly. They'll do anything for you." But Maxberry has seen Wickliffe go from seven doctors to just one. The number of stores has also declined.

"What's our future? I don't know," said Maxberry.

It's the past that occupies Kathleen Rollins, founder of the Ballard-Carlisle Historical Society. In the basement of the Ballard County Courthouse, she has doggedly built up a collection of the faded pictures and yellowed words from the past on Ballard and neighboring Carlisle counties. Begun in 1988, the group's membership has swelled to near 70.

"Too many communities have been destroyed and no one cared," said Rollins, a former deputy county clerk.

The society is nearing the end of a three-year project to publish an extensive history of the two counties.

Wickliffe was laid out in January of 1880 and is the namesake of Charles Wickliffe, a state legislator and officer in the Confederate army.

Originally settled on the riverbank, the town relocated to higher ground around 1906 after experiencing more than its share of high water.

Wickliffe, earlier known as Fort Jefferson, became the Ballard County seat soon after it was surveyed. But that provoked a vigorous legal challenge from Blandville where, in

1842, the county court had started meeting in a tobacco barn. A referendum approved moving the seat to Wickliffe in 1880 after the courthouse in Blendville burned, with the loss of nearly all of the county's records.

Blandville persisted but lost a second referendum in 1884 by 291 votes, then begrudgingly gave up the prestige and benefits of a county seat.

Anecdotal evidence suggests that a pro-Wickliffe faction torched the courthouse in 1880, but no one was ever charged and the arson argument was never pursued.●

PASSAGE OF S. 775

● Mr. BINGAMAN. Mr. President, last night the Senate passed S. 775, the Craig mining bill, by voice vote. I want to take this opportunity to share with my colleagues the points I raised when this bill was before the Energy and Natural Resources Committee. Senator JOHNSTON has been an honest broker in this process, and has the difficult task of marshaling a lot of competing interests to consensus. I look forward to a productive conference that will ultimately produce meaningful mining law reform.

I want to commend my colleague from Idaho for his hard work on this bill. I know that he is as deeply concerned about this issue as I am. But this bill does not include some things I believe are essential to comprehensive mining law reform. There are no provisions for reclamation in this legislation, beyond current law. I am not convinced that this bill proposes appropriate royalty or patenting regimes. I think we need to look closely at the whole question of suitability.

My home State of New Mexico just passed, in the last legislative session, an outstanding mining reclamation bill. Passage of a hardrock mining bill in New Mexico took three legislative sessions, and represented a tremendous effort on the part of hundreds of New Mexicans. We have shared that bill with Senators and staff, and I hope that it will offer some options for Federal reform.

We have been at the task at the Federal level at least as long as it has taken New Mexico to produce a State bill, probably longer. It is time to reach closure on this issue, Mr. President, and fashion a mining regime that makes sense for our country today, and for the future. I am committed to the retention of a mining industry in New Mexico and the West. I am also committed to seeing that Federal land use activities are conducted safely, responsibly, and fairly. These goals are not mutually exclusive.

Nonetheless, we have a long road ahead of us in conference, Mr. President. But I am confident that Congress will ultimately produce a mining reform bill that speaks to the issues that have been raised by so many people. If I am appointed to the conference committee, I intend to work with my

House and Senate colleagues to ensure that we produce an honest and fair bill.●

INTERVIEW WITH AMBASSADOR HERMAN COHEN

● Mr. SIMON. Mr. President, the Assistant Secretary of State for African Affairs during the Bush administration was Ambassador Herman J. Cohen.

He is better known as "Hank" Cohen to those of us who have had the opportunity to know and work with him.

He did a solid, workmanlike job and gained the respect of leaders all over Africa.

I wish him well as he moves to other areas of responsibility for the Federal Government.

Recently, the Center for Strategic and International Studies in Washington published in their Africa Notes an interview with Hank Cohen, conducted by Jannie Botes, an adjunct professor of communication at George Mason University.

I ask that the full interview be published at the end of my remarks.

A couple of things in that interview are worth pointing out. At one point, on the matter of arms, he says:

During the Carter Administration, there were U.S.-Soviet discussions about limiting arms deliveries to the Third World. Nothing ever came of those talks. It might now be timely to readdress ways of limiting exports. Unfortunately, since the end of the cold war there are more and more countries that depend on arms exports as their main source of foreign exchange earnings.

This is an area where we still have to do more.

One of the little-known stories of Africa today is the spread of democracy. At another point in his interview, Cohen says:

We really can't accomplish our mission of furthering economic development in Africa unless it is in a democratic context. I believe that sincerely, and not just for ideological reasons. Our resources will be wasted unless there is accountability, transparency, and popular participation in deciding how these resources are going to be spent. There is no blackmail or pressure involved, since we are willing to provide financial assistance to the democratization process and we understand that the entire process takes time. Our experience with totalitarian states in Africa is that they are investment-averse, and economic growth is out of the question without private investment.

He also suggests that we have to do more in the environmental area and in the population area, and I have seen the need to do both in country after country in Africa. When asked what advice he would give the new Assistant Secretary of State for African affairs, George Moose, among other things, he says:

We really have to do more in the environmental area. In this, we are pushing on an open door as far as the Clinton administration is concerned. Many parts of Africa are engaged in self-destruction through the elimination of forests and overgrazing of the

land. We need to be more active for everyone's good, including our own. Population management is also vital because the environment can support only so many people and their livestock.

He comments about our failure to respond more vigorously in Liberia. Senator CHARLES ROBB and I had the chance to visit with both sides in the civil war in Liberia 2 years ago. We made a great mistake in backing Samuel Doe, a dictator who did not merit that support. We have done too much in the way of backing dictators. In commenting on the Liberian situation, Hank Cohen does not mention the Samuel Doe part of our history but does add some important comments:

Yes, I believe we missed an opportunity in Liberia. The conflict there started out very small in December 1989. By April-May 1990, it had become quite large. Yet, it was still manageable. We deployed a large Marine amphibious force near Liberia to evacuate U.S. citizens, an operation accomplished with great efficiency. A modest intervention at that point to end the fighting in Monrovia could have avoided the prolonged conflict that Liberia has endured until the present. Even in Somalia, the decision to intervene militarily in December 1992 was late.

Don't misunderstand me. Our hesitancy to intervene with military forces is healthy. As the strongest military power in the world, the United States should not be throwing its military weight around and jumping in to solve every conflict situation with force. Diplomacy should come first. In Somalia, we intervened after diplomacy failed, and our forces accomplished the mission of ending starvation in a remarkably rapid fashion. In Liberia, we did not intervene either diplomatically or militarily. I regret that.

The interview follows:

[From the Center for Strategic and International Studies, Washington, DC, April 1993]

AFRICA NOTES—AN EXIT INTERVIEW WITH "HANK" COHEN

This CSIS Africa Notes interview with Ambassador Herman J. Cohen took place in early April 1993, shortly after he concluded his four-year assignment as assistant secretary of state for African affairs. His successor, also a career Foreign Service officer, is former Ambassador to Senegal George E. Moose. The interview was conducted by Jannie Botes, an adjunct professor of communication as well as conflict analysis and resolution at George Mason University.

Q. Mr. Ambassador, what do you regard as the highlights of your four years as assistant secretary of state for African affairs?

A. When the torch was passed from Chet Crocker to me in 1989, I decided that our highest priority must be the terrible civil wars raging in several countries—notably Ethiopia, Mozambique, Angola, and Sudan. We became involved in seeking solutions to all of them. The fighting has stopped in Ethiopia and Mozambique. We helped achieve a peace agreement in Angola, but the war resumed 18 months later. The situation in Sudan has worsened. Overall, I believe we played a major role in making conflict resolution an important element of African politics.

I also feel good about the emphasis we placed on democratization and economic reform. There have been 15 reasonably democratic elections in Africa since 1989, and I be-

lieve we made a contribution to accelerating the trend toward multiparty democracy. The overall trend toward free market economic systems also has an American imprint. We did more than put pressure on African governments to democratize through linkage to our aid programs. We also established new assistance programs designed to promote free elections, voter education, and the development of civic organizations such as bar associations, women's groups, and chambers of commerce. When I was appointed in 1989, there was virtually no money going to African democratization. Now there is between \$25 and \$50 million available per year.

Q. Were there any personal high points?

A. One of the first directives I received from Secretary of State Baker was to seek a change in the nature of the internal debate on South Africa (between the executive and legislative branches of the U.S. government), which he had considered too divisive in the Reagan era. I did this in part by informing Congress in a formal hearing in October 1989 that U.S. economic sanctions had played a positive role in persuading South African whites to accept the idea of majority rule. This diffused the tension between the administration and Congress, allowing us to work together to influence both black and white South Africans to focus on negotiation of a democratic replacement for the apartheid system.

I am also particularly proud of the leadership role I played in persuading the national security system to accept the concept of a strong military intervention in Somalia. Between January and August 1992, my colleagues who cover East Africa and I were lonely voices calling for an activist policy. While most of the bureaucracy resisted, our message got through to President Bush, who launched our humanitarian (military) airlift in August. In November 1992, the President authorized military action ("Operation Restore Hope") to deliver food and other aid to thousands of starving people in Somalia. It is too early to say whether Somalia is a precedent for future military interventions to deal with humanitarian disasters, but I have the feeling that in Somalia we may have seen the laying of the cornerstone for the new world order.

Looking back at the past four years, I also feel it is important to take note of two major modifications of Organization of African Unity principles and our role in the evolutionary process. First, the principle of non-interference in member nations' internal affairs was substantially changed with regards to the issue of internal conflict. From my first day in office, I began to criticize the OAU's passivity toward Africa's civil wars, stressing the incongruity of the substantial U.S. role in resolving conflicts on the continent while the Africans' own regional body did nothing. The OAU's position is now one of active efforts to resolve civil conflict, including the official blessing given to the Economic Community of West African States (ECOWAS) military intervention in Liberia in 1990. Second, the principle of non-modification of colonial boundaries adopted at the founding meeting in 1963 has been set aside in the case of Eritrea, which has been accorded the right of self-determination and is expected to opt for independence from Ethiopia in the April 1993 referendum. It is my view that the basic principle of preserving colonial boundaries in Africa is still valid, but should not be so rigid as to prevent the dissolution of some "unnatural marriages" such as the one between what was the kingdom of Ethiopia and the Italian colony of Eritrea.

The three-decade conflict in Ethiopia was ended by the defeat of President Mengistu's army at the hands of the Tigrean and Eritrean rebels rather than by mediation. Nevertheless, the relationships we developed during our mediation efforts allowed us to prevent the destruction of Addis Ababa in the final days of the war and to negotiate a rapid exit of the Ethiopian Jews (Falashas) in close coordination with Israel.

Q. To what extent did the end of the cold war determine U.S. actions in Africa during your tenure?

A. The cold war distorted our policy emphasis on economic development, human rights, and democracy. In too many cases, we had to concentrate instead on thwarting the growth of Soviet influence. For example, during my time as senior director for African affairs on the National Security Council (1987-1989), the Soviets tried to obtain submarine and air surveillance bases on the west coast of Africa. In some of those countries, preempting the Soviets took priority over our bilateral political and economic goals. My shift to the Department of State in 1989 came just before the end of the cold war and the beginning of U.S.-Soviet cooperation in solving regional problems worldwide. That made it feasible for me to enlist Soviet assistance in conflict resolution in Angola, Mozambique, and Ethiopia, where Moscow had been deeply involved. Soviet cooperation also extended to the UN Security Council, where they worked with us on establishing peacekeeping operations in several countries.

Q. I recall that you recently described the main U.S. priority in Africa in the 1990s as "economic development so that Africa can stand on its own feet, become productive, and join the international trading system as a full partner." Yet you seem to have devoted most of your time as assistant secretary to working toward the resolution of conflicts in such countries as Angola, Mozambique, and Ethiopia. Is there a connection?

A. We decided early on that conflict was the greatest obstacle to economic development, not only for the affected countries, but for their regional neighbors as well. Massive refugee flows, frontier instability, and trade interruptions made economic growth impossible. It was this reasoning that explains why conflict resolution became the highest priority of my term in office.

Angola and Mozambique were natural follow-ons to the success of my predecessor, Chester Crocker, in orchestrating the many-phased negotiations that led to Namibian independence. These Lusophone countries represented the unfinished business of the Angola-Cuba-South Africa agreements signed in New York in December 1988 that set in motion Namibia's transition to independence. Because of Crocker's success, the United States retained significant prestige as a broker in southern Africa.

We became engaged in Ethiopia because of Secretary of State Baker's desire to collaborate with the Soviets in solving regional problems. Afghanistan and Cambodia were other examples. Ethiopia was a logical African choice for cooperation because of the heavy Soviet involvement there since the 1970s. Liberia was of interest because of the historical relationship, and the active interest of a range of U.S. relief and religious organizations played a significant role in our becoming involved in Sudan.

Q. What were the lessons learned from your experiences in conflict resolution?

A. I learned that rebel groups in civil conflicts usually have legitimate grievances

that are expressed through violence when there is no other outlet. First, it was important to persuade governments in power to view their rebel opposition as fellow citizens with legitimate aspirations. Second, we decided that the end result of any negotiation must be a democratic process. Third, every party to a conflict, whatever the outcome, must feel secure. We therefore had to counsel against any revenge-seeking or threats to hold "Nuremberg trials," which could make the entire process collapse before it begins. Finally, even with a democratic process, a "winner take all" result could not work. In order to feel secure, the losers must eventually participate in a government of national unity.

Q. Did your experience generate particular methods, formulas, or approaches toward resolving conflict?

A. Some important elements of how to handle conflict emerged. For example: (1) the parties need to recognize each other's legitimacy; (2) negotiations should take place without prior conditions, which means that nonnegotiable demands are unacceptable; (3) conflicts involving long periods of warfare create too much bitterness for negotiations to have any hope of success without a mediator, which is another way of saying that mediation is an indispensable conflict resolution tool; (4) agreements should be simple and relatively easy to implement; (5) international security guarantees (e.g., by the United Nations in the form of cease-fire monitors and election observers) should be the objective, and movement toward Security Council resolutions that formally "adopt" agreements (thereby making it harder for one or both sides to violate them later) should be given increased attention; (6) amnesty and forgiveness are critical factors; and (7) the targeted goal should be a government of national unity that includes the loser after an election process is completed.

Q. Are you using the concept of a "mediator" in a literal or specific sense, or in the wider context of "facilitation" and "reconciliation"?

A. When I used the term "mediator," I was thinking of escalated conflict situations where there has been actual combat for a number of years, making it very difficult to arrange communications between warring parties. We saw that in the early stages of the Angolan negotiations when Zaire's President Mobutu hosted talks and characterized his role as limited to that of "facilitator." In practice, this meant placing the two parties in a room with instructions to "talk to each other." Not surprisingly, the entire time was spent exchanging recriminations and insults, and no progress was ever really made. It was not until Portugal's foreign minister became the mediator, established an agenda, and personally engaged in shuttle diplomacy that the Angolans were forced to deal with the issues, and progress followed.

From the beginning of the negotiations in South Africa, neither the African National Congress nor the government wanted an official mediator. The U.S. government did, however, play a helpful informal role behind the scenes. Both parties consulted us and we influenced the process through timely public declarations. I believe, for example, that we were instrumental in moving the black leadership toward the view that a market-based economy is more likely to produce the wealth needed to eliminate the inequalities of apartheid than a heavily socialized economy. We also helped to shape the white leadership's recognition that the way to preclude

any one group or party from achieving a total monopoly of power is through regionalism and a justiciable bill of rights rather than through an entrenched minority veto.

We played a similarly influential "non-mediator" role in Mozambique and Rwanda, where our experts in judicial and military affairs have been making positive contributions. Although we were not the official mediator in either of these conflicts (and in the case of Mozambique not even an official observer), we always has representatives in the town where negotiations took place. They were often consulted on judicial texts or military dispositions. In these informal, non-official mediating roles, the United States acted as a catalyst in breaking down impasses and other barriers to negotiations.

Q. Is it useful, in your view, for the United States to get involved during the early stages of civil conflicts in order to prevent their escalation?

A. Our experience tells us that the earlier the international community addresses conflicts, the better are the prospects for resolution and for avoidance of full-scale war. Good examples are Zaire and Togo, where the U.S., French, Belgian, and German ambassadors became involved in the early stages of democratization when it was clear the governments and their opposition were heading for trouble. Our respective ambassadors have essentially been facilitators, making suggestions during talks with all parties as events unfolded. Their main role has been to try to deter unreasonable demands and unhelpful actions.

Q. Have you encountered roadblocks within the U.S. bureaucracy to becoming involved in African conflict resolution, especially at an early stage?

A. During my four years as assistant secretary, I found a reluctance at senior policy levels to our becoming too extended in attempting to resolve African conflicts. There was the issue of limited resources, and a feeling that we should not take on all of Africa's burdens. Angola was a natural involvement for us because of our cold war assistance to UNITA. Mozambique was attractive because Presidents Reagan and Bush had special relationships with President Chissano. In all of our other African involvements, however, I had to do a lot of in-house persuading to get the United States engaged.

The reluctance to take on new burdens was particularly pronounced during the last 18 months of the Bush administration. I remember being chided at one point because the Africa Bureau was becoming involved in so many African conflicts. My response, only half in jest, was to deny our involvement in "every" conflict. As an example, I pointed out that in Somalia we were concentrating solely on humanitarian relief and were keeping our distance from any political mediation. Twelve months later, of course, Somalia became one of our largest-scale peace-making commitments, not only in Africa but the entire world.

Q. Is the United States concerned about the expense associated with resolving conflicts in Africa?

A. I don't think this has been or should be a major factor. The expenses for our low-key initiatives are not high. It only becomes expensive when peacekeeping and cease-fire monitoring come into the game. Even these costs are minimal compared to the high price of taking care of humanitarian disasters involving famine and refugee flows. Prevention through early conflict resolution is worth every penny because much larger costs are avoided later on.

Q. What do you believe should be the role in conflict resolution of continental or regional organizations such as the Organization of African Unity and the Economic Community of West African States?

A. I believe that regional organizations are the answer for the future of conflict resolution in Africa. Neither the United States nor the United Nations has the energy or resources to step in and "solve" every conflict. The first choice should be a regional effort. Only when there is a horrendous problem like Somalia should the wider community take charge. I am very encouraged by the ECOMOG operation in Liberia. This regional military initiative saved the city of Monrovia from starvation and is slowly bringing Liberia to a point where a democratic process can begin. The Organization of African Unity, in a modest way, has been working to keep the peace in Rwanda. Secretary General Salim Salim warrants a special tribute for his efforts to bring the OAU into conflict resolution against its historic tendency to avoid interference in internal affairs. I believe that we should help the OAU secretariat develop its conflict-resolution capability.

Q. How much of a problem are the large stocks of arms that accumulated in many African countries during the cold war? Can conflicts be resolved and democracy achieved under the menace of these arms stocks and the large size and political role of militaries?

A. The main way to alleviate the arms problem is the process of conflict resolution itself. As long as conflict is ongoing, combatants will find ways of arranging and financing arms purchases. There are also other interesting initiatives taking shape. The World Bank and other donors are talking about setting criteria for arms budgets. If, for example, a developing country spends more on arms than on education or health, then why should the international community provide assistance?

Q. Is it possible to help African governments reduce their militaries?

A. I believe that assistance focused on demobilization is a good way to use military assistance funds. This would involve providing incentives to ex-soldiers in the form of retraining and starts for small businesses and other vocations. Otherwise, reducing military manpower could usher in an era of armed banditry. Although U.S. economic assistance to Africa has remained steady, military assistance has been reduced drastically in recent years, from a high of some \$250 million annually to about \$25 million now. I believe it would be a good investment to help those African countries with large armies to demobilize so that development can proceed. That would be military assistance better spent than during the days of the cold war when we supported some unsavory leaders with arms aid.

Q. What do you believe are the prospects of diminishing the disproportionate role that military and other security forces play in many African societies?

A. Among the major impediments to democracy in Africa are bloated militaries that do not accept civilian rule and do not accept democracy in any form. I consider it important, therefore, that we continue our longtime program of inviting African military personnel to the United States for training under our International Military Education and Training (IMET) programs. In addition to teaching military skills, IMET also exposes the African participants to the military's role in a democratic society.

Q. Some argue that Africa's lack of a democratic tradition (in the Western sense)

is one of the major obstacles to stability and peace on the continent. What is your view?

A. I have never demanded that Africa adopt the U.S., Westminster, or French forms of democracy. My preference is for generic terms such as the right to participate, the right to change governments, the right to have a voice in policy, and the right to speak out without fear of persecution. If there is an African model that would include these rights, then I am all for it. Must such a model include elections? I find it hard to see how Africans can exercise their democratic rights without elections. Power-sharing through proportional representation and federal structures is the best way to impart a feeling of security to all groups in Africa's ethnically diverse societies. Fear and insecurity start when one ethnic or political group achieves a monopoly of power, even if it is done through democratic means.

Q. During your tenure, U.S. development assistance to Africa became directly linked to democratization for the first time. How successful do you think this policy has been?

A. The end of the cold war and the complications it imposed on our relationships in Africa made linkage between aid and democratization feasible. My support for the linkage was particularly motivated by its relevance to our policy regarding South Africa. How could we insist on democratization in South Africa without giving the rest of Africa equal treatment? If we were tough on the whites in South Africa, shouldn't we be equally tough on governments such as Mengistu's in Ethiopia and Mobutu's in Zaire? Our double standards were beginning to grate. We also concluded that the one-party state was a major inhibitor of economic growth. Investors are not going to put money in countries that do not have the rule of law, and where the quality of governance causes widespread human suffering. Another factor was that a new generation of educated African elites is demanding democratization in emulation of the emerging democracies of Eastern Europe. In the final analysis, our policy is really following an African lead.

Q. How do you respond to the view that a policy linkage between aid and democratization is an unacceptable form of political pressure?

A. We really can't accomplish our mission of furthering economic development in Africa unless it is in a democratic context. I believe that sincerely, and not just for ideological reasons. Our resources will be wasted unless there is accountability, transparency, and popular participation in deciding how these resources are going to be spent. There is no blackmail or pressure involved, since we are willing to provide financial assistance to the democratization process and we understand that the entire process takes time. Our experience with totalitarian states in Africa is that they are investment-averse, and economic growth is out of the question without private investment.

Q. In Angola, the refusal of UNITA to accept the results of the first-ever multiparty election in September 1992 may be seen as a major setback to democratic change in Africa. Are there lessons there for Mozambique?

A. With regard to Angola, I do not want to absolve UNITA of responsibility for the breakdown of the process. Its leadership agreed to play the democratic game. UNITA lost an election that the UN monitoring teams declared free and fair, reneged, and bears full responsibility for the resumption of war. Nevertheless, there are some valuable lessons to be learned from what has taken place.

The agreement to hold the election was flawed because it called for the two sides to implement the agreement without a third party or a referee. So the various oversight bodies created were constantly deadlocked. The official observers (Portuguese, U.S., and Russian) were there and made suggestions, but had no capability to force resolution of impasses. The Mozambique accords are an improvement on the Angolan experience because the United Nations will chair the various implementing bodies.

Another problem in Angola was that the number of cease-fire monitors was inadequate. The MPLA government rejected a large UN presence because of concern for its own sovereignty. Consequently, there were too few monitors to detect the extensive hiding of troops (by both sides) outside the required assembly areas. There will be over 7,000 monitors in Mozambique compared to only 400 in Angola.

Finally, we were all in too much of a hurry for an election. We should have insisted that the sequencing be fully respected in regard to security arrangements (encampment, disarmament, and formation of a national army) before the election was held. It has been agreed that Mozambique will follow this rule.

Q. How do you get people who have spent 10 to 15 years as guerrilla fighters to accept psychologically that they could possibly lose an election? Should the leaders of warring factions be prepared in some way so that they can emotionally accept defeat at the ballot box?

A. You are right, Dr. Savimbi of UNITA clearly felt that the MPLA government, after so many years of mismanagement, should be rejected by the electorate. In addition, his campaign workers told him that he could not lose. His campaign, however, alienated the voters because he stressed militarism as opposed to peace and reconstruction. He frightened the voters with his military approach because Angolans were sick of war. UNITA therefore lost an election it should have won. Prior to the election, the United States provided training to cadres from all political parties in what democracy was all about, including the role of the losing opposition. But we only scratched the surface. I also believe that we should provide advice on how to run a campaign. We did not help UNITA because we wanted to be completely neutral.

Parties coming out of the bush also need financial assistance. In Mozambique, Frelimo benefits from having been the government party over the years. As it comes out of the bush, Renamo must start from zero. It is quite legitimate, therefore, to help Renamo financially. I am also leaning toward the conclusion that even before a democratic process gets under way, a certain amount of cohabitation in the form of power-sharing arrangements might be worthwhile to build mutual confidence.

Q. At the moment, domestic priorities seem to have marginalized foreign aid in Washington policy-making circles. To what extent does this situation jeopardize future U.S. funding for Africa?

A. I see no indication that assistance to Africa will decrease. After all, Africa has never been a "fat cat" in the hierarchy of U.S. assistance. Our overall development assistance level to Africa has remained steady at around \$800 million per annum for the last few years—despite the increased focus on Eastern Europe and the former Soviet Union. I see no sentiment that aid to Africa should be reduced. Indeed, the pro-Africa constitu-

ency is growing, especially in Congress. Our humanitarian aid levels will continue to make our overall annual assistance about \$1.5 billion. The United States is not the only donor to Africa and is by far not the main donor. If you add all of the assistance from the European Community, France, Belgium, Germany, Japan, and the United Kingdom, as well as the World Bank, the International Monetary Fund (IMF), and the United States, resource flows to Africa should be sufficient to fuel growth provided economic and political reforms are seriously adopted.

Q. Does a total of \$800 million in foreign aid to sub-Saharan Africa compared to \$3 billion to Israel and \$2.1 billion to Egypt mean that Africa is a low U.S. foreign aid priority?

A. For geopolitical reasons, Egypt and Israel are the top-ranking bilateral foreign aid recipients. This does not mean, however, that Africa is being neglected. Far from it. In addition to direct assistance, the United States provides 25 percent of World Bank, IMF, and UN resources. As much as 50 percent of these resources go to Africa. If you add up the total international resource flows to Africa, the continent is clearly far from being marginalized.

Q. According to a recent statement by the chairman of the Subcommittee on Africa of the House Committee on Foreign Affairs, the continent's debt has tripled in the last decade from \$56 billion in 1980 to \$173 billion in 1990. What will the impact of this deepening debt burden be on peaceful change, development, and political stability toward the end of the century?

A. The debt overhang is the greatest single economic inhibitor to growth in Africa. Even with conflict resolution, economic reform, and democratization, the debt burden will make it extremely difficult for African states to escape the syndrome of sending all of their export earnings out of the country in order to service debt. It is vitally important that the international community do more to make it less onerous for African governments to service their debt over a longer period of time and also forgive as much debt as possible.

Q. To what extent has it been beneficial during your tenure for the United States to coordinate its policies with other countries dealing with Africa?

A. The United States enjoys considerable prestige in Africa, but there are other governments with even more influence in certain countries. France and the United Kingdom have strong voices in many of their former colonies. The Germans and the Japanese are major aid donors and trading partners who can make a big impact. If the external friends of Africa can speak with one voice on specific issues, we can achieve a lot more. Our combined pressures on Kenya and Malawi in 1992 stimulated major changes in those countries.

Q. What comment or advice would you offer Ambassador George Moose, your successor as assistant secretary of state for African affairs?

A. First of all, I would advise that respect for the United States has never been higher in Africa. The results of the cold war have had a marked effect on how Africans view us. Our work in conflict resolution in Angola, Ethiopia, and Mozambique has given us a good reputation in that area of endeavor. In addition, our own democracy serves as a beacon and as a role model. Above all, many Africans feel that the moral guarantee of the United States is important to assure the success of the conflict resolution agreements they achieve.

My advice to my successor, therefore, is to be very activist, to get involved. I believe Africans welcome our activism. They want our assistance, advice, and counsel. Don't be shy about that.

Q. Is there any one concern regarding Africa that warrants special emphasis?

A. We really have to do more in the environmental area. In this, we are pushing on an open door as far as the Clinton administration is concerned. Many parts of Africa are engaged in self-destruction through the elimination of forests and overgrazing of the land. We need to be more active for everyone's good, including our own. Population management is also vital because the environment can support only so many people and their livestock.

Q. Are there any examples of incidents you look back on and think you could have done differently or better?

A. Yes, I believe we missed an opportunity in Liberia. The conflict there started out very small in December 1989. By April-May, 1990, it had become quite large. Yet, it was still manageable. We deployed a large marine amphibious force near Liberia to evacuate U.S. citizens, an operation accomplished with great efficiency. A modest intervention at that point to end the fighting in Monrovia could have avoided the prolonged conflict that Liberia has endured until the present. Even in Somalia, the decision to intervene militarily in December 1992 was late.

Don't misunderstand me. Our hesitancy to intervene with military forces is healthy. As the strongest military power in the world, the United States should not be throwing its military weight around and jumping in to solve every conflict situation with force. Diplomacy should come first. In Somalia, we intervened after diplomacy failed, and our forces accomplished the mission of ending starvation in a remarkably rapid fashion. In Liberia, we did not intervene either diplomatically or militarily. I regret that. Fortunately, ECOWAS was there to do that job after we decided not to assume a leadership role.

My bottom line for U.S. involvement in African conflicts is that an activist approach almost always provides opportunities for us to do some good, although sometimes not in ways that we envisage when we start. The reason we can expect such opportunities is that since the end of the cold war, U.S. prestige and admiration for our values have never been higher in Africa.

Before his appointment as assistant secretary of state for African affairs in 1989, Ambassador Herman J. Cohen was (1987-1989) senior director for African affairs on the National Security Council. He was the Department of State's deputy assistant secretary for personnel from 1984 to 1986; principal deputy assistant secretary of the Bureau of Intelligence and Research (1980-1984); U.S. ambassador to Senegal and Gambia (1977-1980); and political counselor in the U.S. embassy in Paris (1974-1977). In his earlier career, he served as deputy chief of mission in the U.S. embassy in Zaire and in a range of economic and administrative posts in other African countries. He received the Department of State's Superior Honor Award in 1989, the French Legion of Honor in 1990, and the Belgian Order of Leopold II in 1992. ●

SESQUICENTENNIAL CELEBRATION OF ST. AUGUSTINE'S PARISH

● Mr. LEVIN. Mr. President, in 1843, Rev. Patrick O'Kelly and 13 families,

mostly Irish immigrants, founded St. Augustine's Roman Catholic Church. In 1846, they built a small wooden framed building in Deerfield Township, Livingston County, MI, thus establishing a spiritual home for the congregation.

Some 50 years later, in 1895, Rev. George J. Maurer directed the construction of a brick and hammered stone building on the original site of the first church. And that charming structure, lovingly maintained and restored by its parishioners, is still being used for daily worship by over 290 families.

For 150 years, St. Augustine's has been a place of worship and a center for community events in this rural township. It is one of the three oldest Roman Catholic parishes in Michigan.

In August of this year, Father Carl Simon and his congregants will commemorate the sesquicentennial of St. Augustine's at a special Mass and banquet. I wish to send my greetings and congratulations to all those who will participate in this joyous celebration. ●

BUDGET SCOREKEEPING REPORT

● Mr. SASSER. Mr. President, I hereby submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under section 308(b) and in aid of section 311 of the Congressional Budget Act of 1974, as amended. This report meets the requirements for Senate scorekeeping of section 5 of Senate Concurrent Resolution 32, the first concurrent resolution on the budget for 1986.

This report shows the effects of congressional action on the budget through May 21, 1993. The estimates of budget authority, outlays, and revenues, which are consistent with the technical and economic assumptions of the concurrent resolution on the budget (H. Con. Res. 287), show that current level spending is below the budget resolution by \$2.1 billion in budget authority and \$0.5 billion in outlays. Current level is \$0.5 billion above the revenue floor in 1993 and above by \$1.4 billion over the 5 years, 1993-97. The current estimate of the deficit for purposes of calculating the maximum deficit amount is \$392.4 billion, \$28.4 billion below the maximum deficit amount for 1993 of \$420.8 billion.

There has been no action that affects the current level of budget authority, outlays, or revenues since the last report, dated May 19, 1993.

The report follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 24, 1993.

Hon. JIM SASSER,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The attached report shows the effects of Congressional action on the budget for fiscal year 1993 and is current through May 21, 1993. The estimates of bud-

get authority, outlays, and revenues are consistent with the technical and economic assumptions of the Concurrent Resolution on the Budget (H. Con. Res. 287). This report is submitted under Section 308(b) and in aid of Section 311 of the Congressional Budget Act, as amended, and meets the requirements for Senate scorekeeping of Section 5 of S. Con. Res. 32, the 1986 First Concurrent Resolution on the Budget.

Since my last report, dated May 18, 1993, there has been no action that affects the current level of budget authority, outlays, or revenues.

Sincerely,

ROBERT D. REISCHAUER,
Director.

THE CURRENT LEVEL REPORT FOR THE U.S. SENATE, 103D CONGRESS, 1ST SESSION, AS OF MAY 21, 1993

(In billions of dollars)

	Budget resolution (H. Con. Res. 287)	Current level ¹	Current level +/- resolution
ON-BUDGET			
Budget authority	1,250.0	1,247.9	-2.1
Outlays	1,242.3	1,241.8	-0.5
Revenues			
1993	848.9	849.4	+0.5
1993-97	4,818.6	4,820.0	+1.4
Maximum deficit amount	420.8	392.4	-28.4
Debt subject to limit	4,461.2	4,190.4	-270.8
OFF-BUDGET			
Social Security outlays:			
1993	260.0	260.0	
1993-97	1,415.0	1,415.0	
Social Security revenues:			
1993	328.1	328.1	(?)
1993-97	1,865.0	1,865.0	(?)

¹ Current level represents the estimated revenue and direct spending effects of all legislation that Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made. The current level of debt subject to limit reflects the latest U.S. Treasury information on public debt transactions.

² Less than \$50,000,000.

Note: Detail may not add due to rounding.

THE ON-BUDGET CURRENT LEVEL REPORT FOR THE U.S. SENATE, 103D CONGRESS, 1ST SESSION, SENATE SUPPORTING DETAIL FOR FISCAL YEAR 1993 AS OF CLOSE OF BUSINESS MAY 21, 1993

(In millions of dollars)

	Budget authority	Outlays	Revenues
ENACTED IN PREVIOUS SESSIONS			
Revenues			849,425
Permanents and other spending legislation	764,283	737,413	
Appropriation legislation	732,061	743,943	
Offsetting receipts	(240,524)	(240,524)	
Total previously enacted	1,255,820	1,240,833	849,425
ENACTED THIS SESSION			
Entitlements and Mandatories			
Budget resolution baseline estimates of appropriated entitlements and other mandatory programs not yet enacted	(7,928)	962	
Total current level ¹	1,247,892	1,241,794	849,425
Total budget resolution ²	1,249,990	1,242,290	838,890
Amount remaining:			
Under budget resolution	2,098	496	
Over budget resolution			535

¹ In accordance with the Budget Enforcement Act, budget authority and outlay totals do not include the following in emergency funding:

(In millions of dollars)

	Budget authority	Outlays
Public Law:		
102-229		712
102-266		33
102-302		380

(In millions of dollars)

	Budget authority	Outlays
102-368	960	5,873
102-381	218	13
103-6	3,322	3,322
103-24	4,000	4,000
Offsetting receipts	(4,000)	(4,000)
Total	4,500	10,333

² Includes revision under Section 9 of the Concurrent Resolution on the budget.

Notes: Amounts in parentheses are negative. Detail may not add due to rounding. ●

CONFERENCE ON AFRICA

● Mr. SIMON. Mr. President, during a conference on Africa I organized in Chicago on May 1, 1993, a thoughtful keynote address was presented by John W. Casey, the Secretary General of the World Alliance of YMCA's. Mr. Casey effectively argued for the need for increased attention to African economic development, concentrating on the training of grassroots African leaders, and working within the context of African—rather than Western—culture. Mr. Casey's comments are cogently and persuasively presented. I ask that his remarks be inserted into the RECORD.

The remarks follow:

REMARKS OF JOHN W. CASEY, SECRETARY GENERAL, WORLD ALLIANCE OF YMCA'S

First, I would like to thank our distinguished U.S. Senator—my Senator, the Honorable Paul Simon, for organizing and giving leadership to this important Conference on Africa. His role as a member of the Senate Foreign Relations Committee, and Chairman of its Subcommittee on Africa, together with the presence of a new administration in Washington, gives hope for a thorough re-evaluation of U.S. foreign policy toward Africa and, hopefully, a new commitment to assist in the development of the nations of that continent.

This Conference is timely also because Africa is going through a most turbulent time with the current level of human tragedy and suffering having no precedence in recent history. There are at least a dozen—or more civil wars and tribal clashes (ethnic cleansing) raging across the continent which have attracted little media attention from the West. The more publicized wars in the Horn of Africa—Sudan, Somalia and Ethiopia—and Southern Africa—Mozambique and Angola—have claimed tens of thousands of lives and have destroyed the fragile infrastructure of those countries. The economics of Africa are collapsing like dominos and currencies have devalued so rapidly that one has to have a pocket full of worthless bank notes to purchase a loaf of bread or a kilo of flour. Coffee, tea, peanuts, cotton and other agricultural products have lost value in the world market. Education, health and veterinary services, and agriculture have virtually come to a standstill because of moribund economies and absence of investment. Africa has the highest number of externally indebted countries of any region of the world and are in hock to the West for some 260 billion in loans. The continent has been repeatedly hit by severe drought over the past decade that has required billions of dollars in foreign assistance in the form of emergency and humanitarian aid instead of much needed long term development funds. The Sahel drought of 1984 will be remembered by Americans and Europeans because of the public

arousal through rock concerts and other public events. Another, equally devastating drought hit the Horn of Africa and Southern Africa just two years ago but that did not receive enthusiastic world support despite the fact that 40 million human lives were threatened. Africans are still struggling through the agonizing effects of this latest drought despite the fact that the rains have come to the South and the crops are more plentiful. Despite the horrible scenes of starving and dying children seen on our T.V. screens, there has been considerably less enthusiasm in the West and the trend line shows a pattern of declining interest. Maybe Africa had one drought too many! This is a continent of very complicated and multiple problems—ranging from Apartheid—to dictatorships—fundamentalist oppression—and brutal warlords. Would you believe that there are substantiated reports of live crucifixions of Christians in Sudan by a brutal Islamic fundamentalist government that is financed by, among others, an American ally such as Saudi Arabia, where Americans recently died defending those national interests.

Now, I am not an academician, or a foreign policy expert, or a think tanker, economist or foreign aid expert, but am the Secretary General of a worldwide organization that has an active and growing presence in 28 African countries, including 13 of the 19 countries of Southern Africa and the Horn of Africa. We are an indigenous organization in Africa with each of our YMCAs in African countries being fully autonomous, independent and governed and staffed by citizens of Africa. While American and European relief agencies enter in response to various disasters, eventually they also leave and in the process do not strengthen the capacity of African institutions but prefer to take their know-how back home from where they came. Knowledge is power and power fosters dependency. I watch my colleagues in Africa struggle to build their African institutions and fully realize that the only successful future for Africa must be led and controlled by the indigenous governmental and non-governmental leaders in Africa. In this post-colonial and post-superpower competition era—despite the internal disorders and seeming chaos of Africa—Western countries and Western institutions have never had a better opportunity to help support the development of democratic institutions and the political, economic and social infrastructure of Africa than they do right now. But this will require new concepts, new methods, new citizen partnerships within Africa, and new commitments together with an enlightened understanding of the African way which can be the only way. External prescriptions that are not based in African cultural reality have no chance for success—but will still be encouraged by Africans who are desperate for any resources—good or bad as they may be.

I present this rather dark scenario of Africa so that together with the other presenters at this conference we can underscore the urgency as well as opportunities of these times in Africa: We in the West—Europeans through colonialism, and the United States in recent decades of superpower competition, have contributed immeasurably to the miseries and problems of Africa, and in good conscience must work constructively with Africans in the development of their continental potential.

The entire continent was until the 1960's largely under European colonial domination, mainly British with the exception of Ethiopia which was independent. Germany and Italy lost their colonies (Tanzania, Rwanda,

Burundi, Namibia and Somalia) after the world wars.

The Berlin Conference of 1886 divided Africa at the surveyors's drawing table irrespective of cultural and ethnic realities in Africa. The ongoing consequences of these arbitrary partitions are evident to this day in struggles for control of governance systems that follow tribal/ethnic lines, not surveyor lines.

By the mid-1960's most of the African countries, with the exception of the Portuguese colonies—Angola and Mozambique—gained independence. Political colonial government ended in Africa, but in reality a new economic, colonialism has taken root with the truth being that the West has a tighter, safer and less expensive grip on the continent than in any other time in history.

In the new colonial era, the U.S.A. took interest in the continent from the late 1950's until the recent collapse of communism as a world power. The U.S. used Africa as a buffer zone to halt the spread of communism and in so doing sponsored anti-communist regimes and insurgents, some of whom continue to destabilize government until this very day.

Dictators and exploiters were supported at the expense of the masses and the West nurtured and supported dictators the likes of Mobutu, Moi, Sid Barré, Mengistu, Savimbi, Habiarimana and Eyadema who turned on their Western sponsors and resisted pressures to change. In fact dictators in Ethiopia and Somalia had to be forced out of their palaces at gun point, and in Zair, one still tries to govern from a floating boat in the river.

The end of communism has decreased U.S.A. interest in Africa—our national interests are focused elsewhere such as the potentially lucrative markets in Eastern Europe. Africa represents no real market for American manufactured consumer goods, fast foods or electronic gadgets. Africa does not have ready skilled labor. In some African countries, with the number growing, the vacuum left after the demise of the super power struggle unfortunately is being filled by the rapid spread of Islamic fundamentalism spearheaded by committed enemies of the West. This is fostering tyrannical regimes who have no tolerance for democracy or diversity.

As the continent gets poorer and poorer, many Africans, particularly the qualified and skilled Africans, are fleeing to Europe and the U.S. in search of better living conditions and security. Between 1985 and 1990, Africa lost 60,000 middle and high level managers to Europe who have been replaced by 30,000 high salaried European expatriates who now work in Africa. The brain drain continues.

Almost all foreign policy in the West is established under the rubric of what is called—"national security interests"—be that political or economic in nature. With the exception of the continuing exploitation of the rich natural resources of Africa, Europe and North American have no remaining political or market, national security interests in Africa—in fact almost all U.S. banks have closed their offices and moved elsewhere.

In the absence of hard national interests, what rationale can be offered to persuade Western governments to hold Africa as a priority? The argument must be based on moral and ethical rationale and that is an increasingly difficult argument to make. Unlike other immigrant groups from Europe in the U.S. who for the most part emigrated of their own free will, retained their birth names and brought their cultural traditions

with them, the African-American community who represents almost 15% of our population do not have those advantages and have never been able to overcome their own social and economic disadvantages and deficits. It is difficult to politically organize for the continent of Africa if increasing numbers of African Americans are struggling to survive themselves. Much smaller ethnic groups—such as the Armenians, Poles, Jews and others have effectively influenced U.S. foreign policy related to their ancestral homelands—but as I said earlier, their cultural identities and ties remained whole—and they have prospered economically here in the U.S. But in the absence of clear cut arguments of national security interests—economic or political—the moral argument can best—and maybe only be expressed by those of African ancestry. That's the nature and essence of our political system—nobody in the U.S. really cares about Armenia. Poland and Israel other than American Armenians, American Poles and American Jews. The same can be said of Africa. Leadership in the African-American community has long understood this.

The particular region of Africa that we are focusing on today—Southern Africa and the Horn of Africa, is the area of Africa with the most potential. More than 50% of Africa's population South of the Sahara live in this region within the borders of 19 nation states. As a region it is slightly larger than the U.S. and has roughly the same number of inhabitants—250 million. In this region natural resources are abundant—fresh water such as the Nile River and Lake Victoria, natural forests, minerals (gold, diamonds, copper), and others. It is a plateau of rich volcanic top soil, very suitable for agricultural production. The economic potential of these natural resources is great, but in spite of that the region is plagued by hunger, civil disorders and wars, and massive economic hardships.

The West, through the World Bank and the IMF investments, have failed miserably in halting the economic downturns. In fact the structural adjustment programs (SAPs) have had destabilizing effects in many countries. Democratization, as conceptualized in the West, has proved hard to achieve in Africa. When the Zambia government stopped the subsidy of maize meal (which is the staple food in this part of Africa) in bowing to the pressure of IMF to liberalize the economy, the people rioted, caused millions of dollars in property damages, and the government had to retract its decision. The IMF required cutbacks of bloated civil service has become problematic because it touches on sensitive issues of tribe, nepotism and clanism.

What I am saying is that economic and political prescriptions and solutions imposed by the West have not worked in favor of Africans and that the dictators still unleash havoc on the people, economies continue to crumble, hunger still abounds and environmental devastation remains unchecked. The new Europe is anti-Africa and is closing its doors to African immigrants and job seekers. There must be some alternatives to this dim scenario and our government, with our counsel and support, must provide some new and fresh leadership.

Just as there is emerging some new thinking on the economic restructuring of Russia with major U.S. aid and loan emphasis on direct relationships with the private and citizen sector as opposed to government-to-government arrangements, the same thinking must increasingly be applied to Africa. Much of the past U.S. government aid to African

governments has ended up in European bank accounts and it is estimated that only 20% ever got to the level of the people. The bureaucracies of these same governments—the civil servants—are enemies of their people. The people are exploited through graft and corruption.

A new emphasis on Africa will be a hard sell at this time given our own serious domestic needs as well as the many international issues that do have substantial "national security interest" implications—political and economic. But the moral argument must be presented and must be considered.

I would suggest that fresh U.S. foreign policy thinking toward Africa should concentrate on three areas:

1. I just referred to an economic development approach that goes around African governments and engages at least three sectors of the African citizenry—education, small business and agricultural development, and indigenous health and social service systems. It is certainly no secret that massive amounts of U.S. aid has been stolen or wasted on white elephant projects that were never completed or that were inappropriate for conditions. Expensive factories, bridges, schools, hospitals, highways, sports complexes, hotels and office blocks which were seen to represent a new era of development were only partially utilized or abandoned before completion.

In the social development area we can identify those private sector national and local agencies and individuals that are involved in grassroots community development activities such as small holder and subsistence farming, health clinics, literacy programs, water development, nutrition, family health, environmental care, housing and the like. We must engage them in direct and new ways so as to strengthen their capacity to grow and serve their people.

In economic development there has been the slow growth of viable formal and informal business enterprise by individuals and groups. This is the sector that we should focus on—the open air market traders, transporters, shop owners, construction and maintenance companies, and the like. These groups are easy to identify through established trade organizations and chambers of commerce and U.S. counterparts can collaborate with them in upgrading skills, production and marketing. In a collaborative process we can find markets for African goods.

2. The second area of concentration should be in the field of education and skills training. At the time of African independence, the U.S. government brought thousands of Africans into this country for higher education and training. After completing their education very few of them returned to Africa thus Africa lost their most qualified professionals, business executives, university teachers and doctors to name a few. This practice has been harmful to Africa because there is a shortage of skilled manpower and trained professionals and Africa has had to import expensive expatriates to replace this loss. I can envision an increased range of U.S. government supported educational exchange and enrichment initiatives that can increase the professional capacities within Africa.

Such programs should be high quality and should emphasize private initiatives—for example, private—mainly church supported education institutions which are currently providing excellent, quality education within Africa. As I said before, government education systems are crumbling and our focus should be on the private sector.

I would offer one word of caution on any future initiatives whether it be in the social, health, business or educational fields, that we enter into processes that are understanding of and sensitive to the wide cultural gaps that exist and that are designed with the African way in mind.

3. Finally, the third area of concentration has to do with more macro economic issues—external debt and international trade policy.

The total debt of both North and sub-Saharan Africa stands about US\$260 billion and represents a critical and never ending drain on much restricted African state budgets. If the U.S. is serious about a moral and ethical approach to African development then new thinking must be applied to this most serious matter. Debt service in declining African economies drains the very life blood out of these struggling economic systems. I think that there ought to be a 10 year debt payment moratorium for all debt distressed African countries together with an outright forgiveness of half the debt amount. Anything short of such an approach will result in a continuing and pervasive choking to death of any hope of African economic recovery.

Obviously such an approach should be applied on a country by country basis and should have tough restrictions in terms of their budgetary and economic growth plans. Violations of agreements could result in debt reinstatement policies. The focus of the agreements should be directed to private sector economic development and the social, educational and health needs of the African people.

The other major economic stimulus initiative should be in the area of U.S. trade policy as represented in the Uruguay Round of trade negotiations under GATT. Sub-Saharan African countries have seen their international trade share fall to one-fourth of its 1960 levels. The least developed countries are among the greatest losers—their already small share of global trade has been halved over the past 20 years—from 8% to 4%. GATT was founded on the principle of non-discrimination, elimination of restrictions on imports and exports, reductions of tariffs and stability of tariffs. In effect GATT has now become an instrument of trade for Europe and North America denying developing countries opportunities for markets worth at least US\$500 billion per year. Products produced by Africans cannot penetrate the lucrative markets in the West. Trade barriers are highest for manufactured goods for which Africa enjoys a competitive advantage—for labor intensive exports such as textiles, clothing and footwear. The market for agricultural produce is also distorted by important barriers and by US\$300 billion a year in subsidies and price supports in industrial countries, reducing the export opportunities for African countries. African economic development cannot occur if it cannot move its products in a world market.

These then are some of my thoughts related to stimulating the economic development of Africa. Much internal reform has to occur within Africa in order to be able to relate to all of these external realities and increasing numbers of Africans are aware of this.

If the United States is serious and concerned about the future of this continent then aggressive re-evaluation of foreign policy must be undertaken and creative and bold new initiatives must be taken. Hopefully this important Conference will help stimulate such action.

Thank you.●

COMMEMORATION OF THE 500TH ANNIVERSARY OF PUERTO RICO

● Mr. BRADLEY. Mr. President, I rise today to commemorate the Puerto Rican community's 1993 celebration of Puerto Rican Heritage Year. November 19 of this year will mark the 500th anniversary of Christopher Columbus' arrival on this naturally rich and beautiful island. It is my honor to recognize Puerto Ricans throughout New Jersey and the Nation as they reflect on their culture, family, history, and home land.

Taino Indians, Puerto Rico's indigenous population, named the island Boriken (Land of the Supreme Lord). According to their religion, Yucahu, their god, lived at the summit of El Yunque, the highest mountain in the northeastern section of the island. It is said that upon Columbus' arrival, he named the island after Saint John the Baptist.

Initial attempts by the Spanish to establish a settlement failed until 1508 when it was founded by Ponce de Leon, the island's first governor. Puerto Rico was under Spanish rule until ceded to the United States in 1898 after the Spanish-American War. Citizens of Puerto Rico gained their full U.S. citizenship in 1917 and Puerto Rico attained its present status as a Commonwealth in 1952. This island, which is now one of the most densely populated areas in the world, is known for its agriculture, tourism, and manufacturing industries.

Since the late 1800's Puerto Ricans have migrated to the continental United States, concentrating mainly in the northeast. The United States and New Jersey have greatly benefited from Puerto Ricans' rich culture, strong values, and significant political and economic contributions. It is most timely to recognize the Puerto Rican community as they celebrate 500 years of struggle and prosperity. Their contributions have served to strengthen this country's democratic system and its social and economic institutions.●

CONDEMNING FOREIGN POLICY RETREATISM

● Mr. D'AMATO. Mr. President, I rise today to address a very disturbing article that appeared in today's Washington Post. In the article, entitled, "Reduced U.S. World Role Outlined but Soon Altered," an unnamed senior State Department official reportedly stated, that the Clinton administration plans to withdraw from "many foreign policy leadership roles" routinely assumed by the United States. This policy line was later denied by the Secretary of State.

I have it on good authority that the unnamed official who made these remarks was the Undersecretary of State for Political Affairs, Peter Tarnoff. Tarnoff made these remarks at a

luncheon for the Overseas Writers Club. These unfortunate remarks reveal the true intent of an administration that is increasingly showing itself to be weak and inept.

This retreatist policy is nothing less than Jimmy Carter's foreign policy warmed over. This policy of malaise was predictable, months ago, when numerous former Carter State Department officials were brought back to serve in the Clinton State Department. As a result, today, the United States—because of its foreign affairs mishaps and broken promises—appears disoriented and confused. Our allies and foes alike view the United States as weak and ineffectual.

We need no further proof of the authenticity of this dangerous policy than the administration's shameful actions in regard to Bosnia. After criticizing President Bush for inaction there, the Clinton administration appears absolutely hypocritical by itself refusing to do anything.

In a congressional hearing last week, Secretary of State Christopher announced a new administration policy, stating that the United States has no moral right to intervene in the conflict. This is outrageous. This policy reversal represents a total abandonment of Bosnia, throwing her to the Serbian wolves.

The administration has been sabre rattling for weeks and floating its routine trial balloons through the press as to what they should do in Bosnia. As the press and the Europeans alike shot down idea after idea, the tough talk stopped and appeasement of the Serbs began.

Where we once had the initiative in threatening military action if the Bosnian Serbs did not sign the peace plan, we lost it. Worse yet, our failure to act only emboldened the Bosnian Serbs convincing them of our total lack of resolve. Now, we appear weak in the face of defiant Bosnian Serbs, bent upon conquering the remnants of a sovereign Bosnian State and perhaps carrying its conquest into Kosova. Surely Milosevic and Karadzic must believe that the United States would do nothing in response to further Serbian aggression.

Simply put, through U.S. inaction and bungled diplomacy, we have abdicated our position as a world leader and we have compromised our integrity as a nation. There is little doubt as to why the Clinton administration is now being called Carter II. This sounds like a bad Hollywood sequel, but is all too real and all too dangerous.

Given Undersecretary Tarnoff's statement, it is becoming terribly evident that we are in trouble not only domestically, but overseas as well. This is unfortunate because the world needs us and we need the world. Apparently, the Clinton administration does not think so.

I ask that the text of the article be included in the RECORD following my remarks.

The article follows:

[From the Washington Post, May 26, 1993]

REDUCED U.S. WORLD ROLE OUTLINED BUT SOON ALTERED—HIGH-LEVEL DISAVOWALS FOLLOW OFFICIAL'S TALK

(By Daniel Williams and John M. Goshko)

A senior State Department official set off a flurry of high-level disavowals yesterday with remarks to reporters that the Clinton administration, as it focuses on domestic economic troubles, expects to withdraw from many foreign policy leadership roles customarily assumed by the United States.

"It is necessary to make the point that our economic interests are paramount," the official declared. With limited resources, the United States must "define the extent of its commitment and make a commitment commensurate with those realities. This may on occasion fall short of what some Americans would like and others would hope for."

His remarks, before a large luncheon audience of reporters, caused concern among more senior officials who moved quickly to dispute the notion that either American power or influence was in decline or that the official was expressing administration policy.

President Clinton and Secretary of State Warren Christopher have spoken frequently about their intention to give a high priority to international economic issues and to press U.S. allies to share more of the burden of dealing with crisis situations. But they have not spelled out the limits of U.S. engagement as specifically as the official yesterday.

"There is no derogation of our powers and our responsibility to lead," Christopher said in a brief telephone interview yesterday evening. "In some situations, we will try to involve other countries. We would not be a superpower for long if we have to do everything on our own." Christopher added that the United States would continue to involve itself overseas when U.S. interests are at stake.

"That is not our foreign policy," said a senior White House official in response to the disputed remarks. "The president believes that we cannot be strong abroad unless we are strong at home and we cannot be strong at home unless we are engaged abroad. It is simply not right in any way suggest that we do not want to take a strong leadership role abroad."

Yesterday's episode occurred under ground rules common in Washington where officials frequently speak behind a cover of anonymity in order to feel freer to express themselves. The State Department declined repeated requests to let the official be quoted by name.

As an example of the new approach he described to America's global responsibilities, the official cited how Washington, in the face of allied opposition, shelved its call for military pressure in Bosnia-Herzegovina and acquiesced to a joint European-Russian plan for settling the conflict there.

"For those who would like this to have become a United States show, there is distinct disappointment out there. We are determined not to go in there and take over Bosnia policy," the official said.

"Are people dying because the United States could do more if we wanted to?" he asked rhetorically. "Yes, the answer is that."

He depicted a post-Cold War landscape of limited American power and influence. His

comments appeared to outline the parameters of future American action and intervention in international crises.

The remarks departed from the muscular image of U.S. leadership projected by the Reagan and Bush administrations and harkened back to the more limited exercise of U.S. power characteristic of the Carter administration. The official served in a high-ranking State Department position during the Carter years from 1977 through 1980.

"Friends" of the United States have had difficulty understanding "how much has changed in the U.S. after the Cold War," the official said.

He admitted that the self-imposed limitations can result in policy "that may on occasion fall short of what some Americans would like and others might hope for."

The official stressed that there would be situations so central to U.S. security that the United States would feel it necessary to intervene without its allies. But he said that unlike the Cold War, when Washington paid lip service to the notion of collective security, the new administration really believes in that concept.

"The approach is difficult for our friends to understand. It's not different by accident, it's different by design," he said.

The United States faces the threat of "middleweight powers" in contrast to the heavyweight rivalries of the Cold War era, the official explained. Taming these, he suggested, would also be difficult, given the lack of national resources and will.

"We simply don't have the leverage, we don't have the influence, the inclination to use military force. We don't have the money to bring positive results any time soon," he said.

Asked repeatedly about the course of U.S. policy towards Bosnia, his responses indicated that events there have transformed the former Yugoslav republic into a kind of laboratory for this new approach to international crisis management.

"People were genuinely disarmed by the fact that he was there to consult," the official said of Christopher's efforts. "He did not have a blueprint in his back pocket. * * * He had some things we favored."

Part of Christopher's goal was to set limits on American involvement, the official said.

Christopher encountered resistance from Russian and major European states to the Clinton plan, which the administration then put aside. Last week, the administration signed on to a European-Russian plan centered on the establishment of U.N.-declared safe havens for besieged Muslims. The United States has agreed to use air power to protect the international troops that will be guarding the safe havens.

The official said he understood the bitter criticism that has been directed at these decisions by the Bosnian Muslims and their sympathizers in Islamic countries. "Any of us involved in this have to feel pain and sympathy," he said.

The official also spoke approvingly of the administration's performance in several other foreign policy areas. He said Washington had managed to restart the Middle East peace talks after a rocky beginning and had provided important financial support to Russian President Boris Yeltsin's reformist government.

He said Clinton is still wrestling with how to maintain sound relations with China while expressing concern and hope for change in China's approach to human rights, trade with the United States and high-tech arms sales abroad.

A decision by Clinton on whether to renew for another year China's trade privileges with the United States is due by June 3. Administration officials say Clinton will place conditions on future annual renewal in order to force progress on the issues of concern to the United States.

On the eve of the trip, Clinton decided on a package of steps to even the balance between Bosnian Serbs and Muslims. The plan involved helping to arm the Muslims while holding Serb forces at bay with U.S. air power. Christopher traveled to Moscow and several Western European capitals to discuss the package. ●

COMMEMORATION OF THE YEAR OF XACOBEO

● Mr. BRADLEY. Mr. President, I rise today to join the Galician and Spanish community in their commemoration of the holy year of St. James the Great, also known as Xacobeo or Jacob. According to tradition, St. James preached Christian religion throughout Spain until his execution in approximately 42 A.D. Many claim that this apostle's spiritual leadership inspired the reconquest of Spain and, in part, guided the first century unification of Europe. His body was moved from Jerusalem and placed in Santiago. This capital city of Galicia is the destination of people from many other European nations who make the pilgrimage to honor St. James.

Through 1,200 years of this unique bringing together of nations for St. James' pilgrimage, the city of Santiago has become more diverse. Santiago represents a unique collection of citizens who possess an array of different creeds, ethnicities, and nationalities. The legacy of St. James' unification continues as Santiago, the city where his tomb lies, is now recognized for the unity of its diverse population.

Like Santiago, the United States and New Jersey are known for their mixture of different cultures and ethnicities. American Galician and Spanish communities are a significant part of this mixture. Over 400,000 Galicians live in the United States, and Spanish communities represent the fourth largest Hispanic group in this country. Not only do these communities contribute to the cultural diversity of this great country and state, they also contribute to the strength of its socioeconomic fiber.

In 1179 A.D. Pope Alexander III declared that every year St. James Day, July 25, falls on a Sunday will be considered a holy year in the name of St. James. This year, July 25 falls on a Sunday. Galician and Spanish communities throughout the United States and New Jersey will be celebrating the holy year of St. James with the rest of the world. It is my pleasure to salute the achievements and cultural vibrance of the American Galician and Spanish community, and to join these proud communities in recognizing 1993 as the Year of Xacobeo. ●

CENTRAL INTELLIGENCE AGENCY VOLUNTARY PAY SEPARATION ACT

Mr. FORD. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 73, H.R. 1723, a bill to authorize the establishment of a program under which employees of the CIA may be offered separation pay to separate from service voluntarily, that the bill be deemed read three times, passed and the motion to reconsider laid upon the table; and, that any statements by Senators DECONCINI and WARNER appear in the RECORD at the appropriate place.

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

So the bill (H.R. 1723) was deemed read three times and passed.

Mr. DECONCINI. Madam President, I urge my colleagues to vote in favor of H.R. 1723. This is the House companion bill to S. 647, a bill originally sponsored by Senator WARNER and myself and reported favorably without dissent by the Senate Intelligence Committee. In our judgment, the House bill, although different from our bill is some minor respects, accomplishes the objectives we set out to achieve and we believe it can and should be passed without amendment.

By passing this legislation, we will help ensure rationality and fairness in the process of reducing personnel in the intelligence community. The bill would allow the Director of Central Intelligence to make one-time payments to encourage voluntary separations from the CIA.

The Clinton administration has endorsed the legislation. While there were certain changes made by the House in the original proposal that came from the administration, we are advised that the CIA is satisfied with the changes.

The arguments in favor of the bill are clear:

First, we all recognize that the intelligence community, including the CIA, is in an era of downsizing. Indeed, the Congress last year mandated a 17.5-percent reduction in CIA personnel to take place over the next 5 years. Reductions in the work force are necessary, and relying solely on attrition may not be the most rational way to get there. This legislation would allow the DCI to target these separation incentive payments in specific job areas where there are too many workers on the payroll now. Employees in areas without surplus workers would not be eligible for the payments if they retired.

Second, this bill is modeled on legislation that was enacted last year giving similar authority to the Secretary of Defense for both civilian employees and military personnel. Thus, the intelligence agencies in the Department of Defense are already eligible to award

this separation pay if the Secretary of Defense decides to delegate the authority to them. This bill puts the CIA director in essentially the same position with respect to his employees.

Third, this proposal is fiscally sound. Although there are some initial costs associated with the bill, in the long term, it will save considerable amounts of money.

In addition, the bill prohibits CIA employees who separate under this authority from being rehired within a year by CIA or being placed under contract. The bill also contains a requirement that periodic reports be filed with the congressional intelligence committees with respect to the implementation of this program. This will provide us an ability to adjust the program as needed over its five-year life. I can assure my colleagues that the Senate Intelligence Committee will carefully monitor the program to ensure that payments are offered only where necessary and in the amounts necessary to induce the required number of separations.

Madam President, as we come to grips with our fiscal problems in the Government, we must continually look for imaginative solutions that will manage spending cuts fairly and efficiently. Providing the DCI with this modest tool will help ensure that CIA downsizing occurs on schedule and is structured to meet the Government's needs and that the Agency can forego difficult and expensive voluntary separations.

I urge the Senate to pass H.R. 1723. Mr. WARNER. Madam President, I strongly support enactment of H.R. 1723, the Central Intelligence Agency Voluntary Separation Pay Act. The bill has strong, bipartisan support. It is the companion bill to S. 647, the CIA Voluntary Separation Incentive Act, that Senator DECONCINI and I introduced and that the Select Committee on Intelligence reported favorably on May 5, 1993 (S. Rept. 103-43).

The bill authorizes the Director of Central Intelligence to offer separation pay as a financial incentive to CIA personnel to resign or retire voluntarily. By offering financial incentives for voluntary departures, CIA expects to be able to minimize or eliminate altogether a need for CIA to involuntarily dismiss employees. The bill also ensures that, if the Director of the Office of Personnel Management authorizes early retirement for governmentwide retirement systems, the same benefit will apply to the CIA retirement and disability system for certain CIA employees.

The legislation will accomplish four important objectives.

First, it will assist the CIA in managing its drawdown so that the resulting work force has the right mix of skills and experience to conduct CIA's mission effectively in the future.

Second, the bill will help ensure fair treatment of CIA personnel. CIA employees—and in particular those with clandestine duties—have served their country with distinction, often at great personal sacrifice and sacrifice by their families. The CIA must keep faith with them, especially if we are to continue to get people of the same high quality and dedication to serve in the CIA in the future.

Third, the legislation will save the taxpayers' dollars. By offering now a financial incentive to an employee to leave CIA service voluntarily, CIA will not incur greater costs in the out-years.

Finally, the legislation will contribute to maintaining the proper secrecy of U.S. intelligence activities.

Federal law already grants the Secretary of Defense authority to provide similar incentives for voluntary separation to Department of Defense employees, including intelligence employees, to assist in downsizing that department. Enactment of H.R. 1723 will provide similar authority for voluntary separation incentives for CIA employees.

As a result of the relatively sudden end to the cold war, the corresponding shift of America's defense strategy from a bipolar focus to a more regional focus, and the corresponding shift of U.S. resources from defense to non-defense pursuits, the organizations of the U.S. Government primarily responsible for addressing external threats to U.S. interests—including the Central Intelligence Agency—face significant reductions in size, to be carried out relatively quickly. The leadership of these organizations face the difficult management challenge of reducing their work forces substantially, promptly, and fairly, and in a fashion that leaves the organizations with a smaller, but highly effective organization at the end of the drawdown. The Congress has enacted legislation to assist the Department of Defense in managing effectively and fairly drawdowns in the size of the Armed Forces and the size of the defense civilian work force. Enactment of H.R. 1723 would extend to the Central Intelligence Agency one of the personnel drawdown management tools already available to the Department of Defense—the ability to offer a financial incentive to employees to leave Government service voluntarily.

In the post-cold-war era under a regional defense strategy, the United States plans to devote fewer of its scarce national resources to defense and intelligence efforts and to reorient the use of the resources devoted to those efforts. With respect to defense, the United States plans smaller, but well-trained, well-equipped, highly mobile, and highly effective U.S. military forces prepared to protect American interests in regional crises that may emerge. With respect to intelligence,

the United States plans smaller, well-trained intelligence work forces reoriented toward collecting and processing intelligence on the primary threats the United States faces in the post-cold-war era. The scope and pace of the drawdowns of defense organizations and intelligence organizations may differ, because maintaining a strong intelligence capability is particularly important when military forces are being substantially reduced, but both types of organizations face substantial drawdowns.

The Central Intelligence Agency faces the twin management challenge of reducing the overall size of its highly professional work force and adjusting the skill composition of the remaining smaller work force to meet the intelligence needs of the future. The voluntary separation incentive program that H.R. 1723 would authorize is designed to assist the CIA both in reducing the overall size of the CIA work force and in adjusting the mix of skills available in the CIA work force to meet future needs.

The exact number of employees of the Central Intelligence Agency remains classified by the executive branch. The size of the CIA work force is limited by law, through an end-strength limitation incorporated in the Annual Intelligence Authorization Act that prohibits CIA from employing more than a specified number of employees on the last day of the fiscal year. Congress and the executive branch have reduced the size of the CIA work force significantly from its cold war peak and they have established plans for completion of a prudent further drawdown of the CIA work force.

Management of the CIA work force, like the work force of any governmental institution, is a dynamic process, requiring simultaneous consideration of a variety of factors. At a given point in time, whether an institution is growing or shrinking in size, people are both entering and leaving an institution's work force. People are leaving the institution's work force voluntarily to accept other jobs or to retire and involuntarily because they are excess to the institution's needs or because they failed to meet the institution's minimum performance standards. People are entering the institution's work force both to meet its immediate needs for individuals with particular educations or skills and to help meet its longer term needs for individuals with particular educations or skills and substantial employment experience within the institution. Personnel managers must at all times be acutely aware not only of the short-term requirements of staying within limitations on the number of personnel, but also on the long-term aggregate impact of personnel decisions on the institution's work force as a whole. As employees make individual deci-

sions to move into and out of the institution, employees mature and acquire changing skills and experience, and changes occur in the environment external to the institution, personnel managers have the responsibility to ensure that, at any given point in time, the institution's work force has the correct mix of skills and experience to accomplish its mission effectively.

The Director of Central Intelligence must take a substantial number of personnel actions in the short term to stay within the legal limitations on the number of CIA personnel, but must ensure that the actions taken in the short term also are consistent with ensuring an effective CIA work force decades hence. Through the optimum combination of retirements, resignations, and hirings, the Director must ensure the proper mix of skills and experience in the work force, while getting the work force down to its planned size.

The Director has a number of means available by which to reduce the work force that would readily meet the short-term need to reduce the size of the work force, but which could have potentially devastating effects on the ability of CIA to accomplish its mission effectively. The Director could achieve the short-term need to reduce the work force by prohibiting the hiring of employees, by involuntarily separating employees; that is, using CIA reduction in force procedures to lay off employees who do not wish to leave, or by involuntarily retiring retirement-eligible employees who do not yet wish to retire. Employing these means on a broad scale to achieve the necessary drawdown of personnel would have a substantial adverse impact on the CIA and its employees.

Today's CIA personnel decisions must be made with a recognition that CIA's managers, operations chiefs, and senior analysts for the decade beginning in 2010 are the newly hired personnel of today who will require two decades of education, training, and intelligence experience before they are ready to assume the senior positions in the CIA. Thus, the Director should not simply order an absolute halt to hiring at CIA as a way to reduce the CIA work force to its desired level. Such a prohibition on hiring would result in an extraordinary gap in the CIA work force over time, as a result of which CIA would not have the career employees with the proper training and experience ready to assume leadership positions two decades in the future.

Large layoffs of individuals, called involuntary separations due to a reduction in force, in the parlance of government personnel management, and forced retirements would be shortsighted as a means of reaching personnel reduction targets. The CIA should work to avoid turning employees out of the CIA against their will, both as a matter of fairness to dedicated employ-

ees who have served their country faithfully and often at personal sacrifice, and because any perception of unfairness or harsh treatment of current employees during the drawdown may have an adverse effect on the CIA's ability to recruit top-quality employees in the future. The Director of Central Intelligence also has raised delicately the difficult subject of the counterintelligence impact of involuntary separations, expressing concern that forcing out large numbers of CIA employees involuntarily would increase the risk that an employee who had access to sensitive intelligence secrets might fail to maintain his or her obligation to protect those secrets.

The Director of Central Intelligence has advised the Committee that the CIA likely cannot, with the Director's current legal authority, meet the requirement to reduce the size of its work force steadily in the coming years and maintain the correct mix of skills and experience in the CIA work force unless the Director involuntarily separates employees from the CIA. To avoid the need for involuntary separations, the Director has asked for authority to offer financial incentives to employees to encourage them to retire or resign voluntarily. If enough employees of surplus skills and experience accept the financial incentives and voluntarily retire or resign from the CIA, the CIA no longer would need to use involuntary separations of employees to meet its drawdown targets.

Recent experience at the National Security Agency has demonstrated that financial incentives can stimulate voluntary separations at a rate much higher than the normal rate of attrition. By using voluntary separation incentive authority to encourage such separations among categories of employees whose skills may no longer be critical to the CIA, the DCI would be better able to manage the drawdown in a way that will preserve the skills and expertise which continue to be crucial to the CIA's post-cold-war mission.

There are a number of items of special interest to the Senate Select Committee on Intelligence concerning H.R. 1723, about which the committee inquired during consideration of S. 647 and received a letter in response from the Central Intelligence Agency dated April 8, 1993. These remain items of special interest to the committee with respect to H.R. 1723.

As a matter of constitutional and statutory law, CIA cannot discriminate in employment matters among employees on the basis of race, creed, color, sex, national origin, or handicap and, to emphasize the point, the committee requested an explicit commitment from the CIA that such prohibited factors would not be used in deciding which CIA employees receive a financial incentive under the legislation to resign or retire voluntarily. The CIA

letter to the committee on April 8, 1993, confirmed that the CIA would not use such prohibited factors in making those decisions and indicated that the CIA would carry out its equal employment opportunity obligations during the drawdown process.

The committee also inquired about the potential use of the voluntary separation incentive program to reduce the number of CIA employees in the Senior Intelligence Service [SIS], which is the CIA equivalent of the Senior Executive Service and contains higher-paid employees with managerial and professional responsibilities. To maintain a balanced work force, the CIA needs to reduce the number of SIS employees during the drawdown along with reductions in the number of less senior employees. The CIA hopes, however, that the necessary reduction of SIS employees will occur through voluntary retirements in early 1994, when SIS employees have achieved the maximum benefit for retirement annuity calculation purposes of the substantial SIS pay raise that occurred in early 1991. The accuracy of the CIA's assumption that a sufficient number of SIS employees will retire voluntarily in early 1994 may depend in part upon the post-retirement employment opportunities available to such employees, which cannot be forecast in advance. If the CIA's assumption should not be borne out, the Director still would have the ability to use the voluntary separation incentive authority under H.R. 1723 to help meet CIA's shortfall in reaching SIS reduction objectives. The committee's monitoring of the drawdown of the CIA work force will include careful monitoring to ensure that the CIA meets SIS work force reduction targets.

The committee made a number of specific inquiries of the CIA concerning how the CIA planned to implement the voluntary separation incentive program if Congress should enact S. 647, the companion bill to H.R. 1723. Those CIA plans are also applicable to H.R. 1723. For example, the committee inquired whether the CIA intended to offer financial incentives of different amounts to different occupational groups of employees slated for drawdown or intended to offer financial incentives of different amounts to employees within an occupational group. In its April 8, 1993 letter, the CIA responded that, although special circumstances might arise in the future that might warrant doing otherwise, the CIA did not expect to differentiate among groups of employees or among employees within a group with respect to incentive amounts offered. The committee also asked whether it would be possible for the CIA to use the legislation to hire a new employee now and after only a year's service offer the employee a \$25,000 bonus to separate voluntarily from CIA service. The CIA re-

sponded in its April 8, 1993, letter that the CIA requires all of its employees to complete a 3-year probationary period before they become full-status employees and that the CIA does not expect to use the voluntary separation incentive authority with respect to any employee during his or her 3-year probationary period. Finally, the CIA in its April 8, 1993, letter assured the committee that it will carefully coordinate its hiring process and separation process to ensure that: First, the CIA is not using the voluntary separation incentive in one office to separate an employee from the CIA when another CIA office has a need for the skills of that employee which it will otherwise obtain by hiring from outside the CIA; and second, to ensure that the CIA is not now or in the future hiring employees who will later be offered a voluntary separation incentive.

Pursuant to legislation enacted in 1992 (5 U.S.C. 5597), the Department of Defense has authority for a voluntary separation incentive program for that department's civilian employees. Both the National Security Agency and the Defense Intelligence Agency are using that authority to help reduce the size of their civilian work forces. The CIA's letter of April 8, 1993, indicated that NSA has had significant success with its voluntary separation incentive program and that it is too early to measure the success of the DIA program. The Director of Central Intelligence should ensure to the extent possible appropriate consistency between the CIA's use of voluntary separation incentive authority under H.R. 1723 and defense intelligence organizations' use of voluntary separation incentive authority under section 5597 of title V. In particular, the Director should work to avoid to the extent practicable disparate treatment by different intelligence organizations of similarly situated intelligence employees.

The CIA's letter to the committee of April 8, 1993, set forth the retirement, severance pay, health insurance, life insurance, and career counseling and placement assistance available under certain circumstances to departing CIA employees. The committee believes that early, widespread, and repeated dissemination of this information to CIA employees would assist such employees in making decisions about their futures.

Madam President, I urge my colleagues to support H.R. 1723.

Mr. FORD. Madam President, I now ask unanimous consent that Calendar No. 62, S. 647, the Senate companion measure, be indefinitely postponed.

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

EXTENDING THE PROVISIONS OF SENATE RESOLUTION 106

Mr. FORD. Madam President, I ask unanimous consent that the Senate

proceed to the immediate consideration of Senate Resolution 114, submitted earlier today by the majority and minority leaders, that the resolution be agreed to and the motion to reconsider laid upon the table, and a statement by Senator MITCHELL relative to this resolution inserted in the RECORD as if read.

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

So, the resolution (S. Res. 114) was agreed to, as follows:

S. RES. 114

Resolved, That (a) section 9 of Senate Resolution 106 of the One Hundred First Congress (agreed to April 13, 1989) (as amended by Senate Resolution 351 of the One Hundred First Congress (agreed to October 27, 1990) and as further amended by Senate Resolution 366 of the One Hundred Second Congress (agreed to October 8, 1992)) is further amended by striking "March 31, 1993" and inserting in lieu thereof "December 31, 1993".

(b) The amendment made by subsection (a) shall be deemed to have become effective as of March 30, 1993.

Mr. MITCHELL. Mr. President, this resolution will extend the Central American Observer Group until the end of this year. The purpose of this extension is to enable this group to wind up its affairs, publish reports, and prepare its records for archives. The cochairman of this group, Senators DODD and MCCAIN, are in agreement with the

leadership that no further extension will be required or requested for this group.

ORDERS FOR TOMORROW

Mr. FORD. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 9 a.m., Thursday, May 27; that following the Prayer, the Journal of proceedings be approved to date, and the time for the two leaders reserved for their use later in the day; that immediately after the announcements of the Chair, the Senate resume consideration of S. 3.

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

RECESS UNTIL 9 A.M. TOMORROW

Mr. FORD. Madam President, if there is no further business to come before the Senate today, I now ask unanimous consent that the Senate stand in recess as previously ordered.

There being no objection, the Senate, at 7:21 p.m., recessed until Thursday, May 27, 1993, at 9 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 26, 1993:

DEPARTMENT OF AGRICULTURE

- JAMES S. GILLILAND, OF TENNESSEE, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF AGRICULTURE.
EUGENE MOOS, OF WASHINGTON, TO BE UNDER SECRETARY OF AGRICULTURE FOR INTERNATIONAL AFFAIRS AND COMMODITY PROGRAMS.
EUGENE MOOS, OF WASHINGTON, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE COMMODITY CREDIT CORPORATION.
ELLEN WEINBERGER HAAS, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE COMMODITY CREDIT CORPORATION.
THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

IN THE COAST GUARD

THE FOLLOWING OFFICERS OF THE U.S. COAST GUARD FOR APPOINTMENT TO THE GRADE OF REAR ADMIRAL:

- KENT H. WILLIAMS JOHN L. LINNON, JR.
JAMES M. LOY

THE FOLLOWING OFFICERS OF THE U.S. COAST GUARD FOR APPOINTMENT TO THE GRADE OF REAR ADMIRAL (LOWER HALF):

- HOWARD B. GEHRING JOHN E. SHKOR
GORDON G. PICHE PAUL E. BUSICK
PAUL M. BLAYNEY

COAST GUARD NOMINATIONS BEGINNING GARY C. ANDERSON, AND ENDING DARRYL W. FLATTUM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 16, 1993.

COAST GUARD NOMINATIONS BEGINNING THOMAS R. GREENE, AND ENDING JOHN C. O'CONNOR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 25, 1993.

COAST GUARD NOMINATIONS BEGINNING LAWRENCE W. RYAN, JR., AND ENDING MICHAEL J. RAUWORTH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 2, 1993.

COAST GUARD NOMINATIONS BEGINNING GLENA T. SANCHEZ, AND ENDING JENNIFER A. KETCHUM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 21, 1993.