HOUSE OF REPRESENTATIVES—*Monday, March 30, 1998*

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 30, 1998.

I hereby designate the Honorable THOMAS E. PETRI to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

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

The Chair recognizes the gentleman from Virginia (Mr. GOODLATTE) for 5 minutes.

THE SECURITY AND FREEDOM THROUGH ENCRYPTION ACT

Mr. GOODLATTE. Mr. Speaker, strong encryption products are the locks and keys of the digital age. To ensure that the computer files of American citizens are protected, I have introduced H.R. 695, the SAFE Act, Security and Freedom through Encryption, which has 250 bipartisan cosponsors. The SAFE Act is supported by organizations from across the political spectrum. It is not often that legislation brings together such a diverse array of Members and interest groups.

On one side of this debate are the United States Chamber of Commerce, the National Association of Manufacturers, the Law Enforcement Alliance of America, the American Civil Liberties Union, the National Rifle Association, Americans for Tax Reform, Eagle Forum, the Center for Democracy and Technology, and a whole host of business organizations concerned about the security of their computer communications.

Who is on the other side? The administration, which continues to pursue a policy that threatens the privacy of American citizens. If the Government can access your encrypted computer files, medical records, tax returns and personal financial information, then hackers can, too.

I am pleased to be the sponsor of this legislation with the gentlewoman from California (Ms. LOFGREN), the lead Democrat cosponsors. There are about 150 Republican cosponsors of this legislation, and over 100 Democrat cosponsors as well.

This is truly a bipartisan effort. This legislation is designed to do three things: First, protect the privacy of law-abiding American citizens. People know today that their e-mail, their credit card numbers, their medical records, their tax returns, if they are submitted electronically, their industrial trade secrets, their copyrighted material, are all subject to invasion by hackers, by criminals and others who will make their communications available to who knows who for what reason.

Privacy is important in the Information Age, and we need to protect it.

Secondly, this is an important anticrime measure. This legislation will help to make sure that people who do use the Internet for electronic commerce will have that credit card number protected from a hacker stealing it.

The New York Stock Exchange, which has to encrypt its financial communications, which go all over the world, to make sure somebody does not break into that system and cause a financial crisis by changing the numbers in the computer system, or the same thing for a nuclear power plant, somebody breaking into its computer system and causing a meltdown. This is something that protects the infrastructure of our country and it protects individuals using the Internet, making sure their medical records are secure.

Industrial espionage is one of the largest problems we have in the criminal area in this country. The FBI has estimated more than $24 billion and/or more a year in industrial espionage takes place, and what is the prime place of that? Breaking into somebody's computer to steal information. Encryption, the scrambling of information to make sure it cannot be decoded by somebody intercepting it, is the Number one way to make sure this is safe.

Finally, this is an issue about jobs, jobs of American citizens. We dominate the software industry in the world. Today, nearly 75 percent of all the software sold in the world is created in the United States. But our foreign competition is on to the fact that this administration is using our export control laws to limit access to strong encryption by our software companies, by our citizens, and by those overseas who would like to buy the quality software products American companies make and cannot do so because of the fact that we have these export laws that limit access to this valuable software.

So they are using that to gain a competitive advantage, and we will lose the advantage we have in the world as we move more and more into encrypted software, as we move into the next century.

So these three things, protecting the privacy of American citizens, fighting crime, and making sure that we protect and create new jobs in a growing dynamic Information Age industry, are reasons why this legislation has been offered.

What does it do? It eases our export control laws and says that if foreign competition is offering a particular type of software, or if it is available off-the-shelf, our American industry should be allowed to compete and offer the same software overseas.

It prohibits the Federal Government from setting up what is called a mandatory key recovery system. What is that? That is where the government requires you to put the key to your computer, your encrypted computer software, the contents of your computer, in a location where government can get ahold of it without your knowledge.

Mr. Speaker, this is something that I would urge my colleagues to strongly support. This legislation has bipartisan support. Support the SAFE Act, H.R. 695.

SUPPORT THE SAFE ACT, H.R. 695

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

Ms. LOFGREN. Mr. Speaker, I am also here to discuss my proud cosponsorship of the SAFE Act. As the preceding speaker, my colleague from Virginia has noted, it is time, finally, for the United States to take the forward-thinking policy to avoid and abandon the flawed policies of key recovery, and to allow Americans to have complete protection from hackers and others

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

who would steal and invade their privacy, and, in some cases, their well-being.

Mr. Speaker, the current administration is searching for answers to the current encryption dilemma. As with their preceding administrations, they are listening, as they should, to the concerns of law enforcement and their needs to keep us safe from predators and terrorists. That is absolutely appropriate, but it is not appropriate to fail to take action when the policy that we have today is so seriously flawed.

Mr. Speaker, I am hopeful that as we continue this dialogue, the American people will become more vigorous in standing up for their rights to privacy in the digital age and on the Internet. There are many things that Republicans and Democrats disagree about. Today, we will have most likely very vigorous, perhaps even acrimonious disagreements, about the way campaign finance reform has been brought to this floor, the limitations on debate, and really the very unfortunate attention that has been given to campaign finance reform, legitimate campaign finance reform, by the majority.

Putting that to one side, we should, nevertheless, work together where we do agree, and there is broad support among both Democrats and Republicans for a sound encryption policy that makes sure that all of us have access to the strongest encryption available in the world at large.

I commend my colleague, the gentleman from Virginia, Mr. GOODLATTE, for his leadership in this effort, and look forward to resounding support from the entire House, and later the Senate.

DEBATING CAMPAIGN FINANCE REFORM

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

Mr. MEEHAN. Mr. Speaker, April Fool's Day has come to the House 2 days early, and, unfortunately, the joke is on all of us who took the Speaker at his word when he promised last December to allow a fair debate and vote on campaign finance reform.

Today, we are going to consider four so-called reform bills under the suspension calendar. Now, the suspension calendar is usually reserved for noncontroversial legislation. Campaign finance reform is a tough issue and a controversial issue.

Here it is now, it is 12:30 in the afternoon. We are supposed to have a debate on this at 2 o'clock. We do not even have the language of all of the various proposals that on Friday afternoon the Republican leadership said we were going to vote on. We do not even have all of the language that we are going to be asked to vote on later on this afternoon.

The truth is, during the 104th Congress, Mr. Speaker, the Republicans passed a House rule that required the Speaker to notify the minority before scheduling suspensions. Yet these bills were put on the calendar without any consultation with the minority or the bipartisan group of legislators interested in passing real campaign finance reform legislation.

Needless to say, absent from the list of those bills to be voted on today is the bipartisan McCain-Feingold-Shays-Meehan bill, which could pass on a simple majority vote. It is clear to me that the Speaker and the Republican leadership have been promoting an outrageous lie that the House will seriously consider reform. It is a disgrace.

After all of the time and money that we have dedicated to discussing and investigating the problems with our current system, here we are, we cannot get a fair vote on bipartisan reform.

Yes, Mr. Speaker, April Fool's Day has come to the House early, and, unfortunately, the joke is on the American people. And one need not look very far to find out what independent sources are saying about today's mockery.

For example, if you look at today's New York Times and look at the lead editorial, it states, Today in place of real debate on campaign finance reform, the House is set to stage a mock debate on phony campaign finance reform. It is outrageous enough that the Republican House leaders' version of reform is the Thomas bill, which fails to end the corrupt soft money system, would triple contribution limits, and is laced with poison pill provisions.

Mr. Speaker, many in this House, on both sides of the aisle, have been working literally for years to try to form a consensus to pass real meaningful campaign finance reform. The American people have watched the news on all the major networks and have watched the debate and the hearings that have been held about the abuses of the soft money system and the influx of literally millions and millions of dollars into our campaign finance system.

Yet, when this debate is held today, it will be held under a suspension of the rules. There will not be an offer to have a vote up or down on bipartisan campaign finance reform, even though a majority of the Members of the United States Senate passed real campaign finance reform by a majority vote of 53, only to have that majority vote burst asunder by a filibuster that requires 60 votes in the other body.

Now, we have an opportunity to get that bill back to the United States Senate and have the United States Senate decide to pass real campaign finance reform by simply only allowing a majority vote. But we are going to be unable to do that this afternoon. We are going to be unable to do that because the leadership on Friday afternoon decided that we are going to have a debate under suspensions, that requires a two-thirds vote to pass anything. That is why usually when suspensions are up, noncontroversial items are brought up.

You look at the New York Times this morning. The New York Times says, "Now by bringing the phony Thomas bill up under suspension of the rules, the Republican leadership has rigged the process for this rigged bill, prohibiting House Members from offering any amendments or any alternative legislation and denying them a way to vote against the process."

□ 1245

The American people deserve a real debate on campaign finance reform," especially, according to the New York Times, after the campaign fundraising scandals and abuses in the last elections.

Finally, Mr. Speaker, the New York Times said that the Shays-Meehan bipartisan bill, which is a companion measure to the McCain-Feingold bill that received a majority vote in the Senate, deserves a fair vote.

Mr. Speaker, let us take this suspension back, and let us come back with a real vote on campaign finance reform and allow the vote on bipartisan reform.

CONCERN REGARDING CAMPAIGN FINANCE REFORM

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

Mr. SHAYS. Mr. Speaker, I do not usually address the House on 5 minutes before the session, but I am not sure how much time will be given to debate campaign finance reform when these bills are brought before us under suspension. I just want to make a number of points for the RECORD for that debate.

First, I want to express my concern that on a Friday afternoon, after Members were proceeding to leave, the House was told for the first time that we would have debate on four campaign finance bills, debate that likely will begin before many Members get back to Washington.

I would also like to express concern as to how we will be debating these bills. We will have four campaign bills debated under suspension of the calendar, which has three major flaws:

We cannot amend a bill under suspension.

The debate is limited to each side having 20 minutes, so a total of 40 minutes for the major issue of campaign finance reform. Admittedly, there will

be four 40-minute debates, because there are four bills.

And it takes, as has been pointed out by my colleague, the gentleman from Massachusetts (Mr. MEEHAN), a two-thirds vote to pass legislation. In the Senate, they need 60 votes to invoke cloture and actually end debate and have a vote on a bill, 60 votes out of 100, or 60 percent. Here we need, in the House, under suspension, 66 and two-thirds percent of the membership's vote. Mr. Speaker, this is not the Senate, thank goodness, and it should not take a supermajority to pass meaningful campaign finance reform.

I would like to now address the issue of what bills are coming forward. They are all bills that have been promoted by Republicans, not Democrats, so the Democrat party and leadership was not consulted in what bills would come up. It strikes me that, at the very least, they should have been. Had I been in the minority, I would be outraged to see Democrats do the same thing to a Republican minority.

Second, not only were Democrats not consulted, Democrat proposals are not being allowed to be debated. I am wondering why we would not allow such a debate, given the rule says we need two-thirds to pass.

Third, I would like to express the concern that a bipartisan group of Members who have been working in good faith have not been consulted and that some of the bills are bipartisan. So there are many reasons to express concern about the process, which, is deplorable.

Having said that, I want to acknowledge that three of these bills, in my judgment, merit support. I do not intend to vote against a good bill just because I do not like the process. I vote against a rule because I do not like the process. I have been in public life 24 years in the State House and in Congress, and I learned a long time ago you do not vote against a good bill simply because you do not like the process.

The Thomas bill is a comprehensive bill worked on just by Republicans. It is a good-faith attempt to get a bill the Republican party likes. To me, it is not a bill that merits support in its present condition. It has flaws to it that I hope are pointed out during the debate, but it was a comprehensive effort to deal with Republican concerns.

The FEC bill, providing disclosure when you raise and spend money, is a no-brainer for me. That should get our support.

A ban on foreign contributions, how could we vote against a bill that bans foreign contributions? It gets my support, if that is, in fact, the bill that comes forward.

Paycheck protection is a little more controversial. I understand why some might not vote for it. It basically says if you are a member of a union, the union has to get your permission before it supports particular candidates or political causes. I think they should get permission of a member beforehand.

My wife had to get out of the union because her money was being given to candidates she did not support. The only way she could prevent this was to invoke the Beck rule and say her money could not be used. Under the Beck rule she is forced out of the union, and pays an agency fee.

Mr. Speaker, 84 percent of my constituents said they believe, and I quote, "Our democracy is threatened by the influence of unlimited campaign contributions by individuals, corporations, labor unions, and other interest groups." A biased statement?

I asked what my constituents felt in a questionnaire I sent to them. Fifty-one percent strongly agreed, 33 percent agreed. Eighty-four percent of my constituents believe our democracy is threatened by the influence of unlimited campaign contributions by individuals, corporations, labor unions, and other interest groups. Regrettably, their Representative will not be able to vote for the McCain-Feingold bill, which prevents soft money, those unlimited contributions my constituents abhor.

CAMPAIGN FINANCE REFORM PROCESS HAS BEEN RIGGED

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

Mr. FARR of California. Mr. Speaker, let the record show that we have three former Peace Corps volunteers on the floor today, the gentleman from Connecticut (Mr. SHAYS), I appreciate his remarks, the Speaker pro tempore, and myself.

Mr. Speaker, I rise today to discuss probably the issue of today, which is campaign finance reform. What is happening today is that the process has been rigged. We have a suspension of democracy, not a suspension of consent items before the House.

We are scheduled to vote this evening on campaign finance reform, on four bills, as the gentleman from Connecticut (Mr. SHAYS) pointed out, all Republican bills without any Democrat input, although the Democrat bill that I authored has 106 cosponsors, the most that any campaign finance reform bill has ever had in the history of this House.

I would like to speak a little bit about that history, because we have, in the past, passed campaign finance reform. In fact, if Members will go back to probably times when some of the Members here were serving, the 100th Congress, in 1987 and 1988, the House bill was introduced by a House Member from California, Mr. Coelho. It had 96 cosponsors in all.

Then the Senate bill, which was S. 2, was introduced by a Democrat from Oklahoma, Senator Boren. That bill was filibustered by the Republicans for a record of seven cloture votes, and it was defeated by the Republican filibuster.

In the 101st Congress, 1991 to 1992, again Mr. Swift, a Democrat from Washington, introduced the House bill here, which had several cosponsors, and it passed the House. It passed on a bipartisan vote, 255 to 155, including 15 Republicans that voted for the bill.

Then what happened is that the conferees, because the Senate blocked the conferees, were never appointed. So, again, the second time that a bill had gotten blocked by Republican efforts.

In the 102nd Congress, which is 1991 to 1992, the gentleman from Connecticut (Mr. GEJDENSON) sponsored the bill. It had 82 cosponsors in all. It passed the House on November 25, 1991, by a vote of 273 to 156. The Senate had a similar measure.

The House agreed to the Senate measure and it passed the Senate, it was again by Senator Boren, by a vote of 56 to 42. It went to conference. The conference report was voted on by this House 259 to 165 on April 9, 1992. Guess what happened in 1992? On May 5, President Bush vetoed the bill.

That is similar to the bill that I have up today, H.R. 600. There is not much difference. It became, I think, the bill, most of which is in the Shays-Meehan bill. Again, an effort by the Republicans to block campaign finance reform.

Then in the 103rd Congress, the gentleman from Connecticut (Mr. GEJDENSON) again introduced this bill, H.R. 3. It passed the House on November 22, 1993, by a vote of 255 to 175. The Senate bill passed again, introduced by Senator Boren, a Democrat from Oklahoma, passed the Senate on June 7, 1993, by a vote of 60 to 38. The cloture failed on the motion to go to conference on September 23; and due to a filibuster by Senator GRAMM, a Republican from Texas, the cloture failed on September 27.

Again, in the 104th Congress I took over the work of the gentleman from Connecticut (Mr. GEJDENSON), I guess because both of us are SAMs, and I guess the Sam Caucus sticks together. I introduced the H.R. 3505. It had numerous cosponsors. It was a substitute to the Republican campaign finance reform bill, and it failed on this floor by 177 to 243. It received bipartisan support. And the act goes on.

Now we are in the 105th Congress. I have introduced H.R. 600. It had a 106 cosponsors. It cannot get out of committee. It cannot even be offered as a substitute. So history has shown that when the Democrats were in power, we were able to get bills off this floor. We

were able to get more substantive bills than are being addressed today.

I think what is happening today a real sham. It is a sham on democracy. It is shameful what we are doing.

There is a funeral going on right now in New Mexico. Most of our Members are there. They cannot even participate in this discussion.

The vote is on the suspense calendar, which requires a two-thirds vote, an extraordinary vote. The suspense calendar is for things that are automatic, that people have no debate on. They are not controversial issues. Yet, this day was the day chosen to hear this.

Let me tell the Members what has been going on in this House. We ought to all be outraged because, since the beginning of this year, this session, the oversight committee chaired by our colleague, the gentleman from Indiana (Mr. BURTON), and by Senator FRED THOMPSON have subpoenaed in the House 587 people, put 114 depositions, had 13 days of public hearings, had 33 witnesses and spent $6.8 million, and nothing coming out for campaign finance reform. This is outrageous.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PETRI). Members are reminded not to make reference to individual Members of the other body when they speak.

THE SPEAKER PROMISED DEBATE AND A VOTE ON REAL, BIPARTISAN CAMPAIGN FINANCE REFORM

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

Mrs. MALONEY of New York. Mr. Speaker, a promise is a promise. Back in November, the Speaker promised us a bipartisan campaign finance bill, a vote here on this floor. This is not a bipartisan campaign finance bill. It is a partisan campaign finance reform bill. This plan to put campaign finance bills up for suspension votes is like a magic trick: Now you see them, now you do not. The House leadership is using the process to ensure that these reform bills disappear into their magic black hats.

The American people must know that their own democratic process is being used against them. There are enough Members of this House willing to vote for reform, and the House leadership simply will not put the bill out on the floor for a vote. They are manipulating the system. We need pressure; and we will keep pressure on until we bring a real bill, like Shays-Meehan, up for a real vote on this House floor.

If the House leadership spent as much time fixing the Nation's problems as it spends figuring out how to avoid having a vote on this Shays-Meehan bill on the floor, our work here in Washington would have been completed. If the House leadership appropriated as much money trying to fix the Nation's problems as it spends figuring out how to shoot down the opposition, our work here in Washington would be finished.

Millions have been spent so far on clearly partisan investigations into the 1996 elections, but there has been no serious attempt to reform the system. We have had many, many hearings in the Burton committee on alleged campaign finance abuses; and absolutely every single one of the abuses involved the use of soft money. Instead of continuing to look at problems, we should be spending time on how to fix the problems.

Even if we just had a vote on one segment out of Shays-Meehan, which is banning soft money, we would have removed the ability for campaign finance abuse, which is being alleged in the many hearings before the Burton committee.

□ 1300

Another point that is particularly troubling is the funding for the Federal Elections Commission. This is the only body that is empowered, and it is a bipartisan body, it is the only body that is empowered to look at campaign finance abuses and to try to correct the system, and to find those that abuse it. Yet the Federal Elections Commission has not been appropriated the money that they requested just to investigate the abuses that are before them. Yet there have been multimillions appropriated, $40 million appropriated to look into investigations before the House Committee on Government Reform and Oversight on alleged abuses. Yet the Federal Elections Commission, the one bipartisan body that is empowered to actually do something about it, has not received the funding that they requested to get the job done.

The money keeps pouring in. The FEC recently released a report showing that congressional candidates are setting new fund-raising records. In 1997 candidates for House and Senate seats raised $232.1 million. That is a $48 million increase from the same period in the cycle before.

Mr. Speaker, the problem is getting worse on both sides of the aisle and Members from both sides of the aisle are asking for reform. More than 300 Members of this body have signed on to one form or another of reform campaign finance legislation before this body. Mr. Speaker, let us bring it to the floor for a vote. We certainly need to vote for campaign finance reform before we go back to our constituents and ask them to vote for us in our own reelection bids.

Mr. Speaker, a promise is a promise, and it is time to turn the promise of the Speaker's handshake with President Clinton and others confirming support for campaign finance, it is time to turn the promise of that handshake into the reality of a law. At the very least, we should bring Shays-Meehan to the floor for a vote.

RECESS

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

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

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. GIBBONS) at 2 p.m.

PRAYER

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

We recognize, O God, how we long for unity in our communities and we pray for a harmony that brings people together in a spirit of cooperation and teamwork. Yet, we know, too, that there can be enmity and animosity which does no one any good and which weakens us as a Nation.

So we pray, gracious God, that we will be instruments of Your peace, and messengers of Your reconciliation so that our faith will be active in love, and our citizenship will be seen in our deeds. Help us to translate our words of prayer this day into respect for others and a reverence for all Your people. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. TRAFICANT led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

UNFAIRNESS IN TAX CODE: MARRIAGE TAX PENALTY

(Mr. WELLER asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. WELLER. Mr. Speaker, questions are often asked why should we pass the Marriage Tax Elimination Act, and I think a series of questions best explain why. Do Americans feel that it is fair that working married couples pay more, that they pay higher taxes than identical couples living together outside of marriage? Do Americans feel that it is fair that 21 million married working couples pay on the average of $1,400 more in higher taxes just because they are married? Do Americans feel that it is fair that there is actually an incentive in our Tax Code which encourages divorce? Of course not.

Americans recognize the marriage tax penalty is unfair, that 21 million married working couples pay $1,400 more in higher taxes just because they are married. On the south side of Chicago and the south suburbs, $1,400 is 1 year's tuition at Joleit Junior College, 3 months of day care at a local day care center in the south suburbs.

The Marriage Tax Elimination Act, which would eliminate the marriage tax penalty, eliminate it now, now has 238 cosponsors. It deserves bipartisan support. Let us eliminate the marriage tax penalty. Let us eliminate it now.

THE CONSTITUTION NEVER INTENDED TO BAN SCHOOL PRAYER

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

Mr. TRAFICANT. Mr. Speaker, America is still in shock. Two boys, age 11 and 13, gunned down four young students in a middle school in Arkansas, and the experts are asking what happened to parents? What happened to values? What happened to our schools?

Schools are overrun with drugs, violence, guns, rape, murder, and now even mass murder. It seems America's schools have everything, Congress, everything except prayer. Maybe the so-called experts might finally realize that a nation that denies God in our schools is a nation that encourages the devil in our schools. The Constitution never, never intended to ban school prayer and never intended to separate God and the American people. Think about it.

YUCCA MOUNTAIN IS NOT SUITABLE FOR NUCLEAR WASTE STORAGE

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

Mr. GIBBONS. Mr. Speaker, when I was a child, people thought that little green men lived on Mars and that the Moon was made of cheese. That was when imagination was stronger than science. Unfortunately, many of my colleagues look at transporting and storing nuclear waste in much the same way.

A recent scientific study claimed that the proposed storage site at Yucca Mountain, Nevada, is at least 10 times, that is right, 10 times more prone to earthquakes and lava flows than government scientists previously estimated. Nevada ranks third in the Nation for current earthquake activity.

Recognition and proper use of this information could potentially save thousands of lives. With over 30 earthquakes a year, clearly, Yucca Mountain is not suitable, and it may very well be the worst place to store the deadliest material man has ever created.

The space program proved that little green men did not live on Mars. And as long as the DOE applies this new scientific information, America will not force little green people to live in Nevada.

SECOND ANNUAL UNITED STATES-MEXICO BORDER CONFERENCE TO BE HELD ON CAPITOL HILL TOMORROW

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

Mr. REYES. Mr. Speaker, tomorrow, the second annual U.S.-Mexico Border Conference will be held on Capitol Hill. The purpose of this conference is to familiarize Members of Congress and their staff with the unique changes facing the U.S.-Mexico border.

Speakers from the border area will address issues under consideration by Congress that directly affected the southwest border, including infrastructure and economic development, education and the workforce, immigration and drug trafficking, health and the environment. The luncheon keynote speaker will be Ambassador of Mexico to the United States Jesus Reyes-Heroles.

During this 1-day event, you will hear about the effects of immigration policy, problems with illegal drugs, dislocated workers, the economy of both sides of the border, and the strain on our border infrastructure due to issues in NAFTA, and health care will also be discussed.

I hope that you will join me and the U.S.-Mexico Chamber of Commerce as we explore the needs of our 2,000-mile border with Mexico and discuss serious policy issues concerning the U.S.-Mexican border. I urge my colleagues to come and spend 1 day learning about the U.S.-Mexican border.

TAX SYSTEM IN THIS COUNTRY IS ANTIFAMILY

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

Mr. JONES. Mr. Speaker, I see a lot of problems with our current tax burden, but today I want to highlight one of the biggest. The tax system in this country is antifamily. American families today spend more money on taxes than they spend on food, clothing and housing combined. They are taxed for most everything they do, even for taking the first step in getting married.

The marriage penalty is just one of many antifamily taxes in this country. It penalizes more than 21 million couples an average of $1,400 annually simply because they are married. In my opinion, this penalty goes against the tradition moral fabric of our Nation.

It is past time that we terminate the marriage penalty and other antifamily taxes that are placing such a tremendous burden on American families. Mr. Speaker, we need to be helping families, not penalizing families.

MORALITY IN LEADERSHIP

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

Mr. PITTS. Mr. Speaker, the current situation at the White House has, at some point, caused each of us to pause and ask how has this soap opera changed the debate in this country? What do people care about? Is it really just the economy, stupid? Or do American citizens, as I know each of us wants to believe, hope for a truly honest and moral individual in the White House and, for that matter, in all positions of leadership.

Whatever happened to the expecting leaders who exemplified ideals of fidelity, character, honesty, and trustworthiness. If our children are not seeing these traits in us from the White House to the Halls of Congress, can we expect them to hold this high and timeless standard for themselves?

How unfortunate, the first thing that Americans now think of when we hear the name, President Clinton, has nothing to do with an African safari or balanced budget. What message is Bill Clinton sending to America? By his silence, is Bill Clinton condoning improper behavior? When will the Americans finally hear the truth? Character counts. It is that simple.

PUT THE SOCIAL SECURITY SURPLUS IN A TRUE TRUST FUND

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

Mr. KINGSTON. Mr. Speaker, not since Neil Armstrong walked on the Moon and Mod Squad was on our television screens in the houses of America, the New York Mets were on their way back to one of the best come-back stories in baseball history, have we had

a balanced budget or surplus in the budget.

But it is true, this year we are on our way to a budget surplus. So how does Washington react? The President goes out and breaks last year's budget agreement and calls for $56 billion in new spending. And there you go, status quo in Washington.

Why do we have this balanced budget to begin with? Well, a couple things. Number one, we have slowed down the growth of government spending. Number two, we have a robust economy. And number three, sadly to say, we have put the Social Security surplus in with general revenues.

I believe, as do most Republican Members of Congress, if you want to put Social Security first and protect and preserve it, not just for the current generation of retirees, but for future generations, that you must separate the Social Security surplus and take it off budget and put it in a true trust fund with a fire wall from general revenue. I believe that is the number one thing this Congress should be doing.

U.S. SHOULD LEARN HOW TO DISPOSE OF NUCLEAR WASTE

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

Mr. FALEOMAVAEGA. Mr. Speaker, I want to offer my personal welcome to the distinguished members of the House of Commons, the Parliament of Canada. They are members of the Canadian Parliament Committee on International Relations and Trade.

They have expressed an interest to discuss with our colleagues the important issues of nuclear nonproliferation and its impact, not only to our Nation, to the region, and to the world for that matter.

Mr. Speaker, with approximately a $34 billion budget for the production and safeguard for our own nuclear arsenal, Mr. Speaker, we do not even know what to do with the billions of dollars expended on what to do with nuclear waste.

Why is Nevada made the only State to carry such a tremendous burden? We have developed the technology on perfecting the nuclear trigger, Mr. Speaker, but we do not even know how to control nuclear waste. What a travesty, Mr. Speaker. We need to look a little closer into this important issue.

SUPPORT BESTEA

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

Mr. METCALF. Mr. Speaker, I rise in strong support of H.R. 2400, the Building Efficient Surface Transportation and Equity Act or BESTEA. The House will consider BESTEA on Wednesday, and I urge my colleagues to support this violation legislation.

BESTEA provides $217 billion in contract authority from the Highway Trust Fund over the next 6 years. This amount represents a 43 percent increase in funding over the 6 years of ISTEA. Further, this legislation was off the Transportation Trust Fund and ends the assault on the fund to mask the deficit and fund other domestic priorities.

A few of my colleagues have expressed concern over funding levels in BESTEA, and I would like to address this for a moment. Mr. Speaker, BESTEA keeps our commitment to the American people to spend gas tax revenue solely for transportation.

Mr. Speaker, I am a budget hawk who came here to balance the budget. BESTEA ends the Washington charade of masking the deficit with money that should have been spent on the Nation's transportation. I look forward to the overwhelming passage of BESTEA Wednesday and urge my colleagues to support it.

CAMPAIGN FINANCE REFORM

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

Mr. ROEMER. Mr. Speaker, certainly the American people have a great deal of cynicism and outright apathy some days about the United States Congress because of the way that they handle campaign finance reform and other kinds of activities, sometimes late at night, sometimes at 2 or 3 o'clock in the morning, and sometimes not at all.

Tonight, I think we have the worst of all possible worlds. The Republican leadership has put an important issue to the American people, campaign finance reform, on the Suspension Calendar. Many Members are coming back home. They will not even be able to be involved in the debate. It requires two-thirds vote for passage on the Suspension Calendar. That is an unbelievably high hurdle or obstacle to overcome for any bill, let alone campaign finance. So we have got more and more cynicism, more and more distrust of our system here in Washington, D.C.

Let us debate this bill in the middle of the day so the American people can pay attention and decide which way they think legitimate campaign finance reform needs to go.

CAMPAIGN FINANCE REFORM

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

Mr. FARR of California. Mr. Speaker, I rise today just to point out to the House what we have been doing this year when we have been here, both the House and the Senate when they began looking into campaign filings of the White House.

This House subpoenaed 587 subpoenas. They deposed 114 people. They held 13 days of public hearings. They had 33 witnesses. The House gave them $5 million. On the Senate side figures are about the same, only the Senate gave them $3.5 million.

□ 1415

In addition to what the House gave the committee they have now appropriated another $1.8 million, and what have we gotten for it? Nothing but a sham.

These bills that come before my colleagues tonight are bills that require a two-thirds vote. Most of the Members of Congress are not even here for the debate. This is not campaign finance reform, this is a travesty on democracy.

CYNICISM IN THE AMERICAN ELECTORATE

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

Mr. ABERCROMBIE. Mr. Speaker, I began my political career after I left the University of Hawaii, was teaching at Leeward Community College, had little or nothing in the way of fiscal resources. We had the backing of young people, ran a grass roots campaign in 1974 when we had campaign expenditure limits. No matter how wealthy one was, and I was up against candidates who had great wealth available to them, we could not spend any more than the amount that was allocated.

We will not have an opportunity today to even debate whether we can get democracy back to the ordinary person. That is why we have such cynicism in the electorate today. And the approach today, and I ask my Republican colleagues to take this into account, I do not want to make this a partisan issue; but if we put this bill forward today with the two-thirds requirement when the membership is not even here, it will add to the cynicism of the American people that prevents young people from being able to run for office or even consider it.

Please do not move forward with this bill today.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GIBBONS). Pursuant to the provisions of clause 5, rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules, but not before 6 p.m. today.

PROVIDING ASSISTANCE TO NATIONAL HISTORIC TRAILS INTERPRETIVE CENTER IN CASPER, WYOMING

Mrs. CUBIN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2186) to authorize the Secretary of the Interior to provide assistance to the National Historic Trails Interpretive Center in Casper, Wyoming.

The Clerk read as follows:

H.R. 2186

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

SECTION 1. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds and declares the following:

(1) The city of Casper, Wyoming, is nationally significant as the only geographic location in the western United States where 4 congressionally recognized historic trails (the Oregon Trail, the Mormon Trail, the California Trail, and the Pony Express Trail), the Bridger Trail, the Bozeman Trail, and many Indian routes converged.

(2) The historic trails that passed through the Casper area are a distinctive part of the national character and possess important historical and cultural values representing themes of migration, settlement, transportation, and commerce that shaped the landscape of the West.

(3) The Bureau of Land Management has not yet established a historic trails interpretive center in Wyoming or in any adjacent State to educate and focus national attention on the history of the mid-19th century immigrant trails that crossed public lands in the Intermountain West.

(4) At the invitation of the Bureau of Land Management, the city of Casper and the National Historic Trails Foundation, Inc. (a nonprofit corporation established under the laws of the State of Wyoming) entered into a memorandum of understanding in 1992, and have since signed an assistance agreement in 1993 and a cooperative agreement in 1997, to create, manage, and sustain a National Historic Trails Interpretive Center to be located in Casper, Wyoming, to professionally interpret the historic trails in the Casper area for the benefit of the public.

(5) The National Historic Trails Interpretive Center authorized by this Act is consistent with the purposes and objectives of the National Trails System Act (16 U.S.C. 1241 et seq.), which directs the Secretary of the Interior to protect, interpret, and manage the remnants of historic trails on public lands.

(6) The State of Wyoming effectively joined the partnership to establish the National Historic Trails Interpretive Center through a legislative allocation of supporting funds, and the citizens of the city of Casper have increased local taxes to meet their financial obligations under the assistance agreement and the cooperative agreement referred to in paragraph (4).

(7) The National Historic Trails Foundation, Inc. has secured most of the $5,000,000 of non-Federal funding pledged by State and local governments and private interests pursuant to the cooperative agreement referred to in paragraph (4).

(8) The Bureau of Land Management has completed the engineering and design phase of the National Historic Trails Interpretive Center, and the National Historic Trails Foundation, Inc. is ready for Federal financial and technical assistance to construct the Center pursuant to the cooperative agreement referred to in paragraph (4).

(b) PURPOSES.—The purposes of this Act are the following:

(1) To recognize the importance of the historic trails that passed through the Casper, Wyoming, area as a distinctive aspect of American heritage worthy of interpretation and preservation.

(2) To assist the city of Casper, Wyoming, and the National Historic Trails Foundation, Inc. in establishing the National Historic Trails Interpretive Center to memorialize and interpret the significant role of those historic trails in the history of the United States.

(3) To highlight and showcase the Bureau of Land Management's stewardship of public lands in Wyoming and the West.

SEC. 2. NATIONAL HISTORIC TRAILS INTERPRETIVE CENTER.

(a) ESTABLISHMENT.—The Secretary of the Interior, acting through the Director of the Bureau of Land Management (in this section referred to as the "Secretary"), shall establish in Casper, Wyoming, a center for the interpretation of the historic trails in the vicinity of Casper, including the Oregon Trail, the Mormon Trail, the California Trail, and the Pony Express Trail, the Bridger Trail, the Bozeman Trail, and various Indian routes. The center shall be known as the National Historic Trails Interpretive Center (in this section referred to as the "Center").

(b) FACILITIES.—The Secretary, subject to the availability of appropriations, shall construct, operate, and maintain facilities for the Center—

(1) on land provided by the city of Casper, Wyoming;

(2) in cooperation with the city of Casper and the National Historic Trails Interpretive Center Foundation, Inc. (a nonprofit corporation established under the laws of the State of Wyoming); and

(3) in accordance with—

(A) the Memorandum of Understanding entered into on March 4, 1993, by the city, the foundation, and the Wyoming State Director of the Bureau of Land Management; and

(B) the cooperative agreement between the foundation and the Wyoming State Director of the Bureau of Land Management, numbered K910A970020.

(c) DONATIONS.—Notwithstanding any other provision of law, the Secretary may accept, retain, and, subject to the availability of appropriations, expend donations of funds, property, or services from individuals, foundations, corporations, or public entities for the purpose of development and operation of the Center.

(d) ENTRANCE FEE.—Notwithstanding section 4 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–6a), the Secretary may—

(1) collect an entrance fee from visitors to the Center; and

(2) subject to appropriations, use amounts received by the United States from that fee for expenses of operation of the Center.

(e) CONCESSIONS.—The Secretary may—

(1) take actions to encourage and enable private persons to provide and operate facilities and services at the Center in the same manner and extent as the Secretary may take such actions, with respect to areas administered by the National Park Service, under the Public Law 89–249 (16 U.S.C. 20a et seq.), popularly known as the National Park System Concessions Policy Act; and

(2) subject to appropriations, use amounts received by the United States from such facilities and services for development and operation of the Center.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary $5,000,000 to carry out this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Wyoming (Mrs. CUBIN) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentlewoman from Wyoming (Mrs. CUBIN).

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

Mr. Speaker, this bill would establish the National Historic Trails Center and Interpretive Center in Casper, Wyoming.

H.R. 2186 was introduced in an effort to preserve and interpret several historic trails which crossed western America during the 1800s. These historic trails represent valuable historic and cultural themes that help shaped the West. This bill is the result of a cooperative partnership with Federal and non-Federal interests which will help fund, construct, operate and maintain the trails center. The partnership includes the Bureau of Land Management, the City of Casper, the State of Wyoming and the nonprofit National Historic Trails Foundation, which have been invaluable in their contribution to this effort. The non-Federal partners have made a clear commitment to share approximately one-half of the total cost to construct, maintain and operate the trails center.

At this point the design work is done, the land is available, and most of the non-Federal funds have been accrued. Now the actual interpretive center needs to be constructed. H.R. 2186 authorizes the appropriation of funds to complete this construction.

This bill really is a showpiece of what can be accomplished as a result of cooperative partnerships between Federal and non-Federal interests. This bill is noncontroversial, Mr. Speaker, and is supported by the administration. I urge my colleagues to voice support for passage of H.R. 2186.

H.R. 2186, the National Historic Trails Interpretive Center Authorization Act, requests an amount of $5 million be authorized for use by the Bureau of Land Management in the Department of the Interior to construct the National Historic Trails Interpretive Center in Casper, Wyoming.

Over a century and a half has now passed since the historic overland migrations of people across America's western frontier began. Their stories of hardship, perseverance and courage are legendary, and they figure prominently in the history of the West. The trails they traveled, especially in Wyoming, still remain a visible testimony to the great struggles of these early American pioneers.

During the mid-1800's, Casper, Wyoming was the only geographic location in the western United States where the Oregon, Mormon, California and Pony Express trails, as well as many Indian trails converged. A fork of the Bozeman Trail and the beginnings of the Bridger Trail also originated in Casper. These trails are a distinctive part of our nation's past and they possess important historical and cultural values representing themes of migration, settlement, transportation, and commerce that shaped the landscape of the West.

Congress has recognized the historical significance of these trails. The National Trails Systems Act, as amended in 1978 and 1992, designates the Oregon, Mormon, California, and Pony Express Trails as National Historic Trails. The Act also directs the Secretary of the Interior to protect, interpret and manage the remnants of these trails on federal lands.

While large segments of these trails, and their associated historic sites, lie on Bureau of Land Management (BLM) lands in Wyoming, no interpretive center is available in Wyoming, or any adjacent state, to educate the public on the role of these trails in our nation's history.

In an effort to preserve and interpret this important history, I have introduced H.R. 2186 to establish the National Historic Trails Interpretive Center (NHTIC) in Casper, Wyoming. The bill encompasses a unique partnership of federal and non-federal interests to jointly construct and operate this Center. These interests include the BLM, the city of Casper, and the nonprofit National Historic Trails Foundation. These entities came together in 1992 to build a center to memorialize and interpret the national historic trails in the West.

The interpretive and educational programs that will be associated with the Trails Center in Casper will enable visitors to discover and appreciate the miles of untouched trails that lie on public lands in the West. The Center will identify and help protect sensitive historic trail remnants to prevent degradation. The National Historic Trails Centers will also provide an opportunity for the BLM to showcase public lands emphasizing the bureau's commitment to preserve lands of historical value.

Under the cooperative agreement, there is a clear commitment of non-federal partners to share costs to construct, maintain and operate the Trails Center. City, state, foundation and private interests will bear approximately half of the total costs of the project. The City of Casper provided funds to initiate work on the Center. The city has also donated more than 10 acres of prime land overlooking the site of the North Platte River crossings of the historic trails for the Center. Furthermore, the citizens of Casper increased local sales taxes and have raised the required 1.5 million of construction dollars to meet their financial commitment under the cooperative agreement. The State of Wyoming has joined the partnership by giving $700,000 for the Center. The cooperative agreement also requires non-Federal entities to establish a $1 million endowment, the interest thereof to maintain exhibits for the life of the Center. The overwhelming amount of non-federal support for the Center is precisely the kind of cooperation Congress intended in managing and interpreting the historic trails of the nation.

The BLM, under the cooperative agreement, has an important but limited role in establishing and operating the National Historic Trails Interpretive Center. The BLM has already completed a striking design as well as the engineering blueprints of the Center. With this work completed, the land available, and most of the non-federal funds in hand, the Center is now ready for construction This legislation provides congressional authorization of funds for the BLM to do so. Once the Center is completed, the BLM will own and operate the facility. However, with the endowment, the authorization to charge visitors a modest entrance fee, and commitments for volunteer staffing, the facility will be largely self-sustaining from a financial perspective. This is important in view of the present and anticipated future funding restrictions of the Federal government.

In Wyoming, we are experiencing great interest in the historic trails that cross the state. In 1992, a year when visitation to Yellowstone National Park and Grand Teton National Park was down, the Wyoming Department of Tourism reported an increase in tourism along the Oregon Trail route during the sesquicentennial of that trail. This year is the sesquicentennial of the Mormon Pioneer Trail. BLM officials have estimated that between 200,000 and one million visitors participated in "trails" events in Wyoming this year. We expect similar interest in trails during the sesquicentennials of the California and Pony Express historic trails. In truth, an increasing number of Americans are discovering, enjoying, and learning the history of these treks and are seeking to experience natural settings, landmarks, and physical remains of the trails.

I am pleased with the broad level of support the National Historic Trails Interpretive Center enjoys. Wyoming State Representative Dorothy Perkins, who testified on behalf of the bill before the Resource Subcommittee on National Parks and Public Lands, along with Executive Director of the Center, Edna Kennell, have both worked tirelessly to make this project a reality. As noted earlier, the city of Casper and the State of Wyoming have provided tremendous assistance to the effort—for that I thank them. The governor of Wyoming, Jim Geringer, as well as Wyoming's former governor, Mike Sullivan, have endorsed the Center from the beginning. Wyoming's U.S. Senators, MIKE ENZI and CRAIG THOMAS, support the project. Especially gratifying has been the support and encouragement from interests outside of Wyoming, such as the Oregon-California Trails Association. I deeply appreciate the support of my respected colleague from Utah, Representative JIM HANSEN, Chairman of the House National Parks and Public Lands Subcommittee.

The establishment of the National Historic Trails Interpretive Center is in the public interest. The project contains the best elements of private and public cooperation. The construction and operation of this Trails Center is altogether consistent with the BLM's criteria for projects of this kind. I urge my colleagues to help advance our efforts to preserve and interpret a significant chapter of American history by lending their support for this legislation.

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

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

Mr. Speaker, H.R. 2186 directs the Secretary of the Interior to establish a National Historic Trails Interpretive Center in Casper, Wyoming, and to carry out this legislation the bill authorizes an appropriation of $5 million, and I want to certainly commend my good friend, the gentlewoman from Wyoming (Mrs. CUBIN), who is the chief sponsor of this piece of legislation.

Mr. Speaker, the center would encompass 4 designated historic trails, national historic trails, the Oregon Trail, the California trail, the Mormon Pioneer Trail and the Pony Express Trail, that pass through the Casper area. The center would include displays and provide visitor education on the historical impacts of the trails. Exhibits would depict the pioneers' travels, and I have been told that that would also include a focus on Native Americans.

The Bureau of Land Management is currently a partner with the State of Wyoming, the City of Casper and the National Historic Trails Center Foundation on this project. The partners are operating under a 1992 memorandum of understanding and a 1997 cooperative agreement.

The Bureau of Land Management has also committed $450,000 for the engineering and design of the center, and the Wyoming legislature has appropriated $700,000, and the local county has provided $1.5 million for the center through local sales taxes. The City of Casper has donated $700,000 to the foundation and has pledged to provide the land on which the center will be built. The foundation has raised $3 million towards the $4.5 million commitment to the project. In addition, efforts are underway to establish an endowment of at least $1 million to help with the maintenance and operation costs of the center.

Mr. Speaker, as this statement shows, there has already been a significant amount of work done to establish a National Historic Trails Center in Casper, Wyoming, and I add my support to these efforts in the bill. I believe H.R. 2186 is a noncontroversial measure, it does have the support of the administration, and I ask my colleagues to support this piece of legislation.

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

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

I wish to thank my colleague from American Samoa for his support and work on this bill.

I do not have any further speakers, so is the gentleman prepared to yield back the balance of his time?

Mr. FALEOMAVAEGA. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. ROEMER) to speak on this legislation.

Mr. ROEMER. Mr. Speaker, I thank my good friend for yielding this time

to me, and congratulate him and gentlewoman from Wyoming (Mrs. CUBIN) for her hard work on this very important noncontroversial bill on the trails interpretive center. Certainly the engineering design center that they are discussing is important in a host of different ways, and the money they have worked to allocate for this legislation is extremely important too. But I would say, Mr. Speaker, in terms of this historic trail that is going to lead somewhere and has been designed for specific purposes, certainly the campaign trail for finance reform in this country is leading absolutely nowhere.

Mr. Speaker, we have scheduled it tonight, we have scheduled it at a time when we are supposed to be debating during the course of today's calendar, we are debating, I am sure, a very important piece of legislation here today for this National Historic Trails Interpretive Center in Casper, Wyoming, and we are giving 20 minutes to this particular bill and the same amount of time and importance to each one of the campaign finance bills tonight, 20 minutes apiece.

Then, Mr. Speaker, we are also saying tonight that these bills have to be on the suspension calendar, which I think is a travesty to the system, it is unfair to the American people's desire for campaign finance reform, and it does not do justice to the amount of work that many Members of Congress have put into this historic campaign finance reform legislation that they have worked hard on, that they think that their constituents are very interested in, that they think is important for the integrity of our system here in America.

And certainly as we look at the calendar for the rest of the day, 20 minutes today on this National Historic Trails Interpretive Center in Casper, Wyoming, 20 minutes on these particular bills on campaign finance reform, I am sure that we are going to spend more than 20 minutes on the tobacco legislation that is going to be coming before Congress. And with the amount of money that big tobacco has put into the legislation that is going to be before Congress, certainly there might be some out there, Mr. Speaker, that do not want any kind of legitimate campaign finance reform going on tonight to talk about the roles of special interest groups in the system today.

I think the American people, whether they are in Indiana or California or New Jersey, want to do specific things to try to clean up the system. They want to have more faith in their people in public service, they want to see some lids on the amount of money being spent in campaigns across the country today. They want to see this soft money or sewer money not being flushed into every particular district in the country at the last minute and having no accountability to either one of the candidates, Democrat or Republican. They want to see that we have a fair system in the campaign finance reform system in the future.

I think more and more, Mr. Speaker, we are seeing the candidates that are running for different elective office out there more and more reflective of the higher income groups, and more and more the middle class and lower income people are not going to be able to run for office in the future if we are not able to debate and discuss in a genuine sense, with a lot of integrity and some considerable time, campaign finance reform.

So to put campaign finance reform on a Monday night, to put campaign finance reform before the American people at the same time that there is a very important basketball game taking place tonight, to put campaign finance reform at 20-minute intervals, the same 20 minutes that I am sure that this important bill deserves, but I think campaign finance reform is certainly something the American people are probably more interested in and affects more of them than this National Historic Trails Interpretive Center in Casper, Wyoming.

We need to make sure that we are doing a service to campaign finance reform, and let the American people know what is in these bills, let the American people contact our offices and let us know how we should vote on a particular matter of this kind of importance to the American people.

I would hope that the Republican leadership, Mr. Speaker, would do a service to the body, do a service to the people of this country and not put such an important bill up for debate when Members are traveling back from the Midwest and back from the West Coast, when many of them are not even here to partake in the debate or listen to the debate, and when we only put 20 minutes forward on such an important piece of legislation.

So, Mr. Speaker, I rise in support of this very important bill before us, and I appreciate my colleagues' patience.

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

Mr. Speaker, I thank the fine gentleman from Indiana for his support, and I congratulate him on his creativity in debate. I would add one little bit of information. Actually there is 20 minutes of time allocated to each side, so if it makes my colleague feel any better, it is 40, but I doubt that is the case.

Mr. Speaker, I have no further speakers, so I reserve the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. FARR).

Mr. FARR of California. Mr. Speaker, it is nice to see a speaker from Nevada, an author from Wyoming and a legislator from California all up here to support the National Historic Trails Center in Casper, Wyoming. I am a big supporter of historic trails. In fact, we are going to authorize to spend $5 million of taxpayers' money, and I think it is money well spent. But we are going to see probably everybody is voting for this bill because it is a good thing to do, to support historic trails.

I wonder if this trail is going to lead us into some meaningful campaign finance reform. Do my colleagues think that we could sort of get, in a bipartisan spirit, this idea that we ought to probably limit the amount of money that goes into campaigns, not expand them, that I understand is the proposal, kind of limit it down here? I mean, there was so much money spent in campaigns in the 1996 election, if we limited it to $5 million like the center would have, we would have meaningful reform.

□ 1430

Mr. Speaker, I appreciate this, and I hope that when we have similar type legislation for similar bills in California, that Wyoming supports us as well. I hope this trail center, when you interpret it, it will be able to interpret why we have not had meaningful campaign reform here on the floor of the House in March of 1998.

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

Mr. Speaker, I thank the gentlewoman for her tremendous patience, and I want to commend the gentleman from California for his remarks. I think that perhaps we should provide a special area in this historic center we are going to build in Casper, Wyoming, and put all the memorabilia about campaign finance reform in it. Maybe that might be of help.

I want to truly thank the gentlewoman for our dialogue this afternoon and in passage of this bill. I urge my colleagues to vote for passage of this legislation.

Mr. HANSEN. Mr. Speaker, I wish to support H.R. 2186, a bill introduced by my colleague Congresswoman BARBARA CUBIN from the State of Wyoming. Mrs. CUBIN has worked very hard for the citizens of Wyoming to help establish the National Historic Trails Interpretive Center. These historic trails, including four Congressionally designed trails, form a distinctive part of our Nation's history and represent valuable historic and cultural themes which helped shaped the West.

This bill is showpiece of a cooperative partnerships between federal and non-federal interests that will fund, construct, operate, and maintain the Trails Center.

This bill is non-controversial and is supported by the Administration, trails groups, and the City of Casper, Wyoming. I urge my colleagues to support H.R. 2186.

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

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

The SPEAKER pro tempore (Mr. GIBBONS). The question is on the motion offered by the gentlewoman from Wyoming (Mrs. CUBIN) that the House suspend the rules and pass the bill, H.R. 2186.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mrs. CUBIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2186.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Wyoming?

There was no objection.

RHINOCEROS AND TIGER CONSERVATION REAUTHORIZATION ACT OF 1998

Mrs. CUBIN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3113) to reauthorize the Rhinoceros and Tiger Conservation Act of 1994.

The Clerk read as follows:

H.R. 3113

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 "Rhinoceros and Tiger Conservation Reauthorization Act of 1998".

SEC. 2. REAUTHORIZATION OF RHINOCEROS AND TIGER CONSERVATION ACT.

Section 7 of the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5306) is amended by striking "fiscal years" and all that follows through "2000" and inserting "fiscal years 1998, 1999, 2000, 2001, 2002, 2003, and 2004".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Wyoming (Mrs. CUBIN) and the gentleman from California (Mr. FARR) each will control 20 minutes.

The Chair recognizes the gentlewoman from California (Mrs. CUBIN).

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

Mr. Speaker, I am pleased to present the House of Representatives H.R. 3113, to extend the Rhinoceros and Tiger Conservation Act of 1994 until September 30, 2004.

The fundamental purposes of this landmark law were to establish a conservation fund and to authorize the Congress to appropriate up to $10 million per year to finance worthwhile projects to assist highly endangered species of rhinos and tigers.

Since its enactment, the Congress has appropriated $1 million over the last three fiscal years. While this is much less than the $30 million that was authorized, this money has funded 31 conservation projects at a cost of $585,000. The sponsors of these projects will match these funds, and I am confident that these grants will help stop the destruction of these animals.

According to the U.S. Fish and Wildlife Service, 16 rhino projects, 7 tiger projects, and 8 projects to benefit both species have been funded. These have included an adopt-a-warden program in Indonesia, aerial monitoring of rhinos in Zaire, investigation of poaching and illegal trade of wild tigers in India, and the training of wildlife rangers in Tanzania.

Without this fund, I am convinced that rhinos and tigers would continue to slide toward extinction. After all, there are only 11,000 rhinos and fewer than 5,000 tigers living in the wild.

This small investment has become a powerful weapon in the international fight to stop the poaching of these species, and it is one of the only continuous sources of money available to range states.

During the subcommittee hearing on this legislation, every witness, including the administration, the American Zoo and Aquarium Association, Safari Club International, and the World Wildlife Fund spoke in strong support of H.R. 3113. Each of these witnesses testified that the grants made under this act will make a positive difference in conserving rhinos and tigers.

Mr. Speaker, I urge my colleagues to vote aye on this important wildlife conservation bill.

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

Mr. FARR of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise also to enthusiastically support this legislation. This will provide much-needed funds, again, taxpayer money, for the protection of highly endangered rhinos and tigers throughout the world.

Why do we spend American taxpayer money on this? There is probably no two animals more urgently in need of strong conservation programs. Throughout their range, these two magnificent species have been brought to their knees by habitat destruction and commercial trade in products made from their carcasses, essentially, greed.

Today, our President is viewing wildlife on a safari in Botswana. Hopefully, he will be able to see a rhino, perhaps a black or even more endangered and rare, a white rhino.

If we do not act and pass legislation like this, the next President to visit Africa may not be so fortunate to ever see a rhino.

While CITES, which is the Convention on International Trade in Endangered Flora and Fauna, has made great strides in controlling the international trade of rhino horn daggers and tiger skins, these species continue to decline due to massive habitat destruction and the black market demand for traditional medicines using rhino and tiger products.

Here in the United States, we sometimes find it hard to believe that a relatively small amount of money can produce such tremendous conservation benefits when applied to on-the-ground programs in other parts of the world, but, believe me, it works. The desperate situation of all species of rhinos and tigers worldwide makes every conservation dollar that much more critical in the battle to save them from extinction.

Since its enactment in 1994, the rhino and tiger conservation fund has supported the investigation of poaching and illegal trade in wild tigers in India, a Tiger Community Education Program in Indonesia, aerial monitoring of white rhinos in Zaire, and other programs that are desperately needed if we are to have any hope of saving these species for future generations.

This is simple and straightforward law, thanks to the excellent management and implementation by the Department of the Interior, which has provided great conservation bang for a very limited buck.

Mr. Speaker, I urge my colleagues to support this much-needed legislation.

Mr. SAXTON. Mr. Speaker, I am pleased to speak in favor of H.R. 3113, a bill introduced by the distinguished Chairman of the House Resources Committee, to extend the Rhinoceros and Tiger Conservation Act.

Prior to 1994, the United States had not provided any financial assistance to those countries that were desperately trying to stop the slaughter of their rhino and tiger populations. In fact, today all species of rhinos and tigers are listed as endangered in the United States and internationally.

With the passage of the Rhinoceros and Tiger Conservation Act, this Nation took a bold step when we told the rest of the world that we would support conservation projects to assist these two irreplaceable species.

While the amount of assistance has been small, about $585,000, our government has now funded 31 conservation projects for rhinos and tigers, and the Department of the Interior is now carefully reviewing an additional 70 proposals.

It is essential that this assistance be available in the future, and that is why I support H.R. 3113. During our Subcommittee hearing on this legislation, Secretary Bruce Babbitt testified that "the Rhino and Tiger Conservation Fund has gotten off to an excellent start over the past three years. The job has only just begun, however. There is much more work to do and no shortage of committed partners seeking our help in Africa and Asia." At the same hearing, Dr. Terry Maple, the President-Elect of the American Zoo and Aquarium Association, states that "this Fund is designed to be a 'quick strike' in assisting conservation

organizations on the front lines of saving these animals from extinction."

Mr. Speaker, it was no surprise that every witness strongly supported the enactment of H.R. 3113 because they believe, as I do, that the grants made from this Fund are making a positive difference in the international fight to save rhinos and tigers.

I urge an AYE vote on this important wildlife conservation measure.

Mr. FARR of California. Mr. Speaker, there is such unanimous support on this legislation that no one asked for time, and I yield back the remainder of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Wyoming (Mrs. CUBIN) that the House suspend the rules and pass the bill, H.R. 3113.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mrs. CUBIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3113.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Wyoming?

There was no objection.

CONSOLIDATING CERTAIN MINERAL INTERESTS IN NATIONAL GRASSLANDS IN BILLINGS COUNTY, NORTH DAKOTA

Mrs. CUBIN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 750) to consolidate certain mineral interests in the National Grasslands in Billings County, North Dakota, through the exchange of Federal and private mineral interests to enhance land management capabilities and environmental and wildlife protection, and for other purposes.

The Clerk read as follows:

S. 750

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

SECTION 1. EXCHANGE OF CERTAIN MINERAL INTERESTS IN BILLINGS COUNTY, NORTH DAKOTA.

(a) PURPOSE.—The purpose of this Act is to direct the consolidation of certain mineral interests in the Little Missouri National Grasslands in Billings County, North Dakota, through the exchange of Federal and private mineral interests in order to enhance land management capability and environmental and wildlife protection.

(b) EXCHANGE.—Notwithstanding any other provision of law—

(1) if, not later than 45 days after the date of enactment of this Act, Burlington Resources Oil & Gas Company (referred to in this Act as "Burlington" and formerly known as Meridian Oil Inc.), conveys title acceptable to the Secretary of Agriculture (referred to in this Act as the "Secretary") to all oil and gas rights and interests on lands identified on the map entitled "Billings County, North Dakota, Consolidated Mineral Exchange—November 1995", by quitclaim deed acceptable to the Secretary, the Secretary shall convey to Burlington, subject to valid existing rights, by quit-claim deed, all Federal oil and gas rights and interests on lands identified on that map; and

(2) if Burlington makes the conveyance under paragraph (1) and, not later than 180 days after the date of enactment of this Act, the owners of the remaining non-oil and gas mineral interests on lands identified on that map convey title acceptable to the Secretary to all rights, title, and interests in the interests held by them, by quitclaim deed acceptable to the Secretary, the Secretary shall convey to those owners, subject to valid existing rights, by exchange deed, all remaining Federal non-oil and gas mineral rights, title, and interests in National Forest System lands and National Grasslands identified on that map in the State of North Dakota as are agreed to by the Secretary and the owners of those interests.

(c) LEASEHOLD INTERESTS.—As a condition precedent to the conveyance of interests by the Secretary to Burlington under this Act, all leasehold and contractual interests in the oil and gas interests to be conveyed by Burlington to the United States under this Act shall be released, to the satisfaction of the Secretary.

(d) EQUAL VALUATION OF OIL AND GAS RIGHTS EXCHANGE.—The values of the interests to be exchanged under subsection (b)(1) shall be deemed to be equal.

(e) APPROXIMATE EQUAL VALUE OF EXCHANGES WITH OTHER INTEREST OWNERS.—The values of the interests to be exchanged under subsection (b)(2) shall be approximately equal, as determined by the Secretary.

(f) LAND USE.—

(1) EXPLORATION AND DEVELOPMENT.—The Secretary shall grant to Burlington, and its successors and assigns, the use of Federally-owned surface lands to explore for and develop interests conveyed to Burlington under this Act, subject to applicable Federal and State laws.

(2) SURFACE OCCUPANCY AND USE.—Rights to surface occupancy and use that Burlington would have absent the exchange under this Act on its oil and gas rights and interests conveyed under this Act shall apply to the same extent on the federally owned surface estate overlying oil and gas rights and interests conveyed to Burlington under this Act.

(g) ENVIRONMENTAL PROTECTION FOR ENVIRONMENTALLY SENSITIVE LANDS.—All activities of Burlington, and its successors and assigns, relating to exploration and development on environmentally sensitive National Forest System lands, as described in the "Memorandum of Understanding Concerning Certain Severed Mineral Estates, Billings County, North Dakota", executed by the Forest Service and Burlington and dated November 2, 1995, shall be subject to the terms of the memorandum.

(h) MAP.—The map referred to in subsection (b) shall be provided to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives, kept on file in the office of the Chief of the Forest Service, and made available for public inspection in the office of the Forest Supervisor of the Custer National Forest within 45 days after the date of enactment of this Act.

(i) CONTINUATION OF MULTIPLE USE.—Nothing in this Act shall limit, restrict, or otherwise affect the application of the principle of multiple use (including outdoor recreation, range, timber, watershed, and fish and wildlife purposes) in any area of the Little Missouri National Grasslands. Federal grazing permits or privileges in areas designated on the map entitled "Billings County, North Dakota, Consolidated Mineral Exchange—November 1995" or those lands described in the "Memorandum of Understanding Concerning Certain Severed Mineral Estates, Billings County, North Dakota", shall not be curtailed or otherwise limited as a result of the exchanges directed by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Wyoming (Mrs. CUBIN) and the gentleman from California (Mr. FARR) each will control 20 minutes.

The Chair recognizes the gentlewoman from Wyoming (Mrs. CUBIN).

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

Mr. Speaker, I rise in support of Senate 750, an act to consolidate certain mineral interests in the National Grasslands in Billings County, North Dakota through the exchange of Federal and private mineral interests to enhance land management capabilities and environmental and wildlife protection, and for other purposes.

Mr. Speaker, S. 750, introduced by the senior Senator from North Dakota, Mr. DORGAN, is identical to H.R. 2574, introduced by our House colleague, the gentleman from North Dakota (Mr. POMEROY). Indeed, it is the request of the gentleman from North Dakota (Mr. POMEROY) that the full House take up the Senate bill rather than his own in order to expedite passage of this legislation. The gentleman's bill was referred to the Committee on Resources and then to the Subcommittee on Energy and Mineral Resources, as well as the Subcommittee on Forests.

The legislation directs the Secretary of Agriculture to conclude an equal-value exchange of 9,582 of private oil and gas rights for 8,796 acres of Federal oil and gas rights beneath a national grassland within Billings County, North Dakota, managed by the U.S. Forest Service. The legislation also authorizes the exchange of any other private mineral rights in the same area. S. 750 passed the Senate by unanimous consent.

Mr. Speaker, our colleague from North Dakota has worked diligently to bring together differing interests to make this bill happen. The private mineral owner is the successor in interest to a land grant to the Northern Pacific Railroad. The land surface estate was acquired by the Secretary of Agriculture many decades ago, but the mineral estate was reserved by the railroad.

To have meaning, such reservations obviously must include the right to use the surface estate to the extent necessary to access one's own mineral rights. Such is the case here, but the oil and gas company that has these rights has patiently negotiated with Forest Service and the environmental community to avoid actions which would disturb the roadless character and solitude of the area in question.

Mr. Speaker, now is the time to ratify the exchange contemplated in the moratorium of understanding referenced by the bill. Although it may well be possible to administratively exchange the mineral estates in question, all parties seek the blessing of Congress in order to expedite the deal already struck.

Further delay is unwarranted. Without this exchange, the Boundary Butte area of the National Grassland, which the Forest Service and the environmental community wish to protect from intrusions such as oil and gas development, remains threatened by the exercise of legitimate private property rights.

If we do not act, the long delay to legally access the private mineral estate will be exacerbated further and could possibly lead to a successful takings claim against the United States.

Mr. Speaker, this legislation makes both economic and environmental sense by consolidating mineral ownership and by reducing any potential conflict between surface and subsurface management of the National Grasslands. I urge its adoption.

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

Mr. FARR of California. Mr. Speaker, I yield such time as he may consume to the gentleman from North Dakota, Mr. POMEROY.

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

Mr. Speaker, I want to thank everyone involved with the Committee on Resources for allowing this bill to come to the floor today, specifically the gentlewoman from Wyoming (Mrs. CUBIN), the gentlewoman from Idaho (Mrs. CHENOWETH), the chairs of the subcommittees of the Committee on Resources, the gentleman from Alaska (Chairman YOUNG) and the ranking member, the gentleman from California (Mr. MILLER), for their participation.

Mr. Speaker, I am proud of this legislation. This bill to authorize a mineral exchange has been the result of extensive negotiations between Burlington Resources, an oil and gas development company, the U.S. Forest Service, the North Dakota chapters of the Sierra Club and Wildlife Society, the Governor of North Dakota and the Bureau of Land Management Resources Advisory Council.

Now, why so much time and attention put on such an issue? As you can see, this is some of the most beautiful scenic area in western North Dakota. It is of a unique historical nature as well. General Custer and his troops rolled through this area looking for gold. Teddy Roosevelt ranched and hunted bison and grizzly in this region. There are unique geological formations which have caused the area to be considered sacred by the native Mandan and Hidatsa Indian tribes.

In this area alone, 26 archeological, 8 historical and 27 isolated artifact sites are known to exist. By passing this legislation, you will help us protect this region.

The bill is a win-win, because both the environmental and mineral exploration in western North Dakota are advanced by this legislation. Because of the fragmented land ownership pattern in this area, this exchange is going to have the effect of better protecting bighorn sheep habitat and lambing areas, and the viewshed of the Little Missouri River, indicated by this picture. For the mineral company, the exchange facilitates exploration in a way that is compatible with the unique features of the area.

□ 1445

The bill accomplishes the following:

Swaps mineral interests of the Federal Forest Service for mineral interests of the Burlington resources area; it authorizes the exchange of any other private mineral rights for the Federal mineral rights within 180 days of enactment subject to the Secretary's approval; it requires Burlington Resources, as a condition of exchange, to secure the release of any contractual property rights that may exist; assures no provision of the legislation can be interpreted to limit, restrict, or otherwise affect the application of the principle of multiple use in the national grasslands.

Also, the bill does not change the amount of surface ownership of the Federal Forest Service; decrease the Federal land available for oil and gas development; decrease the revenue to the county, State, or Federal governments. It does not provide Burlington Resources or the Forest Service with mineral rights of a greater value than those they now hold, and it does not change or address the ongoing issue of wilderness designation in this area.

In conclusion, this is simply positive legislation that allows for optimal preservation and optimal development in western North Dakota.

There is a specific issue raised by the Committee on Commerce which I want to speak to in the concluding portion of my remarks.

After the Committee on Resources reported out H.R. 2574, an identical version of the bill before us today, S. 750, a question was raised by the Committee on Commerce regarding the applicability of section 120(h) of the Comprehensive Environmental Response, Compensation and Liability Act, known as CERCLA, or Superfund, to the exchange involved in this legislation.

Section 120(h) imposes certain requirements on the Federal agencies concerning hazardous substances whenever the agencies dispose of real property, particularly when any hazardous substance was stored for 1 year or more, known to have been released, or disposed of there, and when the Federal Government plans to terminate the Federal Government operations there. CERCLA does not define "real property".

This legislation involves the exchange of only private and Federal undeveloped oil and gas rights, all of which will remain under federally-owned surface in the National Grasslands. We understand no hazardous substance was stored for 1 year or more, known to have been released, or disposed of on this Federal surface. Furthermore, the United States does not plan to terminate the Federal Government operations on this Federal surface.

For all these reasons, we believe that section 120(h) of CERCLA is not applicable to the transaction authorized by this legislation. It is, therefore, not the sponsor's intention nor the committee's intention that the legislation affect in any way the responsibilities and obligations of the parties to the transaction directed by the legislation under any applicable provisions of CERCLA.

That said for the RECORD, Mr. Speaker, I again want to thank really very sincerely the leadership of the Committee on Natural Resources and the ranking minority member for their assistance. This is important to us in North Dakota. I thank the Members for their help.

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

Mr. Speaker, it has been a pleasure to work with the gentleman from North Dakota (Mr. POMEROY) on behalf of his constituents.

Mr. FARR of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have not had the privilege of visiting this area, but I understand that President Theodore Roosevelt was among one of many Americans who appreciated the stark beauty of the North Dakota lands. In this bill we are really providing an opportunity for what he noticed generations ago to be saved for generations to come; and I applaud the work of our colleague, the gentleman from North Dakota (Mr. POMEROY), on this.

I do want to point out, Mr. Speaker, that the administration supports the objectives of this exchange; but they did raise some concerns in the hearing testimony about the procedural language in the bill.

We, too, would have preferred it had the Forest Service prepared a legislative environmental impact statement for Congress to consider ratifying; and we urge the Forest Service to do so in the future. But in this case the Forest Service has engaged in a thorough process of extensive public outreach in negotiating this exchange. The major stakeholders in North Dakota, including environmental groups, support the exchange in the bill; and there appears to be nothing to be gained by undue delay in its implementation.

Therefore, Mr. Speaker, I compliment the gentleman from North Dakota for his dedication and work on this important legislation. I urge my colleagues to support this bill.

Mr. Speaker, I rise in support of S. 750. This bill is identical to H.R. 2574, sponsored by our Democratic colleague Representative EARL POMEROY. The gentleman from North Dakota is a strong advocate for the interests of his constituents and has worked very hard on this legislation.

The purpose of this bill is to ratify an exchange of mineral assets between the U.S. Forest Service and Burlington Resources in order to consolidate federal land holdings in the National Grasslands of North Dakota. The exchange is deemed desirable because the land and mineral ownership pattern in this area is fragmented, with the Forest Service managing the surface estate of the lands while Burlington Resources owns subsurface mineral rights.

The Forest Service supports the objectives of the exchange in order to protect significant resources values in the National Grasslands, including the Kinley Plateau roadless area which provides critical habitat for bighorn sheep. The exchange will also have the benefit of protecting view-shed lands along the scenic Little Missouri River. A Memorandum of Understanding between the Forest Service and Burlington Resources concerning exploration and development of Burlington's mineral rights is also intended to provide additional protection to sensitive lands.

I have not had the privilege of visiting this area, but it is my understanding that President Theodore Roosevelt is among the many Americans who have appreciated the stark beauty of these North Dakota lands. In this bill, we are providing the opportunity for future generations to use and enjoy these lands as well.

Mr. Speaker, the Administration supports the objectives of this exchange but did raise concerns in hearing testimony about procedural language in the bill. We, too, would have preferred it had the Forest Service prepared a legislative environmental impact statement for Congress to consider and ratify. And we urge the Forest Service to do so in the future.

But in this case, the Forest Service has engaged in a thorough process with extensive public outreach in negotiating this exchange. Major stakeholders in North Dakota, including environmental groups, support the exchange and the bill. There appears nothing to be gained by undue delay in its implementation.

Again, I compliment the gentleman from North Dakota for his dedication and work on this important legislation. I urge my colleagues to support the bill.

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

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

The SPEAKER pro tempore (Mr. GIBBONS). The question is on the motion offered by the gentlewoman from Wyoming (Mrs. CUBIN) that the House suspend the rules and pass the Senate bill, S. 750.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mrs. CUBIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 750, the Senate bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Wyoming?

There was no objection.

URGING THE PRESIDENT TO PROVIDE HELICOPTERS TO THE COLOMBIAN NATIONAL POLICE

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H.Res. 398) urging the President to expeditiously procure and provide three UH–60L Blackhawk utility helicopters to the Colombian National Police solely for the purpose of assisting the Colombian National Police to perform their responsibilities to reduce and eliminate the production of illicit drugs in Colombia and the trafficking of such illicit drugs, including the trafficking of drugs such as heroin and cocaine to the United States, as amended.

The Clerk read as follows:

H. RES. 398

Whereas Colombia is the leading illicit drug producing country in the Western Hemisphere;

Whereas 80 percent of the world's cocaine originates in Colombia;

Whereas based on the most recent data of the Drug Enforcement Administration (DEA), more than 60 percent of the heroin seized in the United States originates in Colombia;

Whereas the Colombian National Police is led by the legendary and incorruptible Director General Jose Serrano, who has dedicated his life to fighting drugs;

Whereas the elite anti-narcotics unit of the Colombian National Police ("DANTI"), under the direction of Colonel Leonardo Gallego, is one of the best and most effective anti-narcotics police forces in the region and the world;

Whereas in the last 10 years more than 4,000 officers of the Colombian National Police have died fighting the scourge of drugs;

Whereas in one recent year alone, according to data of the United States Government, the United States had 141,000 new heroin users and the United States faces historic levels of heroin use among teenagers between the ages of 12 and 17;

Whereas once Colombian heroin is in the stream of commerce it is nearly impossible to interdict because it is concealed and trafficked in very small quantities;

Whereas heroin does not require the traditional large quantities of precursor chemicals and large laboratories to produce and therefore there are fewer opportunities to disrupt its production and distribution;

Whereas the best and most cost efficient method of preventing Colombian heroin from entering the United States is to destroy the opium poppies in the high Andes mountains where Colombian heroin is produced;

Whereas the elite anti-narcotics unit of the Colombian National Police has the responsibility to eradicate both coca and opium in Colombia, including the reduction and elimination of cocaine and heroin production, and they have done a remarkably effective job with the limited and outdated equipment at their disposal;

Whereas more than 40 percent of the anti-narcotics operations of the Colombian National Police involve hostile ground fire from narco-terrorists and 90 percent of such operations involve the use of helicopters;

Whereas the need for better high performance helicopters by the Colombian National Police, especially for use in the high Andes mountains, is essential for more effective eradication of opium in Colombia;

Whereas on December 23, 1997, one of the antiquated Vietnam-era UH–1H Huey helicopters used by the Colombian National Police in an opium eradication mission crashed in the high Andes mountains due to high winds and because it was flying above the safety level recommended by the original manufacturer;

Whereas in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1998 (Public Law 105–118), amounts were appropriated for the procurement by the United States for the Colombian National Police of three UH–60L Blackhawk utility helicopters that can operate safely and more effectively at the high altitudes of the Andes mountains where Colombian opium grows at altitudes as high as 12,000 feet;

Whereas the Blackhawk helicopter is a high performance utility helicopter that can perform at the high altitudes of the Andes mountains, as well as survive crashes and sustain ground fire, much better than any other utility helicopter now available to the Colombian National Police in the war on drugs;

Whereas because the Vietnam-era Huey helicopters that the United States has provided the Colombian National Police are outdated and have been developing numerous stress cracks, a sufficient number should be upgraded to Huey IIs, and the remainder should be phased-out as soon as possible;

Whereas these Huey helicopters are much older than most of the pilots who fly them, do not have the range due to limited fuel capacity to reach many of the expanding locations of the coca fields or cocaine labs in southern Colombia, nor do they have the lift capacity to carry enough armed officers to reach and secure the opium fields in the high Andes mountains prior to eradication;

Whereas the elite anti-narcotics unit of the Colombian National Police has a stellar record in promoting respect for human

rights and has received the seal of approval of a leading international human rights group in their operations to reduce and eradicate illicit drugs in Colombia;

Whereas the Congress also would support assistance to the Colombian military if the military demonstrates the will to fight effectively while respecting civilian non-combatants in the same way the anti-narcotics unit of the Colombian National Police has;

Whereas the narco-terrorists of Colombia have announced that they will now target United States citizens, particularly those United States citizens working with their Colombian counterparts in the fight against illicit drugs in Colombia;

Whereas a leading commander of the Revolutionary Armed Forces of Colombia ("FARC") announced recently that the objective of these narco-terrorists, in light of recent successes, will be "to defeat the Americans";

Whereas United States Government personnel in Colombia occasionally fly in these helicopters with the Colombian National Police on their missions are now at even greater risk from these narco-terrorists and their drug trafficking allies;

Whereas in the last six months four anti-narcotics helicopters of the Colombian National Police have been downed in operations;

Whereas the Congress intends to provide the necessary support and assistance to wage an effective war on illicit drugs in Colombia and provide the equipment and assistance needed to protect all of the men and women of the Colombian National Police as well as those Americans who work side by side with the Colombian National Police in this common struggle against illicit drugs; and

Whereas the Administration, in a letter to the Miami Herald from the Office of National Drug Control Policy (ONDCP) concerning the issue of anti-narcotics assistance to Colombia, stated that the strategy of the "source country", such as the strategy of Colombia, is the best and most effective methods to fight the war on illicit drugs:

Whereas the new Government of Bolivia has made a commitment to eradicate coca/cocaine production in that country within 5 years;

Whereas the United States should support any country that is interested in removing the scourge of drugs from its citizens;

Whereas Bolivia has succeeded in reducing acreage used to produce coca, which is the basis for cocaine production; and

Whereas United States assistance has been a crucial element of this success: Now, therefore, be it

Resolved, That—

(1) the House of Representatives urges the President to expeditiously procure and provide to the Colombian National Police three UH-60L Blackhawk utility helicopters solely for the purpose of assisting the Colombian National Police to perform their responsibilities to reduce and eliminate the production of illicit drugs in Colombia and the trafficking of such illicit drugs, including the trafficking of drugs such as heroin and cocaine to the United States; and

(2) if the President determines that the procurement and transfer to the Colombian National Police of three UH-60L Blackhawk utility helicopters is not an adequate number of such helicopters to maintain operational feasibility and effectiveness of the Colombian National Police, then the President should promptly inform the Congress as to the appropriate number of additional UH-60L Blackhawk utility helicopters for the Colombian National Police so that amounts can be authorized for the procurement and transfer of such additional helicopters; and

(3) the House of Representatives supports maintaining assistance for Bolivia at least at the level assumed in the fiscal year 1998 budget submission of the President and directs the Administration to act accordingly.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

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

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

GENERAL LEAVE

Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Resolution 398.

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

There was no objection.

Mr. GILMAN. Mr. Speaker, late last week the Committee on International Relations passed House Resolution 398, a resolution in support of providing high-tech helicopters to assist the Colombian National Police in their fight against the drug traffickers in Colombia.

Colombia is a key drug source nation in our Western Hemisphere. Eighty percent of the world's cocaine originates there. More than 60 percent of the heroin seized in the United States originates there, as well. The Vice President has estimated that illicit drugs have been costing American society some $67 billion annually.

Experts agree that stopping the flow of drugs at their source is the best and most effective way to combat this program. Stopping drugs before they reach our shores should be a top foreign policy priority of our Nation. It is what our American people want us to do.

The struggle to change administration policy to permit more anti-narcotic aid to Colombia ended in February of this year, when President Clinton certified Colombia in the vital national interest of our Nation. We now have an opportunity to begin a new chapter in U.S.-Colombia relations in our fight against illicit drugs and the narco-guerrillas. Let us hope that the administration's latest action on certification is not too little, too late.

General Charles Wilhelm, the head of our U.S. Southern Command, notified Congress 2 weeks ago that Colombia is a nation at grave risk. I believe Wilhelm stated that the drug crisis there poses a serious regional threat to Panama, to Ecuador, to Venezuela, and to its southern neighbors as the tentacles of narco-guerrilla activity spreads to those countries.

The guerrillas' monthly income from drugs exceed the entire annual budget of the nation's Drug Control Program and is more than the U.S. annual aid to Colombia. We must take this drug problem seriously. The Colombian National Police need these high-performance utility helicopters. Ninety percent of their anti-drug missions involve choppers that have been taking hostile fire 40 percent of the time.

This resolution calls for the administration to deliver those Black Hawks which we promised in the foreign operations appropriations bill that was signed into law nearly 6 months ago.

A few days ago the Colombian National Police suffered a severe loss that cost the lives of four officers because they did not have a Black Hawk helicopter. On a mission to destroy a cocaine lab, a police Huey helicopter was damaged and forced to land. Four men were left to guard that helicopter until a crew of mechanics could return the next morning to repair the damage. When the repair unit returned the next morning, they found one officer slain and the other missing.

Had a Black Hawk helicopter been available the day before, it would have been able to lift out that stricken Huey, saving both it and the lives of those brave officers who are now among the missing.

In addition, we are now informed that four Americans taken hostage last week by the narco-guerrillas are being held at an altitude of 12,000 feet in the Andes. The Colombian National Police need these Black Hawks in order to reach those altitudes and to get enough armed officers to rescue our fellow citizens.

This legislation also takes note of the important efforts being made by the government of Bolivia. The Department of State has been trying to play Bolivia and Colombia off against one another. This is an improper choice. There are ample funds available to aid both of those countries, which are helping us in the struggle against drugs.

This may require the administration to reprogram funds from other recipients; and, in passing this resolution, the House is calling upon the administration to provide sufficient funds for both Colombia and Bolivia to address the ongoing crisis by reprogramming funds needed from another source.

I want to take this opportunity to express my thanks to the Speaker for his permanent support in providing the kind of help that is needed for our allies in the Colombian National Police. His support is most important and most meaningful, and so it is duly noted by the Department of State.

I include for the RECORD the U.S. Army's grounding notice on U.S. Hueys, as well as a letter from Col. Gallego of the CMP'S anti-drug unit to the gentleman from Indiana (Chairman BURTON) on the critical need for these Black Hawk helicopters.

The material referred to is as follows:

SUBJECT: GROUNDING OF THE UH–1 HELICOPTER FLEET

1. Purpose: To provide information on the Army's decision to ground its UH–1 Helicopter fleet.

2. Facts.

a. Since November 1997, the Army has placed flight restrictions on UH–1 helicopters in response to a trend of spur gear failures in the aircraft's T–53 engines caused by vibration.

b. After careful consideration and as a prudent measure of safety, the Army is grounding its fleet of UH–1 helicopters until each helicopter engine can be tested to determine if the vibration is present. Those aircraft with engines that are experiencing the vibration will remain grounded until new carrier assemblies and spur gears can be installed. Engines that are not experiencing vibration will be temporarily returned to flight with restrictions imposed by the current safety of flight message, until a new improved coated spur gear can be procured and installed in the engines. Once the improved spur gears are installed and tested in the engines that do not exhibit the vibration, those aircraft will be returned to full service without flight restrictions. The Army is making every effort necessary to ensure that essential missions continue.

c. The Army's UH–1 fleet currently consists of 907 aircraft, 284 are in the active Army and 623 are in the Army National Guard. The Army National Guard leadership has been an integral part in the decision process to ground the UH–1 fleet. Although the majority of the UH–1s belong to the Army National Guard, they have more than 400 UH–60 Blackhawks in 37 states which will help alleviate the operational impact until the UH–1 fleet is ungrounded.

d. A "Blue Team" was formed at the US Army Aviation and Missile Command to address the engine problem. The team includes members from the Army and Allied Signal, the engine manufacturer. The team is dedicated to identifying and isolating the root cause of the failures and to developing and implementing a corrective action plan to lift the aircraft flight restrictions as soon as possible.

e. The team has conducted 25 engines tests at the Allied Signal facility in Arizona to isolate the root cause or cause of this vibration. Based on analysis of these extensive tests, the team has found that an engine vibration causes the spur gear failures. It has been determined that the gear fractures are due to high cycle fatigue as the result of excessive vibratory stresses that appear to occur when the engine power turbine operates close to 98% N2 speed. These stresses cause the spur gear to fracture.

f. The long-term solution is to redesign the gear and the N2 Carrier Drive Assembly so that it operates at acceptable stress levels. This solution also incorporates additional features that will improve reliability/durability of the assembly. Over the next 2–3 months development and testing will be underway to verify the corrective action. When the corrective action is verified, we can immediately begin fielding of the improved parts. The lead-time for corrective implementation to begin is driven by 6-month lead-time to design and manufacture new N2 Carrier housings. Installation of the new carrier assembly is scheduled to begin in October of 1998 and will take 18–24 months to complete fleet-wide implementation.

g. An interim approach has been recommended involving spray coating of the spur gear to attenuate the stresses to lower levels. In conjunction, engines on all aircraft will be screened for the root cause vibration using vibration analyzers. Pending successful results from the fatigue life test on the spur gears and engine screening procedures, fielding of the interim fix should be underway by late May 1998. These interim measures will be accomplished with a modification to the Aviation Vibration Analyzer currently fielded in the Army. A scheduled buy of new-coated spur gears will be executed. Delivery of the first 40 gears is scheduled in mid-May with the balance to be delivered in mid-July.

SANTA FE DE BOGOTÁ, D.C.
March, 1998.

Hon. DAN BURTON, *Chairman,*
Government Reform and Oversight Committee,
U.S. Congress, Washington, DC.

DEAR CHAIRMAN BURTON: I wanted to thank you for your comments at the International Relations hearing last month. I appreciate your courage and dedication to the men and women of the Colombian National Police.

I want to reemphasize a point from my testimony in front of the International Relations Committee last month. Since that time Colombia has seen a horrible increase in violence by the narco-terrorists. Hundreds of government troops have been killed in attacks by the FARC. This new activity by the FARC validates my testimony that the Colombian National Police need at least six Blackhawk helicopters to operate anti-narcotics missions in the poppy growing region in the high altitudes of the Andes Mountains.

Congressman, my men need these Blackhawks to reach these high altitudes. If we are to have a reasonable chance of eradicating the opium poppy, the Blackhawk is essential to accomplishing this mission.

Thank you again for all of your efforts.

Sincerely,

JOSÉ LEONARDO GALLEGO CASTRILLÓN,
Colombian National Police.

Mr. Speaker, I will quote from the article in the Washington Times, which reported that "The military has grounded Huey helicopters as of today."

The report goes on to say, "The U.S. Army and the National Guard have grounded their fleets of UH–1 Huey helicopters, which have an unexplained history of potentially catastrophic mechanical problems." These are the same helicopters we provided to the Colombian police to help them fight the narcotics.

The report goes on to state, "In all, 907 Huey helicopters are expected to be grounded between 6 months and 2 years. The majority of those are used by the National Guard.

"Gearbox problems in the Hueys were blamed for some near disasters last year. Pilots reported the engines would speed up while gauges dropped to zero.

"The Army still has not found out the cause. According to an internal review, 22 'mishaps' related to the gearbox were reported in the last 2 years. None resulted in death."

These were, again I underscore, the very same Hueys we have provided to the Colombian police and are being used today in Colombia to try to fight their drug war. Leaders such as General Serrano and Colonel Gallego deserve the support of our Nation in the struggle against drugs. They deserve the support with proper equipment.

Accordingly, I ask my colleagues to support this resolution to provide the kind of help that the dedicated police in Colombia deserve and need as they fight our fight, as well as theirs.

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

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

Mr. Speaker, I want to commend the gentleman from New York (Mr. GILMAN), chairman of the Committee on International Relations, for raising the important matter of the United States' support for Colombia in the war against narcotics production in that country.

Mr. Speaker, however, I, along with the ranking Democratic leader of the Committee on International Relations, the gentleman from Indiana (Mr. HAMILTON), must reluctantly oppose the measure, House Resolution 398 before us, because there are, I believe, better alternatives to aid the Colombian government in their drug-fighting efforts than by sending three Blackhawk utility helicopters.

□ 1500

Mr. Speaker, the United States is facing a narcotics epidemic of troubling dimension, especially with heroin addiction. Recent government estimates project that we add over 141,000 new users of heroin a year. With the use of heroin by America's teenagers at historic levels, I find it particularly tragic that many of these new addicts are only children, some as young as 12 years of age now.

According to the Drug Enforcement Agency, the vast majority of heroin in the U.S. comes from Colombia, which produces over 80 percent of the world's supply of cocaine as well.

Mr. Speaker, the most effective way I believe to stop this flow of narcotics is to destroy the growing fields of opium poppy and coca plants at its sources in Colombia's Andes Mountains using helicopters. To that effect, I applaud the courageous efforts of the Colombian national police and its Director General, Jose Serrano, in waging the ground war of crop eradication against narcoterrorists. The war has taken a high toll, with over 4,000 Colombian police officers having sacrificed their lives.

Mr. Speaker, I think we all agree that the United States needs to support the Colombian national police in their drug fighting efforts, which rely heavily on helicopters for field operations. However, I believe it is clearly more cost-effective to upgrade the present fleet of 36 Huey helicopters used by the Colombian national police rather than to provide three new Blackhawk helicopters.

The Blackhawks provided in the past to the Colombian Army have proven to be a financial strain for their government to maintain and even to operate. Furthermore, the Colombian national police does not have pilots and mechanics trained to operate these Blackhawks.

Another important consideration, Mr. Speaker, is that the funds to purchase these Blackhawks, approximately $36 million, may well jeopardize our important counternarcotics programs in the countries of Peru and perhaps even Bolivia.

Mr. Speaker, I urge our colleagues to oppose House Resolution 398. There are, I believe, better ways to provide assistance to the Republic of Colombia, and I sincerely hope that our colleagues will support us in this effort.

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

Mr. GILMAN. Mr. Speaker, I yield 5 minutes to the gentleman from Connecticut (Mr. GEJDENSON), a senior member of our committee.

Mr. GEJDENSON. Mr. Speaker, I think all of us are frustrated in trying to deal with the drug epidemic. There is no question that there are multiple approaches that we should be involved in. Clearly trying to reduce demand is as important an effort as any trying to deal with the addiction issues of American citizens.

But when we look at these other nations and the cost in human lives where their police, government officials, judicial officials have been assassinated, murdered, victims of bombs and other assaults, and to say that they need to be the front line of this battle against these drug cartels which are in reality small armies, and to tell them as we have grounded the helicopters they have in this country, that we will not allow them to have the technology necessary to confront what is a serious threat to their national security and to the lives of many children and adults in this country, I just think is unacceptable.

Mr. Speaker, I think many of my colleagues are correct, we ought to be doing more. We ought to be doing other things as well. But to tell countries whose military and police personnel have died in large numbers in a battle that we have a hard time imagining, because of the economic attraction to a very large degree of the profits that come out of the American market, to turn around and say that we are not going to sell them, we are not going to allow them to have the very best technology to confront these military drug units, and they are of military capability, a helicopter that recently was downed in the jungle, the police were killed by the drug lords. The equipment was devastated.

I understand people's concerns, but let me tell my colleagues something. We have sold and given helicopters to countries that had a lot less serious threat than what the Colombians are facing and we have given things more powerful than helicopters to countries that are a lot less stable and have been a lot less cooperative than they have.

This is something that I think, if we are going to continue to have credibility when someone who wants to join us in the fight against drugs says this is what we need, then it seems to me the United States Government ought to make sure they have at least the basic tools to confront the drug cartel. Without these helicopters, the Colombians are going to be at a military disadvantage, and I do not think that is what anybody in this Chamber wants.

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

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

Mr. FALEOMAVAEGA. I yield to the gentleman from New York.

Mr. GILMAN. Mr. Speaker, first of all, I thank the gentleman from Connecticut (Mr. GEJDENSON) for his supportive arguments.

Mr. Speaker, I think the gentleman from American Samoa (Mr. FALEOMAVAEGA) stated there must be a better way of doing this than just providing Hueys. But I ask the gentleman to note this article that I noted that was in the Washington Times today, that said the military has grounded our Huey helicopters. We are put in a position where we are trying to help them fight a battle, we have given them secondhand, Vietnam-era Huey helicopters that our own Nation now has grounded for at least 6 months to 2 years while they are trying to find out what is wrong with them. It would seem to me that in that kind of a situation, that we could provide the kind of equipment that is truly needed to fight a war.

Mr. FALEOMAVAEGA. Mr. Speaker, reclaiming my time, I fully appreciate the gentleman's position on this issue, but it is my understanding that it is the intention of the administration to do an upgrading and make sure that these Huey helicopters will be in performance.

Now, we do have problems with the Hueys. There is no question about that. But we also have problems with the Blackhawk helicopters. We do not even have properly trained Colombian officers even to operate and to maintain the Blackhawk helicopters, even if we should give them three of them.

While I can appreciate the concerns of the gentleman from New York here, our concern is that they already know how to operate these Hueys. We do have maintenance problems with them, but it is our hope that the administration will fulfill their commitment to make sure that we not only provide proper maintenance, because in fact these Huey helicopters can be operated and piloted by Colombian officers, that is the concern that we have.

Mr. GILMAN. Mr. Speaker, if the gentleman would continue to yield, I have been informed that the Huey IIs do not survive the kind of fighting that is taking place. And they cannot take the kind of shoot-downs that they have been involved with.

Blackhawk helicopters have trained mechanics and have now hired some trained pilots to utilize them. This is something that is needed now, not to wait 6 months to a year or 2 years until our own military has found out what is wrong with the Huey helicopters.

Mr. FALEOMAVAEGA. Mr. Speaker, again reclaiming my time, I would say with utmost respect to the gentleman from New York, our chairman and my good friend, I think the problem that we have here is that we need to have the administration come forward and explain to the Congress what their firm commitment is about not only providing proper maintenance for these 26 Hueys, but to make sure that they operate well.

Now the fact that we do have problems with the Blackhawks, I think we also need a firm commitment from the administration that they will not only give the three helicopters, the Blackhawks, but make sure that the Colombian officers of that country are able to operate them. I think this is one of the problems that we are faced with here.

Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. FARR).

Mr. FARR of California. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise with great concern about this bill. I do not think this is about Colombian drugs; I think this is about Colombian pork, and I will tell my colleagues why.

I lived in Colombia. I know the country well. What we are getting is the Colombian military coming up here and asking us to give them $36 million for three new Blackhawks. We give $120 million for all of Latin America to fight drugs, so this is about 25 percent of the entire Latin American drug budget going to Colombia for those three Blackhawk helicopters.

Mr. Speaker, let me tell my colleagues how Colombia has taken advantage of us. Not only do they come here and get free helicopters, but they are importing every day 70 percent of the cut flower market into the United States. They come in free.

We ought to get that money from the business that is making $300 million off of United States consumers buying Colombian flowers that do not have to pay any tariffs that all other flowers from all other countries in the world have to pay. And our flower growers in California and New York and other States are going out of business because of the free Colombian imports.

So here we have a bill where the Colombians come up here, ask us for $36 million for Blackhawks, we give it to them because we are fighting drugs, and at the same time we will not close that open door that we have given them to grow other crops other than drugs.

Mr. Speaker, they are getting it both ways. They get free military equipment, and that free military equipment sometimes is used to suppress human rights in Colombia. More than 3,500 human people were killed in Colombia last year at the hands of military, paramilitary, and guerrilla forces. Yes, there are some bad dudes in Colombia, and the Colombian military supported civilian paramilitary groups which have murdered, tortured and forced the migration of thousands of peasants and villagers.

So here we have a country that does not have the personnel to fly the helicopters, does not have the mechanics to repair the helicopters, but because it is in the drug war, we support it. I think we need to get our priorities straight. We cannot have it both ways. If they get three helicopters eating up most of the drug money for all of Latin America, at the same time we allow them to import all of their flowers here and do not charge them anything, no tariff whatsoever, that is outrageous.

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

Mr. Speaker, I would like to note that the gentleman is mixing flowers with coca bushes, and I think he fails to recognize the serious impact that the coca trade has had upon the youth of our Nation. 80 percent of the cocaine in the entire world is coming out of Colombia.

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

Mr. GILMAN. I yield to the gentleman from Missouri.

Mr. SKELTON. Mr. Speaker, as the gentleman from New York (Mr. GILMAN) knows, I serve on the Committee on National Security, and I have a couple of questions I would like to put to the chairman of the Committee on Foreign Affairs. I understand this is a $36 million price tag; is that right?

Mr. GILMAN. Mr. Speaker, the gentleman is correct. It already has been approved and appropriated by our committees last year.

Mr. SKELTON. Mr. Speaker, out of whose budget does this come, if I may ask?

Mr. GILMAN. The State INF, International Narcotics Fund.

Mr. SKELTON. Mr. Speaker, this did not come before the Committee on National Security whatsoever, did it?

Mr. GILMAN. Mr. Speaker, I would say to the gentleman that it went before the Appropriations Committee.

Mr. SKELTON. But not the Committee on National Security. I have no recollection of it. I think I would, had it come before that committee.

Mr. GILMAN. Mr. Speaker, I would just like to note that in fiscal year 1998, $50 million was appropriated for 12 Huey IIs and three Blackhawk choppers. Colombia is the only nation in South America facing a very heavy guerrilla insurgency, and as I noted before, Colombia is a prime supplier of cocaine not only to our Nation but throughout the world. If we are going to turn our back on their request to give them the proper equipment to fight this war, we are doing a disservice not only to our own Nation but to other nations throughout the world.

Some nine Blackhawk-qualified pilots have been flying more than 3,000 flying hours in Blackhawk helicopters. The question was whether there were qualified pilots. I just would like to notify the gentleman from American Samoa that there are also 11 trained mechanics to keep these Blackhawk helicopters in the air.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield 5 minutes to the gentleman from Hawaii (Mr. ABERCROMBIE).

Mr. GILMAN. Mr. Speaker, I yield 1½ minutes to the gentleman from Hawaii (Mr. ABERCROMBIE).

The SPEAKER pro tempore (Mr. GIBBONS). The gentleman from Hawaii (Mr. ABERCROMBIE) is recognized for 6½ minutes.

Mr. ABERCROMBIE. Mr. Speaker, I rise to speak against this bill, and reluctantly because of my friendship and high regard for the gentleman from New York (Mr. GILMAN), which I think goes without saying, as well as my regard for the gentleman from Connecticut (Mr. GEJDENSON).

Nonetheless, I feel, Mr. Speaker, that it is imperative that everyone recognize, as has been indicated by the gentleman from Missouri (Mr. SKELTON) our ranking member on the Committee on National Security, that this particular purchase has not come through the procedures and hearings in National Security. I believe we should properly have jurisdiction in this regard.

We are criticized constantly for having a defense budget that is not adequate, or we are criticized for the transfer of technology for profit as opposed to actually meeting the defense interest of this country, and I most certainly understand the idea that we have to defend ourselves against drugs. But in this instance we have advanced navigational and plotting systems associated with the Blackhawk that I believe may very well fall into the category of transfer of technology which many members of the Committee on National Security on a bipartisan basis oppose.

□ 1315

Now, I believe that we will be taking funds away from Peru and Bolivia. Whether that is true or not, I am not exactly certain because we have not had the hearings on it. Colombia, as has been well stated, already has a minimum capacity apparently at the present time to deal with the Black Hawk program. Yet, I understand that Colombia is cutting its defense budget.

Now, if we are to form that budget forum, I think that we need to make that part of the dialogue that takes place in the Committee on National Security. Black Hawks are used by our frontline troops. The administration, I understand, is indicating that it will propose super Huey helicopters that are adequate for the drug missions, that can be utilized for night vision, for example, and that the situation now about insurgency requires that we take very, very careful notice of whether or not the military utilizing these helicopters would be people who are actually going to take up the cause against drug trafficking. The corruption factor, aside from those who are heroically trying to pursue it right now within the Colombian military, is a very real question that needs to be answered.

Now, we have already had arguments on this floor or discussion on this floor today about the capabilities of the Black Hawk versus the Huey helicopter, the survivability of the Black Hawks versus the Huey helicopter. That is the proper jurisdiction and purview of the Committee on National Security. I think that we need to take it up in that context.

My understanding is, as well, that the administration is claiming, as has been asserted elsewhere, that we will be taking away from the budget allotted to counternarcotics programs elsewhere in Latin and South America.

Now, Mr. Speaker, that may be the case, or it may not. I am not entirely certain. But I do know this, that in order for us to proceed on these matters, I implore my colleagues, please make these kinds of things a matter of joint jurisdiction with the Committee on National Security which sets the policy here. I think there is a fundamental point not just of procedure in the House, but of acting in the best interests of the security interests of the United States by asking that this be done.

If we are going to simply move to the appropriations committees and have the appropriations committees make these decisions with respect to expenditures, how are we supposed to put together a rational national defense policy in coordination with the international relations aspect that we need to sustain and maintain?

I think, Mr. Speaker, that the distinguished chairman, and I mean that in every sense, that is not a pro forma utilization of the word by me. The distinguished chairman of the Committee on International Relations would agree that those of us who are on the national security side of policy have

worked with him in the past and in every instance where he has requested it. He knows that not only myself, but every member of the Committee on National Security would be willing to work with him in any instance where the international relations and national security interests of this country are at stake.

On that basis, I would appeal, then, to the chairman of the Committee on International Relations to recognize that our interest is legitimate and that we want to work very closely with him to have a resolution of this matter that would be in the interest of everyone, Colombians and the people of the United States alike.

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

Mr. ABERCROMBIE. I yield to the gentleman from New York.

Mr. GILMAN. Mr. Speaker, it was in October of 1996 that the administration supported the sale of 12 Black Hawks to the Colombian Army. These choppers were delivered, three were destroyed last month in fighting. Nine of the police pilots have had more than 3.000 hours flying helicopters. Eleven Black Hawk maintenance men have been qualified to work on Black Hawks.

So there is an adequate ability to utilize this equipment. And 36 million of the appropriation that was approved last year included maintenance and training for the police. What I am saying is, they are adequately trained. They need this equipment. They need it now. Their police are dying on the battlefront. We are not helping them. What we have given them are used Huey helicopters from the Vietnam era that have now just this week been grounded because of a failure of equipment.

Mr. ABERCROMBIE. Mr. Speaker, I do not dispute any of that. As I said, I have great respect for the gentleman. However, we battle every day in the Committee on National Security for those millions of dollars. We are not able to maintain our own troops. We are not able to train our own troops. We are not able to equip our own troops. We are not able to maintain quality of life for our own troops.

I am quite willing, in fact I will state that I am prepared today to work with the gentleman to try to accomplish this, but the gentleman is making a case for having joint consideration by the Committee on National Security and the Committee on International Relations so that our own forces can be adequately funded as well.

I thank the gentleman for his kind indulgence.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield 3 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in support of this legislation to send three Black Hawk utility helicopters to help the Colombian national police win the war on drugs. That is what this is about. Illegal drugs rob Americans of their futures.

Today, approximately 600,000 Americans are heroin users; 1.45 million Americans use cocaine. At least a quarter of the 5- to 7,000 people who try cocaine each year become addicts losing their careers, their families, and often their lives. Colombian drug traffickers dominate the supply of these illegal drugs. Eighty percent of America's supply of cocaine, and over 6 percent of the heroin seized comes from Colombia.

At a July 1997 hearing in front of the Committee on Government Reform and Oversight, Subcommittee on National Security, International Affairs, and Criminal Justice, the DEA testified that a drug "flow reduction strategy will be extremely effective in denying transportation options to traffickers and substantially reduce the movement of cocaine in Colombia."

By sending Black Hawks to the Colombian national police for the sole purpose of fighting the illegal drug traffickers and the thousands of guerrillas protecting them, the United States will provide state-of-the-art replacements for the national police's 36 Vietnam era Huey helicopters, four of which have crashed in the last 6 months and, I might add, which now have been grounded by the U.S. Army and the National Guard. Only Black Hawks have the capability to reach the poppy field in the Andes and to sustain ground fire attacks.

I urge support of this legislation. Send Black Hawks to the Colombian national police. Stop the flow of illegal drugs at the source and take a critical step toward ending the illegal drug crisis in America.

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

Mr. FALEOMAVAEGA. Mr. Speaker, I yield the balance of my time to the gentleman from Indiana (Mr. HAMILTON), our distinguished democratic leader on the committee.

The SPEAKER pro tempore (Mr. GIBBONS). The gentleman from Indiana (Mr. HAMILTON) is recognized for 4½ minutes.

Mr. HAMILTON. Mr. Speaker, I rise in opposition to the resolution. We all support the work of the Colombian national police. We abhor the violence that has taken over Colombia and threats that these policemen face because of millions of dollars Americans spend on Colombian cocaine.

The chairman is certainly right in wanting to help them, but I do not really think this is the best way to do it. I oppose this resolution for several reasons. I think it is bad policy. As I understand it, the administration is consulting with Members in the hopes of reaching a compromise on this issue of funding for helicopters to the Colombian national police.

They are looking for a compromise because the earmark that designated this money for helicopters came out of accounts that were destined for counternarcotics operations in Peru and Bolivia. The resolution now expresses the sense of Congress that full funding for Bolivia should be provided. If that direction is followed, then what additional countries' counternarcotics programs must be cut?

I do not know if the resolution drafters have considered that issue. They are also looking for a compromise because our people on the ground in Colombia have a lot of questions about whether this is the best way to put the money to use.

The Colombian national police do not have pilots for the Black Hawks and they do not have mechanics for Black Hawks. Yet, getting their people up to speed may take away from the missions they already undertake. We are considering this resolution without asking, I think, a lot of the tough questions about our overall policy toward Colombia and the proper allocation of limited antinarcotics resources.

When this earmark was first discussed, the Chairman and others said that these three Black Hawks would leverage the Colombian Government to match these with three more of their own. What the Colombian Government has shown, after being decertified for the past 4 years, is that they will not commit the Black Hawks we sold them over the past decade to this fight.

So now without examining whether the Colombian national police can put this equipment straight to use, and without a committed partner in the Colombian Government, we are encouraging the President to provide as many helicopters as the Colombian national police need.

I oppose the resolution, but I do not plan to ask for a vote on it. I regret that we are not taking a clear bipartisan step while Colombia is in the midst of such turmoil.

Mr. Speaker, I commend to my colleagues' attention the attached letter that I received yesterday from the State Department regarding House Resolution 398. The letter points out the Administration's concerns with the provision, which I believe was handled in our Committee in a flawed manner. Rather than making a clear bipartisan statement in support of democracy, civilian control of the military and human rights, the Committee hurried through this flawed and partisan resolution. Before we consider it on the Suspension calendar on Monday afternoon, I encourage my colleagues to read the concerns raised by the State Department in this letter.

U.S. DEPARTMENT OF STATE,
Washington, DC, March 26, 1998.

Hon. LEE H. HAMILTON,
Committee on International Relations,
House of Representatives.

DEAR MR. HAMILTON: Thank you for the opportunity to comment on the draft House Resolution on provision of UH-60 Black Hawk helicopters to the Colombian National

Police. The Administration supports the broad sentiments of the Colombia resolution even as we differ from its prescribed remedy. Our source country strategy is a regional effort. This resolution, focussed only on Colombia, would necessarily draw funds away from our programs in Peru and Bolivia, where we have witnessed dramatic successes in the past two years. Our Peruvian and Bolivian programs have been instrumental in producing a 9.6% drop in regional coca cultivation. Now is not the time to undercut these successful programs.

Colombia is a country besieged by the intertwined threats of illicit narcotics trafficking and the violent insurgency. The Colombia National Police (CNP) and its leadership have done tremendous work, performing with courage and dedication under difficult and dangerous conditions. They deserve both our support and our admiration.

Colombian heroin is a serious threat to our national interests, although the emergence of this threat has not diminished the threat posed by Colombian cocaine. We agree that eradication is the most efficient, but not the only, method for stopping the flow of heroin. Given that opium poppy is grown at high altitudes, improved performance helicopters are necessary to eradicate effectively.

The UH–1H is an older aircraft, but we note that the CNP and the INL Air Division have maintained a high readiness rate at relatively low cost with more than 45 of these helicopters for several years now. The Black Hawk is a high performance helicopter capable of performing well at higher altitudes than the UH–1H, but it is considerably more expensive to procure and maintain and would represent a new and unfamiliar aircraft in the CNP Air Wing. The difficulties of introducing an entirely new aircraft into an existing inventory should not be underestimated. For example, the Colombian Army has had an extremely difficult time integrating the Black Hawks purchased over a year ago into its force structure, and still can not operate them independently.

We believe that a UH–1H upgraded to the SuperHuey configuration can perform quite adequately at higher altitude at far lower cost and disruption to the CNP Air Wing. The State Department has such a refurbishment program underway for 10 UH–1Hs and will continue the program next fiscal year. Contracts were signed with Bell Textron and U.S. Helicopter for the first of these upgrades on March 18.

We believe that the purchase of 3 Black Hawks for the CNP is neither cost effective, nor tactically wise. To contemplate the replacement of the entire CNP UH–1H force with Black Hawks would be financially reckless for both the U.S. as the purchaser and Colombia as the operator. The financial costs of replacing all of the CNP's UH–1Hs (some 35 currently) with Black Hawks and operating them would be prohibitive.

We do not support the purchase of 3 Black Hawks for the CNP and we do not support the wholesale replacement of UH–1Hs with Black Hawks. We believe that the Huey upgrade program which is currently underway is the most cost-effective program for Colombians and the taxpayers of the United States.

As you know, the Administration is currently consulting with interested Members of Congress, including the Foreign Operations Appropriations Subcommittee, to determine an alternative approach to fulfilling the interdiction and eradication needs of the CNP. We contracted your staff on March 24 to schedule a meeting for you with Administration officials to discuss this matter, and were told that you would prefer to postpone such a meeting until after your trip to Colombia. We remain available to brief you at your earliest convenience and look forward to providing the Administration's views on Colombia before your Committee next week.

Again, we strongly support the efforts of Colombian National Police and their need for increased helicopter lift capability at higher altitudes. In the last three years, we have dramatically increased counter-narcotics funding for Colombia. In FY–95, we provided a total of $28.85 million, including INL funds, FMF and other assistance. In FY–96, we increased this to $62.93 million with an increase in Air Wing spending in Colombia and a $40 million drawdown of defense equipment. In FY–97, the total climbed to more than $90 million, with dramatic increases in INL program and Air Wing budgets in Colombia, another drawdown, and the release of up to $30 million in frozen Foreign Military Financing. This makes Colombia the single largest recipient of U.S. counter-narcotics assistance in the world, a measure of our commitment.

Please do not hesitate to contact us if you have any questions on this or any other matter.

Sincerely,

BARBARA LARKIN,
Assistant Secretary,
Legislative Affairs.

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

Mr. Speaker, we have an emergency in Colombia. Good men and women are dying. Our youth are being impacted throughout our country and throughout the entire world because of the major supply of cocaine. Just last week four more of our fellow Americans were taken hostage by the narco-guerrillas who have been openly targeting U.S. civilian military, and even our own DEA personnel.

I remind our colleagues that SOUTHCOM commander U.S. Marine Corps General Wilhelm, just a little over a week ago said this about the events in Colombia: Colombia is very much at risk today.

With regard to the defeat of the Colombian army in the cocaine regions he said, the activities of last week are grim. And on the need for good helicopters in Colombia, General Wilhelm stated, you either get there through the air or in the rivers or you do not get there at all.

Mr. Speaker, we have had hearing after hearing on the Colombian drug policy, including September 1996, when the State Department promised better helicopters for the Colombian National Police Antinarcotics Unit. None, none have yet been delivered and will not for another 4 months. And if they are going to deliver Hueys, we find out that the military has grounded those Hueys.

What this resolution is about is implementing the provisions of last year's fiscal year 1998 foreign operations appropriations bill, a bill that was signed into law by the President last November and has yet to be implemented. The law called for the purchase of three Black Hawk utility helicopters to help fight drugs before these poisons reach our shorelines and destroy our young people.

I might note, in response to the gentleman from Indiana, three Black Hawks have previously been destroyed as they were out there fighting the battle.

□ 1530

The Office of National Drug Control Policy, the ONDCP, on March 10 in a 1998 letter to the Miami Herald on Colombia anti-drug aid, stated, "Source-country strategy to fight narcotics trafficking is the most effective way to stop the flow of drugs."

This resolution supports more such source-nation aid for Colombia that has been producing 80 percent of the world's cocaine and, most recently, 60 percent of the heroin seized in our Nation. Even the other provision in the same bill to provide Huey upgrades for the police has not been implemented yet, and that contract was signed in March of this year and probably now will not be implemented for a year or more based on the recent grounding of those Hueys.

We are told not one upgrade chopper will even be delivered this fiscal year. The Huey upgrade first promised 18 months ago will not be delivered until a full 2 years later. That is inexcusable when there is a war going on, a war to destroy the drug-producing operations of one of the largest producers in the world.

We need to light a fire under our State Department before we have a full-blown narco-state in Colombia. That is only 3 hours away from Miami, and we are spending more than just the money for three military helicopters. If these inexcusable delays are processed, I, too, have concerns.

This resolution is an effort to send in a strong message to the administration that the Colombian police need good helicopters now and not later. We are looking at a potential narco-state that threatens our own vital interests.

On March 23, the Colombian National Police had to leave four of their officers in a downed Huey. They butchered these four officers. The CNP had Black Hawks that could have lifted that $1.4 million U.S.-provided Huey helicopter immediately and, more importantly, prevented those four CNP officers from being murdered by the narco-terrorists.

Also, our Black Hawk Huey helicopters have the lift and payload capacity to get enough police, 18, in each unit into the high Andes, where at least four Americans have been taken as hostages. Today, the Colombian police do not have any helicopters that could adequately serve to mount a rescue mission for those American hostages who are being held at some 12,000 feet in altitude.

So let us stop worrying about process and let us get on with helping our fellow Americans and, above all, to help our youth.

Mr. CALLAHAN. Mr. Speaker, I rise in support of House Resolution 398.

As Chairman of the Subcommittee on Foreign Operations, I have jurisdiction over a relatively small but important component of the War on Drugs. The International Narcotics Control account of the Department of State is responsible for counter-narcotics activities in foreign countries, in cooperation with the Drug Enforcement Administration. Most of the funds in this account are intended for eradication of coca and opium crops, primarily in Latin America. Total funding is $230 million.

One of the important countries in this effort is Bolivia. It has a new government that is committed to eliminating coca and cocaine production in that country in the next five years.

Unfortunately, the State Department decided to reduce United States funding for Bolivia's counter-narcotics efforts by $31 million, or by over two-thirds from the projected level of $45 million. This reduction was taken despite the fact the House Appropriations Committee has more than doubled funding for this account in the past three years.

I strongly support providing adequate air assets for the Colombian National Police. I also strongly support maintaining Bolivia's counter-narcotics program.

I urge the Administration take the necessary steps to address both concerns in the near future. In particular, I urge the Administration to respond to the need to restore funding for Bolivia's counter-narcotics program as soon as possible.

In that regard, at my request the International Relations Committee modified the pending resolution to express support for the restoration of funding for Bolivia's programs, and directing the Administration to act accordingly.

I'd like to thank the Chairman of the International Relations Committee, the gentleman from New York, for his courtesy in agreeing to this modification. I think it makes the resolution stronger, and I urge the House to approve this resolution.

Mr. ACKERMAN. Mr. Speaker, I have both procedural and substantive problems with this resolution.

First, this resolution was circulated among committee members only last Wednesday evening. The International Relations Committee held a mark-up less than 24 hours later to consider the bill. The Subcommittee on the Western Hemisphere never had a chance to consider the resolution.

Second, committee rules require a week's notice before mark-up legislation. In this instance we got only a few hours notice. Only in unusual circumstances are such procedures allowable under the rules and then only after consultation with the ranking minority member. No such consultation took place.

Mr. Speaker, I cannot understand why we must ram this resolution through the House. It's not as though the helicopters called for by the bill will get there any more quickly. They're not even built yet.

With regard to the resolution itself, Members should be aware that, as the resolution implies, this is not about just 3 Blackhawks. This about many more. Three is nowhere near enough for the Colombian National Police to have an effective capability. In fact, to be effective, they need more like 12. The 3 Blackhawks in last year's foreign operations bill cost $36 million. That means that Congress will be on the hook for $144 million, not $36 million. And that's without even considering the outyear costs for additional training and maintenance.

Mr. Speaker, the language in last year's foreign operations bill was not considered by the House or Senate before it emerged from conference and it has never been the subject of hearings. Never aired in subcommittee or full committee in either the House or the Senate. I submit that it has skewed the entire anti-narcotics budget for Latin America, causing cuts in funding for both Bolivia and Peru, countries which have been very successful in their anti-narcotics efforts. This congressionally driven mandate has never received any sort of formal assessment to determine whether it meets the most pressing counter-narcotics needs of the Colombian police. We have never asked ourselves whether the CNP has the pilots to fly these or whether they have the mechanics to maintain them. The answer to both is no. No pilots. No mechanics. No capability.

In fact, both the Colombian Army and Air Force already have Blackhawks, already have the pilots, and already have the mechanics. Yet they seem unwilling to support the counter-narcotics mission of the CNP. As I understand it, the Blackhawks that were sold to Colombia previously were supposed to support that counter-narcotics mission. This lack of support indicates to me that the Colombian Defense Ministry does not believe that the counter-narcotics effort is a matter of national security. I believe it is perfectly reasonable for us to ask for—and get—cooperation between the Colombian military and the CNP.

Mr. Speaker, just a month ago the GAO criticized the administration for not prioritizing the types of equipment that should be provided to Colombia. To my knowledge, no such assessment has been done with regard to Blackhawks. I think we should at least hold ourselves to the standard that we criticize the administration for not meeting.

Let me say finally, that the Colombian National Police, led by General Serrano and the anti-narcotics unit led by Colonel Gallego, have a difficult and dangerous mission. Thousands of their men have given their lives in the fight against narcotics. I believe we should assist Colombia. The question is how best to do that. Last year's bill was not the way to do it and this resolution does not make the situation any better.

I urge my colleagues to oppose the resolution. Thank you.

Mr. MANTON. Mr. Speaker, I rise in strong support of this legislation urging the President to assist the Colombian National Police by providing them with three UH–60L Blackhawk utility helicopters. As an original cosponsor of H. Res. 398, I believe it is important that we provide Colombia with the state-of-the-art equipment they need to fight their war on drugs.

The UH–60L helicopter would be an integral weapon in the war against drugs in Colombia. With its high performance, it is able to withstand the winds associated with the high altitudes of the Andes Mountains, and have the capacity to endure crashes and ground fire better than the outdated UH–1H helicopters. In addition, the UH–60L has the ability to carry sufficient armed anti-drug officers to the areas where they are needed most, in the opium fields high in the Andes mountains.

Colombia is the leading illicit drug producer in the Western Hemisphere, producing 80% of the world's cocaine. In the United States alone, 60% of the heroin seized on our streets originates in Colombia. An immense amount of these drugs arrive in my Congressional District in Queens, New York for distribution around New York City and areas of the eastern United States. It is imperative we win the war on drugs at the source—in the Andes Mountain and other producing areas of Colombia.

In 1996, the government of Colombia was afflicted with major political corruption involving President Ernesto Samper and the Cali drug cartel, leading to the country's decertification as a cooperating nation in the war on drugs by the United States. This year, although it was once again decertified, a national interest waiver allowing for continued economic aid for national security purposes was set in place for Colombia. It is important the United States recognize that Colombia has made major strides in their fight against drugs thanks in large part to the work of the Colombian National Police.

The elite anti-narcotic unit of the Colombian National Police (CNP) has played a vital role in fighting the war against drugs. The men and women who served in the CNP have risked their lives—losing more than 4,000 officers in combat over the past ten years. The impeccable attention the CNP pays to human rights has been lauded by numerous human rights groups around the world, illustrating their commitment to making their country a better place to live and work without the constant threat of drug-related violence.

While visiting Colombia last year, I saw first hand the workings of the Colombian National Police. Although they have made enormous progress in the fight against illicit drug trade, they need updated equipment to keep up with the forces which they are fighting—guerrillas and the drug cartels.

As a former New York City police officer. I have seen the devastating effects drugs have on our communities. Ignoring the circumstances in Colombia will not make the situation go away. The United States must stand up and actively help those who risk their lives everyday in the war against drugs.

I urge my colleagues to join me in supporting H.R. 398. This legislation sends the right message to the Colombian National Police and to the people they protect from the drug-related violence that has plagued their country for far too long. The UH–60L helicopter would bring the CNP one step closer to winning this ongoing war.

Mr. EVERETT. Mr. Speaker, I rise in strong support of this resolution to urge the President to promptly procure Black Hawk (UH–60) helicopters to assist the Colombian National Police in their fight against the production of heroin.

Last year, this Congress passed the Foreign Operations Appropriations bill with specific direction to the State Department under the International Narcotics Control Program. Within this program, $50 million was slated for helicopter procurement, including three new Black Hawks and a package of upgrades for Huey (UH–1) aircraft to a Huey II configuration. I'm pleased to say that the Administration has just signed a contract for the delivery of five Huey II's, with the option for five more. Now the Administration must honor the full intent of Congress, and commit to the procurement of three new Black Hawk helicopters.

The upgraded Huey's will meet most of the Colombian National Police's counter drug mission requirements, but a number of high performance Black Hawk helicopters are necessary to reach the poppy fields in the high elevations of the Andes Mountains.

Mr. Speaker, if we are serious about fighting the war on drugs, we must first keep these narcotics from reaching our borders. Our allies in Central and South America are struggling against the international drug cartels—they are out-gunned, out-manned and out-financed. These helicopters are force multipliers, and will go a long way in helping Colombia halt the flow of these drugs to America's children, and I urge the adoption of this resolution.

Mr. MALONEY of Connecticut. Mr. Speaker, I rise today to support H. Res. 398 and urge the President to expedite the procurement of three UH–60L Blackhawk utility helicopters and to provide them to the Colombian National Police in support of their efforts against drug producers and traffickers.

Eighty percent of the world's cocaine and more than 60 percent of the heroin seized in the U.S. originates in Colombia. In one recent year, the federal government estimated that there were 141,000 new users of heroin in the U.S. Indeed, the U.S. faces historic levels of heroin use among teenagers between the ages of 12 and 17. This is a significant social, crime, and health issue.

We will not win the war against cocaine and heroin solely by trying to stop these drugs at our borders. We must go to the source. H. Res. 398 urges the President to carry out current law and provide Colombia with three UH–60L Blackhawk helicopters. These aircraft will offer a significant improvement over the National Police's present abilities to eradicate poppy and coca crops in remote areas. In contrast to the much older UH–1H Huey helicopters now in use, Blackhawks have greater range, carry more personnel, and operate more effectively at the high elevations at which opium-producing poppies are grown in the Andes.

The Colombian National Police use helicopters in 90 percent of their counter-drug operations. Over the last six months, at least four crashed or were shot down during such operations. Blackhawk has increassed survivability against hostile fire and is more likely to survive crashes. The U.S. benefits directly from the National Police's drug eradication and interdiction efforts. We should ensure that Colombia has the best equipment to wage an effective war on drugs. I urge my colleagues in the House to pass this resolution unanimously.

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

The SPEAKER pro tempore (Mr. GIBBONS). The gentleman from American Samoa has 1½ minutes remaining.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and agree to the resolution, House Resolution 398, as amended.

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

The title of the resolution was amended so as to read as follows:

"A resolution urging the President to expeditiously procure and provide three UH–60L Blackhawk utility helicopters to the Colombian National Police solely for the purpose of assisting the Colombian National Police to perform their responsibilities to reduce and eliminate the production of illicit drugs in Colombia and the trafficking of such illicit drugs, including the trafficking of drugs such as heroin and cocaine to the United States, and for other purposes.".

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 5:30 p.m.

Accordingly (at 3 o'clock and 34 minutes p.m.), the House stood in recess until 5:30 p.m.

□ 1800

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. EMERSON) at 6 o'clock p.m.

APPOINTMENT OF MEMBERS TO ATTEND THE FUNERAL OF THE LATE HONORABLE STEVEN SCHIFF

The SPEAKER pro tempore. Pursuant to the provisions of House Resolution 395, the Chair, without objection, announces the Speaker's appointment of the following Members of the House to the committee to attend the funeral of the late Steven Schiff.

Mr. SKEEN of New Mexico;
Mr. GINGRICH of Georgia;
Mr. REDMOND of New Mexico;
Mr. SENSENBRENNER of Wisconsin;
Mrs. JOHNSON of Connecticut;
Mr. BARTON of Texas;
Mr. GALLEGLY of California;
Mr. MCNULTY of New York;
Mr. PAXON of New York;
Mr. ROHRABACHER of California;
Mr. MICA of Florida;
Mr. EHLERS of Michigan;
Mr. SHADEGG of Arizona; and
Mr. CAMPBELL of California.

There was no objection.

PERSONAL EXPLANATION

Mr. MCNULTY. Madam Speaker, due to my attendance at the wake and funeral of my good friend, Judge Francis Bergan, I missed rollcall votes 75, 76, 77 and 78 on Thursday, March 26, and rollcall votes 79 and 80 on Friday, March 27, 1998.

Had I been present, I would have voted in the following manner: "No" on rollcall vote number 75; "no" on rollcall vote number 76; "yes" on rollcall vote number 77; "no" on rollcall vote number 78; "yes" on rollcall vote number 79; and "no" on rollcall vote number 80.

THEATER MISSILE DEFENSE IMPROVEMENT ACT OF 1998

Mr. SPENCE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2786) to authorize additional appropriations for the Department of Defense for ballistic missile defenses and other measures to counter the emerging threat posed to the United States and its allies in the Middle East and Persian Gulf region by the development and deployment of ballistic missiles by Iran, as amended.

The Clerk read as follows:

H.R. 2786

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 "Theater Missile Defense Improvement Act of 1998".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Development of medium-range ballistic missiles by potential adversaries, such as Iran, has proceeded much more rapidly than previously anticipated by the United States Government.

(2) Existence of such missiles in potentially hostile nations constitutes a serious threat to United States forces, allies, and friends in the Middle East and Persian Gulf region and cannot be adequately countered by currently deployed ballistic missile defense systems.

(3) It is a matter of high national interest to quickly reduce the vulnerability of United States forces, allies, and friends to these threats.

(4) Meaningful and cost effective steps to reduce these vulnerabilities are available and should be pursued expeditiously.

SEC. 3. ACCELERATION OF DEPARTMENT OF DEFENSE PROGRAMS TO COUNTER ENHANCED BALLISTIC MISSILE THREAT.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 1998 for Defense-wide research, development, test, and evaluation in the amount of $147,000,000, to be available as follows:

(1) JOINT COMPOSITE TRACKING NETWORK.—$35,000,000 to be available for the Joint Composite Tracking Network program.

(2) PATRIOT REMOTE LAUNCH CAPABILITY.—$15,000,000 to be available to accelerate development of the remote launch capability for the Patriot Advanced Capability (PAC–3) missile defense system.

(3) PAC–3 AND NAVY AREA DEFENSE TESTS.—$40,000,000 to be available to test the capabilities of the Patriot Advanced Capability (PAC–3) missile defense system, and to test the capabilities of the Navy Area Defense System, against missiles with the range of the Iranian ballistic missiles under development.

(4) EARLY WARNING ENHANCEMENT.—$6,000,000 to be available for improved integration of the various elements of the SHIELD system.

(5) PAC–3 PRODUCTION RATE ENHANCEMENTS.—$41,000,000 to be available for production rate enhancements for the Patriot Advanced Capability (PAC–3) missile defense system.

(6) ISRAELI ARROW MISSILE DEFENSE SYSTEM.—$10,000,000 to be available to improve interoperability of the Israeli Arrow tactical ballistic missile defense system with United States theater missile defense systems.

SEC. 4. IDENTIFICATION OF OTHER POSSIBLE ACTIONS.

(a) IDENTIFICATION.—The Secretary of Defense shall identify actions in addition to those authorized by section 3 that could be taken by the Department of Defense to counter the threats posed to the United States and its national security interests by the development or acquisition of medium-range ballistic missiles by Iran and other nations.

(b) SPECIFIC ACTIONS TO BE TAKEN.—The Secretary specifically shall explore—

(1) additional cooperative measures between the Department of Defense and the Ministry of Defense of Israel to further enhance Israel's ability to defend itself against the threat posed by ballistic missiles deployed by Iran and other nations; and

(2) actions within the existing Navy Theater Wide Missile Defense System program that could provide additional capabilities useful to addressing the threat posed by medium-range ballistic missiles within one to two years.

(c) INTERGOVERNMENTAL COORDINATION.—The Secretary shall undertake appropriate intergovernmental and interagency coordination that would be necessary to the conduct of any of the actions identified pursuant to subsection (a).

SEC. 5. REPORT TO CONGRESS.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report providing—

(1) a description of the Secretary's plans for use of funds appropriated pursuant to the authorizations of appropriations in this Act; and

(2) a description of possible additional actions identified by the Secretary pursuant to section 4(a) and the steps taken or planned (as of the time of the report) to carry out section 4(c).

SEC. 6. OFFSETTING REDUCTIONS IN AUTHORIZATIONS.

The total amount authorized in section 201 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85) to be appropriated for fiscal year 1998 for research, development, test, and evaluation for the Department of Defense is hereby reduced by $147,000,000, of which—

(1) $126,000,000 is to be derived from savings from the use of advisory and assistance services by the Department of Defense in accordance with section 8041 of the Department of Defense Appropriations Act, 1998 (Public Law 105–56; 111 Stat. 1230); and

(2) $21,000,000 is to be derived from savings from the use by the Department of Defense of defense federally funded research and development centers in accordance with section 8035 of the Department of Defense Appropriations Act, 1998 (Public Law 105–56; 111 Stat. 1227).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from South Carolina (Mr. SPENCE) and the gentleman from Missouri (Mr. SKELTON) each will control 20 minutes.

The Chair recognizes the gentleman from South Carolina (Mr. SPENCE).

GENERAL LEAVE

Mr. SPENCE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2786.

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

There was no objection.

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

Madam Speaker, H.R. 2786, the Theater Missile Defense Improvement Act of 1998, is intended to address the accelerated threat posed by recent theater ballistic missile development around the world. North Korea has deployed the No Dong-1 missile. Iran's development of the Shahab-3 missile has proceeded rapidly and could be flight tested within the next year and will have sufficient range to strike Turkey, Saudi Arabia and Israel.

The speed of these developments was unanticipated by the intelligence community and they warrant an immediate response. Our currently deployed missile defense systems were designed against older and slower threats and have only limited capabilities against this new generation of more lethal missiles. The steps taken in this bill will provide additional defensive capabilities for our troops and their dependents more quickly than is currently being planned.

The measures in this bill meet three important criteria. First, all are executable in the current fiscal year. It is therefore important for us to provide the funding and the authority to proceed in a timely manner. Second, all measures in this bill are consistent with planned missile defense systems and architectures. Third, this legislation is entirely consistent with current international agreements.

The gentleman from Pennsylvania (Mr. WELDON), who has spearheaded this effort with both patience and persistence, has been quite, quite frankly, ahead of both the Intelligence Community and the Department of Defense when it comes to the seriousness of this threat and the need for a rapid response.

Likewise, the efforts of the gentleman from Virginia (Mr. PICKETT) and the gentleman from South Carolina (Mr. SPRATT) as cosponsors have strengthened this legislation and helped make it a strong bipartisan response to a serious threat.

The bill was approved unanimous by the Committee on National Security on a vote of 45 to 0. I commend all three of the bills' sponsors for their diligence. The Department of Defense believes that the bill's measures are important and constructive steps in any effort designed to address this rapidly evolving threat.

Madam Speaker, I once again commend the gentleman from Pennsylvania (Mr. WELDON), the gentleman from Virginia (Mr. PICKETT) and the gentleman from South Carolina (Mr. SPRATT) for their leadership and their effort. I express my strong support for this measure and urge my colleagues' support as well.

Madam Speaker, I ask unanimous consent that the gentleman from Pennsylvania (Mr. WELDON) be allowed to control the remainder of my time.

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

There was no objection.

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

Madam Speaker, we are here today to approve H.R. 2786, the Theater Missile Defense Improvement Act of 1998 under the suspension of the rules of this House.

This bill addresses the earlier than expected development of theater or tactical ballistic threats to our men and women in uniform around the world, threats that I believe are real and, given the limitations of currently deployed theater missile defense systems, demand a priority response.

H.R. 2786 is a bill that responds to the recent threat developments quickly, crisply and affordably. Moreover, it was approved unanimously by the committee.

In terms of process, I cannot be more pleased. H.R. 2786 is the result of an open, deliberative and nonpartisan effort by our committee. I want to thank the gentleman from South Carolina (Chairman SPENCE) and the gentleman from Pennsylvania (Mr. WELDON), chairman of the Subcommittee on Research and Development, for their openness and willingness to work on this issue.

In addition, I believe we owe a debt of gratitude to the gentleman from Pennsylvania (Mr. WELDON), the gentleman from Virginia (Mr. PICKETT) and the gentleman from South Carolina (Mr. SPRATT), whose vision brought us this bill today.

I also want to recognize the hard work of their staffs and the committee staff in translating that vision into legislation that we can all vote for today. In the strongest possible terms, Madam Speaker, I urge all my colleagues to vote in favor of this bill.

Madam Speaker, I yield the balance of my time to the gentleman from Virginia (Mr. PICKETT), the distinguished ranking member of the Subcommittee on Research and Development, and ask that he be allowed to control the time.

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

There was no objection.

Mr. WELDON of Pennsylvania. Madam Speaker, I yield myself 4 minutes.

Madam Speaker, first of all, I want to thank the distinguished chairman of the full committee, the gentleman from South Carolina (Mr. SPENCE), and the ranking member, the gentleman from Missouri (Mr. SKELTON), and the ranking member of my subcommittee, the gentleman from Virginia (Mr. PICKETT) and the gentleman from South Carolina (Mr. SPRATT), for their tireless efforts in putting forth this compromise legislation today.

Madam Speaker, the largest loss of life that we have had in our military troops from one single incident in this decade was 7 years ago when 28 of our young soldiers were killed by a low complexity Scud missile entering into a barracks in Dhahran. We vowed as a Nation not to let that happen again, and we have been aggressively pursuing various theater missile defense systems to protect our troops and our allies from shorter range missiles that could not hit the United States.

Unfortunately, our schedule for deploying those theater missile defense systems was not able to meet the threats as they are in fact emerging. We saw several years ago North Korea begin deploying a No Dung missile that has a range of in the range of about 1,000 kilometers, and this past summer we saw, with the help of both Russia and China, Iran get the capability to deploy two different types of missiles that will have a range between 600 and 1,200 kilometers.

Looking at the chart, Madam Speaker, we can see that this missile that Iran will be able to deploy within the period of 12 to 24 months has the capacity to hit our allies, Israel, Saudi Arabia and other countries in the area, as well as our troops stationed in the theater around Iran.

This is unacceptable to us, Madam Speaker, and so back in the fall of last year we got together and put together a bipartisan effort to provide short-term enhancements to improve our capability to defeat the missiles that Iran may in fact deploy, and that we know North Korea is already deploying.

These enhancements are basically contained in this bill. They involve providing additional footprints to existing systems with enhanced radar and providing interoperability between a number of different systems which gives us a better capability to more quickly identify a target and take that target out. So by putting forth the $147 million dollars in this legislation, we are going to allow our missile defense programs that are currently in place to come together in a unique way, to give us enhanced interoperability, to give us a longer footprint in terms of taking out systems and missiles that may in fact threaten our troops and our allies, and to also begin to cooperate with other nations.

In fact, in this legislation, we include money for interoperability with Israel, so that Israel, as it develops its Arrow program, will in fact be able to have that system interoperate with our PAC-3 program and eventually with our Navy and other Army programs.

So what we are talking about today, Madam Speaker, is a new opportunity to protect our troops in the shortest possible time using existing systems by enhancing them, not with new dollars, but with dollars that are already available within the budget agreement.

Madam Speaker, the other body has in fact passed in its supplemental bill a $151 million allocation that in fact is designed to fund almost all of our priorities in this legislation. I have received a commitment from the gentleman from Louisiana (Chairman LIVINGSTON). In fact, we will do a colloquy on the floor in the supplemental that he will work in the conference to make sure that funding is made available to fund the authorization that we provide today in this legislation.

Finally, Madam Speaker, I want to add one other dimension to this legislation. We are dedicating this legislation today to the memory of those 28 young soldiers, many of them from Pennsylvania, who were killed by that Scud missile attack 7 years ago. We do not want their names to be left unnoticed in terms of protecting our other troops, and so I will include for the record the names and classifications and titles and cities of each of those 28 brave Americans who made the ultimate sacrifice and lost their lives in Dhahran, Saudi Arabia, 7 years ago, to that Scud missile.

This legislation, Madam Speaker, in honor of those 28 brave Americans, will allow us to ensure that no other Americans will lose their lives in a similar situation.

Madam Speaker, the measure before the House today, H.R. 2786, is the result of a bipartisan effort to identify the most effective actions that could be taken to enhance our defenses against a greatly accelerated missile threat to our troops and allies around the globe.

Late last summer we learned that Iran, assisted by Russian technology transfers, could deploy a missile capable of striking U.S. forces and our allies in the Middle East within a year to eighteen months. Recognizing that threat—which the intelligence community had previously predicted to be several years away—and the lack of any U.S. system fully capable of defending against it, I asked the ballistic missile defense organization to recommend steps that could be taken to enhance our defensive capabilities as soon as possible. Based on the initial feedback I received, I introduced H.R. 2786, the Iranian Missile Protection Act.

That bill gained strong, bipartisan support, with one hundred and ten cosponsors. Although Congress adjourned before acting on the bill, the case for timely TMD enhancements is stronger than ever. In the six months since the bill was introduced, Iran successfully tested, the engines of its medium-range missile, the Shahab-3. Despite Russia's recent agreement with the U.S. to limit future missile technology transfers, reports indicate that controlling such transactions may still be a problem. Meanwhile, North Korea continues aggressive development of its No-Dong missile, and Saddam Hussein remains intent on intimidating the U.S. with all options at his disposal.

Unfortunately, seven years after twenty-eight American soldiers perished in the Iraqi Scud attack on Dharan, we have no missile defense system in place or planned for deployment within the next year fully capable of defending against the increased Iranian missile threat—or against one which could emerge sooner than we expect from North Korea. At this point, we won't be able to get our longer range TMD systems deployed in time to meet the accelerated Iranian threat. But there are things we can do to make systems that will be fielded more effective against that threat.

Initially, there was some disagreement between Congress and the administration on how to proceed with theater missile defense enhancements. But there was no argument that we would soon need better capabilities to respond to the emerging threats. That is why committee Republicans and Democrats approached the administration again requesting a refined set of recommendations for near-term TMD enhancements.

The legislation before the House today, renamed "the Theater Missile Defense Improvement Act" in committee, is the product of that bipartisan initiative. It reflects the advice of the services, the Joint Theater Air and Missile Defense Organization (JTAMDO), the commanders in chief of our military theaters of operation, and the ballistic missile defense organization. It reflects the administration's conclusion that there are concrete steps that we can and should take to enhance TMD capabilities in the near term, and its recommendation of several high payoff options that can be executed in fiscal year '98. Based on this input, we narrowed the scope of the bill to actions executable in 1998. As a result, the cost of the bill has been cut by more than half—from $331 million to $147 million. It includes:

(1) ($35m) Joint composite tracking network development—ensure connectivity of ground-based radar, Pac-3 and Navy cooperative engagement capability.

(2) ($15m) Pac-3 remote launch capability development—accelerates doubling of Pac-3 footprint from 2000 to 1999.

(3) ($40m) Pac-3 and Navy area defense systems testing—provides for one test on each system to determine capabilities against Iranian threat.

(4) ($41m) Pac-3 production enhancement—funds tooling and equipment to double production in 2001–2.

(5) ($10m) Arrow interoperability testing—tests with U.S. TMD systems.

(6) ($6m) Early warning enhancement—links sensors, communications and command and control to provide improved early warning.

The ballistic missile defense organization believes these are the most valuable steps we can take in the near term to enhance TMD capabilities against emerging threats. This package is supported by the administration and was reported out of committee 45–0. Our

commanders in the field want this protection, and our allies such as Israel are calling for added enhancements in light of the imminent Iranian threat. The House has already passed legislation calling for sanctions against Russian entities that aided Iran in its missile development. Now it must pass this bill to provide the best protection possible for our troops and allies. Passage of this measure will do just that, allowing our existing missile defense systems to "be all they can be" against the near-term missile threats. In honor of those who lost their lives in the Scud attack on Dharan:

Specialist Stephen Atherton—Dayton, PA.
Specialist Stanley Bartusiak—Romulus, MI.
Specialist John Boliver—Monogahela, PA.
Sergeant Joseph Bongiomi—Hickory, PA.
Sergeant John Boxler—Johnstown, PA.
Specialist Beverly Clark—Armagh, PA.
Sergeant Alan Craver—Penn Hills, PA.
Specialist Rolando A. Deigneau—Unknown address.
Specialist Steven Famen—Salisbury, Missouri.
Specialist Duane Hollen—Bellwood, PA.
Specialist Glen Jones—Grand Rapids, Minnesota.
Specialist Frank Keough—Rochester Mills, PA.
Specialist Anthony Madison—Monessen, PA.
Specialist Steven Mason—Paragould, Arkansas.
Specialist Christine Mayes—Rochester Mills, PA.
Specialist Michael Mills—Panora, Iowa.
Specialist Adrienne Mitchell—Moreno Valley, CA.
Specialist Ronald Rennison—Dubuque, IA.
Private First Class Timothy Shaw—Alexandria, VA.
Sergeant Stephen Siko—Latrobe, PA.
Specialist Brian Simpson—Indianapolis, IN.
Specialist Thomas Stone—Falconer, NY.
Specialist James Tatum—Athens, TN.
Private First Class Robert Wade—Savannah, GA.
Sergeant Frank Walls—Hawthorne, PA.
Corporal Jonathan Williams—Portsmouth, VA.
Specialist Richard Wolverton—?, PA.
Specialist James Worthy—Albany, GA.

I urge my colleagues to vote "yes" for H.R. 2786 and join me in dedicating passage of this bill to their memory.

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

Madam Speaker, I rise in strong support of H.R. 2786, the Theater Ballistic Missile Defense Improvement Act of 1998. I want to thank our committee chairman and ranking member, and also our subcommittee chairman, the gentleman from Pennsylvania (Mr. WELDON), for the fine work they have done in bringing this bill to this point.

The Theater Missile Defense Improvement Act is a quick, direct and bipartisan response to the earlier than expected development of theater ballistic missile threats to our troops by Iran and North Korea. It would authorize $147 million to increase the defended footprints of our current theater missile ballistic defense system by enhancing early warning, increasing connectivity among systems and providing for an increased deployment rate for the Patriot PAC-3 TMD system.

Supported by the Department of Defense, the bill is fully consistent with current and planned United States TMD programs and can be carried out by the Pentagon almost immediately. Further, it does not require future funding that DOD is not in a position to request, and it is within the scope of existing international agreements.

Because it responds to actual threat developments that would put our deployed troops at risk, I believe it is our duty to pass this bill today. Therefore, and in the strongest possible terms, I urge my colleagues to support our men and women in uniform and vote for H.R. 2786, the Theater Missile Defense Improvement Act of 1998.

Madam Speaker, I reserve the balance of my time.

Mr. WELDON of Pennsylvania. Madam Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. LIVINGSTON), the distinguished chairman of the Committee on Appropriations, a Member who has been a tireless advocate for missile defense for this country, and we welcome his participation today.

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

Madam Speaker, I rise in strong support of H.R. 2786, the Theater Missile Improvement Act, because it is a good bill. It is a good initiative.

Madam Speaker, first of all, I want to thank my friend for his time, but also his dedication to our Nation's defense and to this particular subject of missile defense. This issue has gone too far unattended.

Many of us in Congress have been convinced for a very long time that we need to protect against the possible threat of incoming missiles and that we need to protect our troops and our cities but the fact is, while most American people think we can defend against such missiles, in truth we cannot defend against the first missile.

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We do not have the first defense system deployed.

So while I might disagree in some of the assessments of priorities in this bill, I rise in support of it for two critical reasons: North Korea and Iran.

North Korea has already deployed the No Dong-1 missile, which has a range of 1,000 kilometers, a sufficient range to threaten Japan; and it is developing the Taepo Dong-1, expected to have a range in excess of 1,500 kilometers, which would have the capacity to threaten Alaska and Hawaii.

According to our own director of Central Intelligence, Iran is very close to deploying the medium range Shahab-3 Missile. This missile will have the capability of striking areas in the Middle East such as Turkey, Israel and Saudi Arabia.

Secondly, I think it is absolutely imperative that we begin to actually deploy systems; not just study them, or research them forever, as this administration continues to propose, but to deploy them. We need systems in place to defend against incoming missiles.

I believe this act will further our ability to do exactly that. I urge passage of H.R. 2786.

Mr. PICKETT. Madam Speaker, I yield 4 minutes to the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Madam Speaker, the bill before us is carefully crafted. It was worked out in a completely bipartisan spirit by the gentleman from Pennsylvania (Mr. WELDON), the gentleman from Virginia (Mr. PICKETT), and myself and, truth be told, by our staff, in close consultation with the ballistic missile defense office, BMDO.

Over a period of weeks, we went through an exacting process to winnow down the increases to BMDO programs that can be used to deal with this emerging intermediate-range missile threat. Our process identified those programs with the most potential in the short term to enhance missile defense capability which can be executed this year, fiscal year 1998.

Wherever possible, we tried to speed up program improvements that had already been planned or programmed by BMDO and link up or improve interoperability among existing systems. As a result, we have a bill which is focused on the emerging threat, consistent with the progress that the ballistic missile defense organization is making, and affordable.

Each item in this bill has been scrubbed by the Defense Secretary, Deputy Secretary of Defense John Hamre, and stamped with his approval as a sensible use of the funds. The authorizations are fully offset within the Department of Defense, and we have sought to work with the Committee on Appropriations to find outlay offsets, in order to appropriate these dollars this year.

In addition to increasing our BMDO capabilities in the short term, this bill will enhance the long-term performance of our systems as well. The Joint Composite Tracking Network, funded by this bill at $35 million, will network the sensing, tracking, command and control capabilities of PAC-3, THAAD, Navy Area Defense system and, eventually, the Israel Arrow and the Navy's Upper Tier systems, so missiles can be detected as soon as possible after launch and defenses can be cued up as soon as possible. The total flight time for these missiles is measured in seconds, and every second we gain in locating them is a gain towards taking them out.

This network is probably the single greatest step we can take in the short term to enhance our existing capabilities. It is also the logical next step to a layered defense or a family of systems architecture, which BMDO is working on.

This bill will lower the operational risks of the PAC–3 and Navy Area Defense Systems also by funding more testing. The bill allocates $20 million each for testing of these systems against longer or intermediate range threat. Although this testing is primarily designed to probe and stretch the limits of these systems, we will gain more knowledge and we hope more confidence in their general performance by more testing. And this goes to a recommendation pointedly made by General Larry Welsh in a recently completed review of our theater ballistic missile systems.

This bill also contains $41 million for production enhancements to the PAC–3 system, and that will allow for increased production of PAC–3 missiles and a faster deployment of this system, which has some potential for dealing with this threat into the field.

That is why I say this bill is a measured response to emerging threats. It is a sensible piece of legislation. I urge every Member of the House to support it.

Mr. WELDON of Pennsylvania. Madam Speaker, I yield 2 minutes to the distinguished gentleman from Maryland (Mr. BARTLETT).

Mr. BARTLETT of Maryland. Madam Speaker, I have sat in hearing after hearing where our intelligence community has told us that it would take rogue nations using indigenous capabilities 10 to 15 years to develop missile technologies that would threaten us or our allies. I never quite understood this. If I needed a moped, I am not sure that I would build a factory to build a moped. I think that I would go buy one from people who build them, which is precisely what Iran has done.

A few months ago, we were informed by our intelligence community that Iran has now acquired technologies from Russia which will permit them, years and years ahead of any projected schedule, to launch missiles with 600 and 1,200 kilometer ranges that threaten our allies.

This bill is a very measured response to this. It is not forging new frontiers. What we are doing in this bill is accelerating programs which are already in existence, where additional funds could move them forward so that we could meet the emerging threats.

I want to compliment those on both sides of the aisle that worked to craft this bill. My only regret is that it could not have come to us several years ago, because we needed it then. We need it far worse now. Please support this very good legislation.

Mr. PICKETT. Madam Speaker, I yield 3 minutes to the gentlewoman from California (Ms. HARMAN).

Ms. HARMAN. Madam Speaker, I thank the gentleman for yielding me the time.

Madam Speaker, this bill is a very good example of bipartisanship producing good policy. I am proud to be an original cosponsor.

I commend my friend, the gentleman from Pennsylvania (Mr. WELDON), for his leadership and his bipartisanship. Like him, I believe the proliferation of weapons of mass destruction and the means to deliver them is the key national security threat in the post-Cold War world.

In particular, many of us have been concerned about the transfer of ballistic missile capabilities from Russia to Iran. This is profoundly destabilizing to the region, and it presents a direct threat to U.S. forces in the region and to U.S. allies. To properly stem this threat, we need a two-pronged approach, prevention and defense.

Last fall, Senator KYL and I introduced a concurrent resolution which passed both Chambers overwhelmingly, urging the President to impose sanctions on the Russian entities that have been providing technical assistance and technology to Iran's programs.

The Harman-Kyl resolution addressed the preventive aspect of a nonproliferation strategy. Sanctions make it unprofitable for anyone to transfer sensitive weapons technology to Iran, but stopping the flow is only part of the answer. We also need to defend against the capability that has already slipped through.

This bill is an important step in that process. It accelerates the development of important capability that can improve the region's missile defense in the short term. Assembled in cooperation with the Defense Department, these measures are designed to put in place the best defense possible by the time Iran's medium-range missile capability is fully realized.

Let me underscore just one measure that is in this bill and was mentioned by its sponsor, that is funding for interoperability of Israel's cost-share Arrow system, our best bet short term to protect our only democratic ally in the region.

Madam Speaker, I strongly support this bill and urge our colleagues, all of them, on a bipartisan basis, to support it, too.

Mr. WELDON of Pennsylvania. Madam Speaker, I yield 2½ minutes to the gentleman from New York (Mr. GILMAN), the distinguished chairman of the Committee on International Relations.

Mr. GILMAN. Madam Speaker, I rise in strong support of H.R. 2786, the Theater Missile Defense Improvement Act of 1998; and I commend the gentleman from South Carolina (Chairman SPENCE), the author of this measure, and the gentleman from Pennsylvania (Mr. WELDON) for their extensive work on this important bill.

One of our Nation's most important national security and nonproliferation objectives is to reduce the vulnerability of our own forces, allies and friends in the Middle East from the threat of ballistic missiles by Iran and other potential adversaries.

As my colleagues well know, most critical in the short term is the threat posed by Iran's acquisition of ballistic missiles with a range of up to 1,300 kilometers or more. I fully support providing additional resources for those programs which can counter that kind of threat, which is the primary purpose of this bill.

I want to focus our colleagues' attention on the language contained in section 4 of the bill, which directs the Secretary of Defense to explore additional cooperative measures between our Defense Department and the Ministry of Defense in Israel to further enhance Israel's ability to defend itself against the threat posed by ballistic missiles deployed by Iran and other nations.

Just as important, perhaps even more important, as increasing funding for programs to counter the threat posed by Iran's missile programs is the necessity to halt assistance to the Iranian program in the first place. It is obvious that Russia has already provided Iran with critical know-how and technological support which has resulted in the Iranians achieving a significant leap in their missile programs.

An incremental approach to this issue relies on friendly persuasion. It is not achieving any demonstrable results in our negotiations with the Russians. Dialogue cannot substitute for more forceful and immediate action, including the imposition of sanctions on those entities engaging in missile cooperation with Iran. That is why we urge the Senate to take action on H.R. 2709, the Iran Missile Proliferation Sanctions Act of 1997, which was passed by the House last November.

As I have stated on a number of occasions, it is hard to believe that Russia's assistance to Iran does not violate Russia's international obligations as an adherent to the Missile Technology Control Regime. It is inconceivable that such transfers do not trigger U.S. missile sanction laws.

In the 1980s, the world sat by while Saddam Hussein built up his arsenal of weapons of mass destruction that we have not yet fully identified and destroyed; and our Nation cannot afford to do the same with Iran, as it uses its petrodollars to purchase weapons systems that will threaten its neighbors and endanger our forces throughout the Persian Gulf region.

I urge my colleagues to support this important measure.

Mr. PICKETT. Madam Speaker, I yield 2 minutes to the gentleman from Guam, Mr. UNDERWOOD.

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

Madam Speaker, I enthusiastically support the bill, H.R. 2896, as offered by the gentleman from Pennsylvania (Mr. WELDON), the gentleman from Virginia (Mr. PICKETT), and the gentleman from South Carolina (Mr. SPRATT). The gentleman from Pennsylvania (Mr. WELDON) deserves our gratitude for his persistence in moving this legislation, which is cosponsored by no less than 111 members.

The Theater Missile Defense Improvement Act of 1998 is one of the most important and timely pieces of legislation to be presented before this body.

As a member of the Committee on National Security, I have become keenly aware of the many threats posed by adversarial missile defense development and deployments and illicit technology transfers around the world. We only know too well the potential for destruction these weapons hold.

In the hands of our friends and allies, these weapons are valuable tools that safeguard democracy. In the hands of our adversaries, where the potential exists to arm them with chemical and biological warheads, the results are potentially catastrophic.

Madam Speaker, in a world rocked with uncertainties, we must remove the cloak of fear utilized by our adversaries. This important legislation will ensure in no small manner that the United States will have the technology and capability to defend our troops, no matter where they are, and citizens of every State and territory in the land. The real danger posed by rogue states such as Iran, North Korea, and Iran compel us to prepare to defend our vital assets.

I support this bill because it is the best way to assure our friends and allies that we will not be placed in a tactically compromising position. I support H.R. 2796 because it is non-scenario, non-geographic specific. It cuts to the core of the issue, to produce for the defense of the United States a highly capable, highly robust TMD system that could be deployed anywhere our enemies pose a ballistic missile threat.

Finally, Madam Speaker, on behalf of the people of Guam, I support this bill for the safety and defense of our fellow U.S. citizens, who have been specifically targeted by North Korean military as they develop the Taepo Dong-1 and 2.

I congratulate this bipartisan effort and especially the work of the gentleman from Pennsylvania (Mr. WELDON) and the gentleman from Virginia (Mr. PICKETT).

Mr. WELDON of Pennsylvania. Madam Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PAPPAS), one of our young rising stars in this Congress.

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Mr. PAPPAS. Madam Speaker, I believe this country owes a great deal of gratitude to the gentleman from Pennsylvania (Mr. WELDON) for his leadership on this issue. This Congress is faced with a situation of whether to stick our heads in the proverbial sand or open our eyes to see the threats that we have to our national security. This bill moves us from the hand-wringing stage into the stage of action.

This bill will leverage existing systems to advance missile defense for our troops. Part of the ability to leverage existing technologies is to capitalize on what has worked elsewhere. For example, Israel has an ongoing missile defense system that has demonstrated favorable results. In this age of limited defense dollars, the Pentagon cannot afford to, quote-unquote, "reinvent the wheel" or be a slave to bureaucracy to develop technology and implement systems that will protect our troops now.

Recently, 36 members of the Committee on National Security signed a letter to the President circulated by myself and the gentlewoman from California (Ms. HARMAN) urging him to work with Israel and leverage existing technology to develop Arrow, THEL, and BPI. Many share my concern about a seeming lack of commitment by this administration to deal with missile defense and the very real risks our troops, interests, and allies face in the Middle East, Korea and throughout the world.

Madam Speaker, this bill is a first step and I am hopeful that this Congress will seek to protect our troops. Failure to do so would be to shirk our duty to uphold the Constitution and to provide for the common defense. I urge passage of this bill.

Mr. PICKETT. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. REYES).

Mr. REYES. Madam Speaker, I appreciate this opportunity to speak in support of this important bill which will provide our troops better protection from ballistic missile threats. I am proud to be an original cosponsor of this bill, and I am pleased that this issue is finally getting the attention of the full House of Representatives.

Fort Bliss, which is located in my district, trains all the soldiers who provide air and missile defense for our military. Also, and perhaps most importantly for the purposes of this bill, most of the Patriot batteries are located at Fort Bliss.

As such, the increased funds for PAC-3 technologies will directly affect our soldiers. The Fort Bliss air defenders will be using these technologies to better defend our military and our allies. Our soldiers at Fort Bliss are pleased that we are working to provide the resources necessary to move PAC-3 into the field as effectively and as quickly as possible.

The bill includes $15 million to accelerate completion of the PAC-3 remote launch capability. This technology will allow the Patriot soldiers to place their missiles and launchers further out in front of the radar and the battery, which in turn expands the battle space. This will allow each Patriot unit to defend a larger area.

Second, the bill provides $41 million to allow for an increased rate of production for PAC-3. This will move PAC-3 missiles out into the field more rapidly so that every Patriot unit will have the PAC-3 capability.

At the beginning of the Gulf War conflict, our Patriot soldiers had only three PAC-2 missiles, missiles that were capable of defending against other ballistic missiles. Not only were there few PAC-2 missiles, but PAC-2 could only achieve missile kill against the incoming ballistic missile and not kill the actual warhead. As a result, some diverted incoming missiles caused collateral damage in civilian areas.

PAC-3 will have hit-to-kill capability, eliminating the fear of hitting other areas and destroying offensive missiles and their warheads which could include weapons of mass destruction. The funds we provide today will equip our Patriot units more quickly with this technology.

Third, the bill provides $40 million for tests of PAC-3 and Navy Area. Our air defenders will feel more comfortable knowing that these technologies have been sufficiently tested with live fire tests against longer range missiles.

Madam Speaker, I want to thank the gentleman from South Carolina (Mr. SPENCE), the gentleman from Missouri (Mr. SKELTON), the gentleman from Pennsylvania (Mr. WELDON), the gentleman from Virginia (Mr. PICKETT) and the gentleman from South Carolina (Mr. SPRATT) for their bipartisan work to get this bill to the House floor today. I strongly urge all of my colleagues to support this legislation in a bipartisan manner.

Mr. WELDON of Pennsylvania. Madam Speaker, I yield 2 minutes to the distinguished gentlewoman from Florida (Mrs. FOWLER), one of the leading advocates for a strong defense in our country.

Mrs. FOWLER. Madam Speaker, I rise to commend the gentleman from Pennsylvania (Mr. WELDON), my good friend, and the other authors of this bill for their hard work in putting together a measure that will help address critical threats that will soon be facing our service personnel in the Persian Gulf.

The Iran Missile Protection Act would authorize the shifting of $147 million in Defense Department funds to

proceed with the most promising technologies available for enhancing theater missile defense capabilities. This step is necessary because recent intelligence indicates that Iran, thanks to Russian technology transfers, is much closer to developing a medium-range ballistic missile capable of threatening U.S. forces and regional allies that was previously believed to be the case.

This bill would pursue technologies that are executable in fiscal year 1998 and provide the most immediate return on investment. It received strong support in the House Committee on National Security and merits the approval of the House. I urge my colleagues to support H.R. 2786.

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

Mr. WELDON of Pennsylvania. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, first of all, let me again thank the leadership of our committee. The gentleman from South Carolina (Mr. SPENCE) and the gentleman from Missouri (Mr. SKELTON) are outstanding leaders working in a true bipartisan manner.

Let me also thank Ron Dellums, who was our ranking member up until a few short weeks ago. He, too, lent his support from the time we introduced the original legislation until the time it appears on the floor, and I appreciate his role in that process as well. I also thank the gentleman from Virginia (Mr. PICKETT) and the gentleman from South Carolina (Mr. SPRATT) for their tireless effort on the other side.

Madam Speaker, let me also thank the Speaker of the House, who agreed to move this legislation through, and our colleagues in the other body for their commitment to move this legislation off the desk and get it passed in the Senate as well, and to the appropriators for their commitment to fund these priorities.

Madam Speaker, when we look at what is really going to happen in terms of this legislation, I think this chart perhaps sums it up best. We cannot get into actual distances and capabilities because that is classified information.

But if we look at the Patriot system, which all of America knows was the workhorse in Desert Storm, and its capability for knocking down Scuds, the capability of the Patriot system against the kind of threat that Iran will have 1 year from now means the Patriot could not handle this at all. Patriot has no capability against a 1,000 kilometer DBM threat. None whatsoever. If we just had the original Patriot system, we could do nothing. We would be shooting missiles in the air with no real capability of knocking those offensive missiles down.

By enhancing the Patriot system as we have done to improve it to become the PAC-2, this green area shows the approximate area that this missile would be effective, in these two concentric circles. From a distance standpoint, that is the approximate distance that PAC-2 upgrade would give us.

When we implement the provisions of this legislation, we provide for the enhanced radar, the interoperability, the use of existing systems interconnected, the blue area is the result that we get. So my colleagues can see that we are much better able to protect our troops and protect our allies. We have a much greater distance where we can take out that offensive missile while it is still over the country that is shooting at us, and if there is any hostile material in the warhead of that missile, it will rain down on their own citizens and not on our troops or allies.

Madam Speaker, this legislation is critically important. It will give us a short-term capability in fiscal year 1998 to give enhanced protection for our troops and for our allies around the world. I thank my colleagues for their support.

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

Mr. PICKETT. Madam Speaker, I have no further requests for time. I urge passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion offered by the gentleman from Pennsylvania (Mr. WELDON) that the House suspend the rules and pass the bill, H.R. 2786, as amended.

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

The title of the bill was amended so as to read:

"A bill to authorize additional appropriations for the Department of Defense for ballistic missile defenses and other measures to counter the emerging threat posed to the United States and its allies by the accelerated development and deployment of ballistic missiles by nations hostile to United States interests.".

A motion to reconsider was laid on the table.

CAMPAIGN REFORM AND ELECTION INTEGRITY ACT OF 1998

Mr. THOMAS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3581) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for election for Federal office, and for other purposes.

The Clerk read as follows:

H.R. 3581

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Campaign Reform and Election Integrity Act of 1998".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—VOLUNTARY CONTRIBUTIONS

Sec. 101. Prohibiting involuntary use of funds of employees of corporations and other employers and members of unions and organizations for political activities.

TITLE II—BANNING NONCITIZEN CONTRIBUTIONS

Sec. 201. Prohibiting noncitizen individuals from making contributions in connection with Federal elections.

Sec. 202. Increase in penalty for violations of ban.

TITLE III—IMPROVING REPORTING AND ENFORCEMENT

Sec. 301. Expediting reporting of information.

Sec. 302. Expansion of type of information reported.

Sec. 303. Promoting effective enforcement by Federal Election Commission.

Sec. 304. Banning acceptance of cash contributions greater than $100.

Sec. 305. Protecting confidentiality of small contributions by employees of corporations and members of labor organizations.

Sec. 306. Disclosure and reports relating to polling by telephone or electronic device.

TITLE IV—EXCESSIVE SPENDING BY CANDIDATES FROM PERSONAL FUNDS

Sec. 401. Modification of limitations on contributions when candidates spend or contribute large amounts of personal funds.

TITLE V—ELECTION INTEGRITY

Subtitle A—Voter Eligibility Verification Pilot Program

Sec. 501. Voter eligibility pilot confirmation program.

Sec. 502. Authorization of appropriations.

Subtitle B—Other Measures to Protect Election Integrity

Sec. 511. Requiring inclusion of citizenship check-off and information with all applications for voter registration.

Sec. 512. Improving administration of voter removal programs.

TITLE VI—REVISION AND INDEXING OF CERTAIN CONTRIBUTION LIMITS AND PENALTIES

Sec. 601. Increase in certain contribution limits.

Sec. 602. Indexing limits on certain contributions.

Sec. 603. Indexing amount of penalties and fines.

TITLE VII—RESTRICTIONS ON SOFT MONEY

Sec. 701. Ban on soft money of national political parties and candidates; ban on use of soft money by State political parties for Federal election activity.

Sec. 702. Ban on disbursements of soft money by foreign nationals

Sec. 703. Enforcement of spending limit on presidential and vice presidential candidates who receive public financing.

Sec. 704. Conspiracy to violate presidential campaign spending limits.

TITLE VIII—DISCLOSURE OF CERTAIN COMMUNICATIONS

Sec. 801. Disclosure of certain communications.

TITLE IX—EFFECTIVE DATE

Sec. 901. Effective date.

TITLE I—VOLUNTARY CONTRIBUTIONS

SEC. 101. PROHIBITING INVOLUNTARY USE OF FUNDS OF EMPLOYEES OF CORPORATIONS AND OTHER EMPLOYERS AND MEMBERS OF UNIONS AND ORGANIZATIONS FOR POLITICAL ACTIVITIES.

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

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

"(i) for any national bank or corporation described in this section to collect from or assess a stockholder or employee any portion of any dues, initiation fee, or other payment made as a condition of employment which will be used for political activity in which the national bank or corporation is engaged; and

"(ii) for any labor organization described in this section to collect from or assess a member or nonmember any portion of any dues, initiation fee, or other payment which will be used for political activity in which the labor organization is engaged.

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

"(2)(A) Prior to the beginning of any 12-month period (as determined by the corporation), each corporation described in this section shall provide each of its shareholders with a notice containing the following:

"(i) The proposed aggregate amount for disbursements for political activities by the corporation for the period.

"(ii) The individual's applicable percentage and applicable pro rata amount for the period.

"(iii) A form that the individual may complete and return to the corporation to indicate the individual's objection to the disbursement of amounts for political activities during the period.

"(B) It shall be unlawful for a corporation to which subparagraph (A) applies to make disbursements for political activities during the 12-month period described in such subparagraph in an amount greater than—

"(i) the proposed aggregate amount for such disbursements for the period, as specified in the notice provided under subparagraph (A); reduced by

"(ii) the sum of the applicable pro rata amounts for such period of all shareholders who return the form described in subparagraph (A)(iii) to the corporation prior to the beginning of the period.

"(C) In this paragraph, the following definitions shall apply:

"(i) The term 'applicable percentage' means, with respect to a shareholder of a corporation, the amount (expressed as a percentage) equal to the number of shares of the corporation (within a particular class or type of stock) owned by the shareholder at the time the notice described in subparagraph (A) is provided, divided by the aggregate number of such shares owned by all shareholders of the corporation at such time.

"(ii) The term 'applicable pro rata amount' means, with respect to a shareholder for a 12-month period, the product of the shareholder's applicable percentage for the period and the proposed aggregate amount for disbursements for political activities by the corporation for the period, as specified in the notice provided under subparagraph (A).

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

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

TITLE II—BANNING NONCITIZEN CONTRIBUTIONS

SEC. 201. PROHIBITING NONCITIZEN INDIVIDUALS FROM MAKING CONTRIBUTIONS IN CONNECTION WITH FEDERAL ELECTIONS.

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

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to contributions or expenditures made on or after the date of the enactment of this Act.

SEC. 202. INCREASE IN PENALTY FOR VIOLATIONS OF BAN.

(a) APPLICATION OF PENALTY TO FOREIGN NATIONALS AND CITIZENS WHO SOLICIT OR ACCEPT FOREIGN PAYMENTS.—Section 319 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection:

"(b) Notwithstanding any other provision of this Act, the amount or duration of any penalty, fine, or sentence imposed on any person who violates subsection (a) shall be 200 percent of the amount or duration which is otherwise provided for under this Act or any other applicable law.".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations occurring on or after the date of the enactment of this Act.

TITLE III—IMPROVING REPORTING AND ENFORCEMENT

SEC. 301. EXPEDITING REPORTING OF INFORMATION.

(a) PERMITTING CANDIDATES TO ELECT TO FILE REPORTS FOR CONTRIBUTIONS AND EXPENDITURES MADE WITHIN 90 DAYS OF ELECTION WITHIN 24 HOURS AND POST ON INTERNET.—

(1) IN GENERAL.—Section 304(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)) is amended by adding at the end the following new paragraph:

"(12)(A) Notwithstanding any other provision of this Act, any authorized political committee of a candidate may notify the Commission that, with respect to each contribution received or expenditure made by the committee during the period which begins on the 90th day before an election and ends at the time the polls close for such election, the candidate elects to file any information required to be filed with the Commission under this section with respect to such contribution or expenditure within 24 hours after the receipt of the contribution or the making of the expenditure.

"(B) The Commission shall make the information filed under this paragraph available on the Internet immediately upon receipt.".

(2) INTERNET DEFINED.—Section 301(19) of such Act (2 U.S.C. 431(19)) is amended to read as follows:

"(19) The term 'Internet' means the international computer network of both Federal and non-Federal interoperable packet-switched data networks.".

(b) REQUIRING REPORTS FOR ALL CONTRIBUTIONS MADE WITHIN 20 Days of Election; Requiring Reports to Be Made Within 24 Hours.—Section 304(a)(6)(A) of such Act (2 U.S.C. 434(a)(6)(A)) is amended—

(1) by striking "after the 20th day, but more than 48 hours before any election" and inserting "during the period which begins on the 20th day before an election and ends at the time the polls close for such election"; and

(2) by striking "48 hours" the second place it appears and inserting the following: "24 hours (or, if earlier, by midnight of the day on which the contribution is deposited)".

(c) REQUIRING ACTUAL RECEIPT OF CERTAIN INDEPENDENT EXPENDITURE REPORTS WITHIN 24 Hours.—

(1) IN GENERAL.—Section 304(c)(2) of such Act (2 U.S.C. 434(c)(2)) is amended in the matter following subparagraph (C)—

(A) by striking "shall be reported" and inserting "shall be filed"; and

(B) by adding at the end the following new sentence: "Notwithstanding subsection (a)(5), the time at which the statement under this subsection is received by the Secretary, the Commission, or any other recipient to whom the notification is required to be sent shall be considered the time of filing of the statement with the recipient.".

(2) CONFORMING AMENDMENT.—Section 304(a)(5) of such Act (2 U.S.C. 434(a)(5)) is amended by striking "or (4)(A)(ii)" and inserting "or (4)(A)(ii), or the second sentence of subsection (c)(2)".

(d) REQUIRING REPORTS OF CERTAIN FILERS TO BE TRANSMITTED ELECTRONICALLY; CERTIFICATION OF PRIVATE SECTOR SOFTWARE.—Section 304(a)(11)(A) of such Act (2 U.S.C. 434(a)(11)(A)) is amended by striking the period at the end and inserting the following: ", except that in the case of a report submitted by a person who reports an aggregate amount of contributions or expenditures (as the case may be) in all reports filed with respect to the election involved (taking into account the period covered by the report) in an amount equal to or greater than $50,000, the Commission shall require the report to be filed and preserved by such means, format, or method. The Commission shall certify (on an ongoing basis) private sector computer software which may be used for filing reports by such means, format, or method.".

(e) CHANGE IN CERTAIN REPORTING FROM A CALENDAR YEAR BASIS TO AN ELECTION CYCLE BASIS.—Section 304(b) of such Act (2 U.S.C. 434(b)) is amended by inserting "(or election cycle, in the case of an authorized committee of a candidate for Federal office)" after "calendar year" each place it appears in paragraphs (2), (3), (4), (6), and (7).

SEC. 302. EXPANSION OF TYPE OF INFORMATION REPORTED.

(a) REQUIRING RECORD KEEPING AND REPORT OF SECONDARY PAYMENTS BY CAMPAIGN COMMITTEES.—

(1) REPORTING.—Section 304(b)(5)(A) of the Federal Election Campaign Act of 1971 (2

U.S.C. 434(b)(5)(A)) is amended by striking the semicolon at the end and inserting the following: ", and, if such person in turn makes expenditures which aggregate $500 or more in an election cycle to other persons (not including employees) who provide goods or services to the candidate or the candidate's authorized committees, the name and address of such other persons, together with the date, amount, and purpose of such expenditures;".

(2) RECORD KEEPING.—Section 302 of such Act (2 U.S.C. 432) is amended by adding at the end the following new subsection:

"(j) A person described in section 304(b)(5)(A) who makes expenditures which aggregate $500 or more in an election cycle to other persons (not including employees) who provide goods or services to a candidate or a candidate's authorized committees shall provide to a political committee the information necessary to enable the committee to report the information described in such section.".

(3) NO EFFECT ON OTHER REPORTS.—Nothing in the amendments made by this subsection may be construed to affect the terms of any other recordkeeping or reporting requirements applicable to candidates or political committees under title III of the Federal Election Campaign Act of 1971.

(b) INCLUDING REPORT ON CUMULATIVE CONTRIBUTIONS AND EXPENDITURES IN POST ELECTION REPORTS.—Section 304(a)(7) of such Act (2 U.S.C. 434(a)(7)) is amended—

(1) by striking "(7)" and inserting "(7)(A)"; and

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

"(B) In the case of any report required to be filed by this subsection which is the first report required to be filed after the date of an election, the report shall include a statement of the total contributions received and expenditures made as of the date of the election.".

(c) INCLUDING INFORMATION ON AGGREGATE CONTRIBUTIONS IN REPORT ON ITEMIZED CONTRIBUTIONS.—Section 304(b)(3) of such Act (2 U.S.C. 434(b)(3)) is amended—

(1) in subparagraph (A), by inserting after "such contribution" the following: "and the total amount of all such contributions made by such person with respect to the election involved"; and

(2) in subparagraph (B), by inserting after "such contribution" the following: "and the total amount of all such contributions made by such committee with respect to the election involved".

SEC. 303. PROMOTING EFFECTIVE ENFORCEMENT BY FEDERAL ELECTION COMMISSION.

(a) REQUIRING FEC TO PROVIDE WRITTEN RESPONSES TO QUESTIONS.—

(1) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by inserting after section 308 the following new section:

"OTHER WRITTEN RESPONSES TO QUESTIONS

"SEC. 308A. (a) PERMITTING RESPONSES.—In addition to issuing advisory opinions under section 308, the Commission shall issue written responses pursuant to this section with respect to a written request concerning the application of this Act, chapter 95 or chapter 96 of the Internal Revenue Code of 1986, a rule or regulation prescribed by the Commission, or an advisory opinion issued by the Commission under section 308, with respect to a specific transaction or activity by the person, if the Commission finds the application of the Act, chapter, rule, regulation, or advisory opinion to the transaction or activity to be clear and unambiguous.

"(b) PROCEDURE FOR RESPONSE.—

"(1) ANALYSIS BY STAFF.—The staff of the Commission shall analyze each request submitted under this section. If the staff believes that the standard described in subsection (a) is met with respect to the request, the staff shall circulate a statement to that effect together with a draft response to the request to the members of the Commission.

"(2) ISSUANCE OF RESPONSE.—Upon the expiration of the 3-day period beginning on the date the statement and draft response is circulated (excluding weekends or holidays), the Commission shall issue the response, unless during such period any member of the Commission objects to issuing the response.

"(c) EFFECT OF RESPONSE.—

"(1) SAFE HARBOR.—Notwithstanding any other provisions of law, any person who relies upon any provision or finding of a written response issued under this section and who acts in good faith in accordance with the provisions and findings of such response shall not, as a result of any such act, be subject to any sanction provided by this Act or by chapter 95 or chapter 96 of the Internal Revenue Code of 1986.

"(2) NO RELIANCE BY OTHER PARTIES.—Any written response issued by the Commission under this section may only be relied upon by the person involved in the specific transaction or activity with respect to which such response is issued, and may not be applied by the Commission with respect to any other person or used by the Commission for enforcement or regulatory purposes.

"(d) PUBLICATION OF REQUESTS AND RESPONSES.—The Commission shall make public any request for a written response made, and the responses issued, under this section. In carrying out this subsection, the Commission may not make public the identity of any person submitting a request for a written response unless the person specifically authorizes to Commission to do so.

"(e) COMPILATION OF INDEX.—The Commission shall compile, publish, and regularly update a complete and detailed index of the responses issued under this section through which responses may be found on the basis of the subjects included in the responses.".

(2) CONFORMING AMENDMENT.—Section 307(a)(7) of such Act (2 U.S.C. 437d(a)(7)) is amended by striking "of this Act" and inserting "and other written responses under section 308A".

(b) STANDARD FOR INITIATION OF ACTIONS BY FEC.—Section 309(a)(2) of such Act (2 U.S.C. 437g(a)(2)) is amended by striking "it has reason to believe" and all that follows through "of 1954," and inserting the following: "it has a reason to investigate a possible violation of this Act or of chapter 95 or chapter 96 of the Internal Revenue Code of 1986 that has occurred or is about to occur (based on the same criteria applicable under this paragraph prior to the enactment of the Campaign Reform and Election Integrity Act of 1998),".

(c) STANDARD FORM FOR COMPLAINTS; STRONGER DISCLAIMER LANGUAGE.—

(1) STANDARD FORM.—Section 309(a)(1) of such Act (2 U.S.C. 437g(a)(1)) is amended by inserting after "shall be notarized," the following: "shall be in a standard form prescribed by the Commission, shall not include (but may refer to) extraneous materials,".

(2) DISCLAIMER LANGUAGE.—Section 309(a)(1) of such Act (2 U.S.C. 437g(a)(1)) is amended—

(A) by striking "(a)(1)" and inserting "(a)(1)(A)"; and

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

"(B) The written notice of a complaint provided by the Commission under subparagraph (A) to a person alleged to have committed a violation referred to in the complaint shall include a cover letter (in a form prescribed by the Commission) and the following statement: 'The enclosed complaint has been filed against you with the Federal Election Commission. The Commission has not verified or given official sanction to the complaint. The Commission will make no decision to pursue the complaint for a period of at least 15 days from your receipt of this complaint. You may, if you wish, submit a written statement to the Commission explaining why the Commission should take no action against you based on this complaint. If the Commission should decide to investigate, you will be notified and be given further opportunity to respond.'".

SEC. 304. BANNING ACCEPTANCE OF CASH CONTRIBUTIONS GREATER THAN $100.

Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a) is amended by adding at the end the following new subsection:

"(i) No candidate or political committee may accept any contributions of currency of the United States or currency of any foreign country from any person which, in the aggregate, exceed $100.".

SEC. 305. PROTECTING CONFIDENTIALITY OF SMALL CONTRIBUTIONS BY EMPLOYEES OF CORPORATIONS AND MEMBERS OF LABOR ORGANIZATIONS.

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

"(8)(A) Any corporation or labor organization (or separate segregated fund established by such a corporation or such a labor organization) making solicitations of contributions shall make such solicitations in a manner that ensures that the corporation, organization, or fund cannot determine who makes a contribution of $100 or less as a result of such solicitation and who does not make such a contribution.

"(B) Subparagraph (A) shall not apply with respect to any solicitation of contributions of a corporation from its stockholders.".

SEC. 306. DISCLOSURE AND REPORTS RELATING TO POLLING BY TELEPHONE OR ELECTRONIC DEVICE.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by adding at the end the following new section:

"DISCLOSURE AND REPORTS RELATING TO POLLING BY TELEPHONE OR ELECTRONIC DEVICE

"SEC. 323. (a) DISCLOSURE OF IDENTITY OF PERSON PAYING EXPENSES OF POLL.—Any person who conducts a Federal election poll by telephone or electronic device shall disclose to each respondent the identity of the person paying the expenses of the poll. The disclosure shall be made at the end of the interview involved.

"(b) REPORTING CERTAIN INFORMATION.—In the case of any Federal election poll taken by telephone or electronic device during the 90-day period which ends on the date of the election involved—

"(1) if the results are not to be made public, the person who conducts the poll shall report to the Commission the total cost of the poll and all sources of funds for the poll; and

"(2) the person who conducts the poll shall report to the Commission the total number of households contacted and include with such report a copy of the poll questions.

"(c) FEDERAL ELECTION POLL DEFINED.—As used in this section, the term 'Federal election poll' means a survey—

"(1) in which the respondent is asked to state a preference in a future election for Federal office; and

"(2) in which more than 1,200 households are surveyed.".

TITLE IV—EXCESSIVE SPENDING BY CANDIDATES FROM PERSONAL FUNDS

SEC. 401. MODIFICATION OF LIMITATIONS ON CONTRIBUTIONS WHEN CANDIDATES SPEND OR CONTRIBUTE LARGE AMOUNTS OF PERSONAL FUNDS.

(a) IN GENERAL.—Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a), as amended by section 304, is amended by adding at the end the following new subsection:

"(j)(1) Notwithstanding subsection (a), if in a general election a House candidate makes expenditures of personal funds (including contributions by the candidate to the candidate's authorized campaign committee) in an amount in excess of the amount of the limitation established under subsection (a)(1)(A) and less than or equal to $150,000 (as reported under section 304(a)(2)(A)), a political party committee may make contributions to an opponent of the House candidate without regard to any limitation otherwise applicable to such contributions under subsection (a), except that no opponent may accept aggregate contributions under this paragraph in an amount greater than the greatest amount of personal funds expended (including contributions to the candidate's authorized campaign committee) by any House candidate (other than such opponent) with respect to the election, less any personal funds expended by such opponent (as reported in a notification submitted under section 304(a)(6)(B)).

"(2) If a House candidate makes expenditures of personal funds (including contributions by the candidate to the candidate's authorized campaign committee) with respect to an election in an amount greater than $150,000 (as reported under section 304(a)(2)(A)), the following rules shall apply:

"(A) In the case of a general election, the limitations under subsections (a)(1), (a)(2), and (a)(3) (insofar as such limitations apply to political party committees and to individuals, and to other political committees to the extent that the amount contributed does not exceed 10 times the amount of the limitation otherwise applicable under such subsection) shall not apply to contributions to any opponent of the candidate, except that no opponent may accept aggregate contributions under this subparagraph and paragraph (1) in an amount greater than the greatest amount of personal funds (including contributions to the candidate's authorized campaign committee) expended by any House candidate with respect to the election, less any personal funds expended by such opponent (as reported in a notification submitted under section 304(a)(6)(B)).

"(B) In the case of an election other than a general election, the limitations under subsections (a)(1) and (a)(2) (insofar as such limitations apply to individuals and to political committees other than political party committees to the extent that the amount contributed does not exceed 10 times the amount of the limitation otherwise applicable under such subsection) shall not apply to contributions to any opponent of the candidate, except that no opponent may accept aggregate contributions under this subparagraph in an amount greater than the greatest amount of personal funds (including contributions to the candidate's authorized campaign committee) expended by any House candidate with respect to the election, less any personal funds expended by such opponent (as reported in a notification submitted under section 304(a)(6)(B)).

"(3) In this subsection, the term 'House candidate' means a candidate in an election for the office of Representative in, or Delegate or Resident Commissioner to, the Congress.".

(b) NOTIFICATION OF EXPENDITURES OF PERSONAL FUNDS.—Section 304(a)(6) of such Act (2 U.S.C. 434(a)(6)) is amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following new subparagraph:

"(B)(i) The principal campaign committee of a House candidate (as defined in section 315(j)(3)) shall submit the following notifications relating to expenditures of personal funds by such candidate (including contributions by the candidate to such committee):

"(I) A notification of the first such expenditure (or contribution) by which the aggregate amount of personal funds expended (or contributed) with respect to an election exceeds the amount of the limitation established under section 315(a)(1)(A) for elections in the year involved.

"(II) A notification of each such expenditure (or contribution) which, taken together with all such expenditures (and contributions) in any amount not included in the most recent report under this subparagraph, totals $5,000 or more.

"(III) A notification of the first such expenditure (or contribution) by which the aggregate amount of personal funds expended with respect to the election exceeds the level applicable under section 315(j)(2) for elections in the year involved.

"(ii) Each of the notifications submitted under clause (i)—

"(I) shall be submitted not later than 24 hours after the expenditure or contribution which is the subject of the notification is made;

"(II) shall include the name of the candidate, the office sought by the candidate, and the date of the expenditure or contribution and amount of the expenditure or contribution involved; and

"(III) shall include the total amount of all such expenditures and contributions made with respect to the same election as of the date of expenditure or contribution which is the subject of the notification.".

TITLE V—ELECTION INTEGRITY

Subtitle A—Voter Eligibility Verification Pilot Program

SEC. 501. VOTER ELIGIBILITY PILOT CONFIRMATION PROGRAM.

(a) IN GENERAL.—The Attorney General, in consultation with the Commissioner of Social Security, shall establish a pilot program to test a confirmation system through which they—

(1) respond to inquiries, made by State and local officials (including voting registrars) with responsibility for determining an individual's qualification to vote in a Federal, State, or local election, to verify the citizenship of an individual who has submitted a voter registration application, and

(2) maintain such records of the inquiries made and verifications provided as may be necessary for pilot program evaluation.

In order to make an inquiry through the pilot program with respect to an individual, an election official shall provide the name, date of birth, and last 4 digits of the social security account number of the individual.

(b) INITIAL RESPONSE.—The pilot program shall provide for a confirmation or a tentative nonconfirmation of an individual's citizenship by the Commissioner of Social Security as soon as practicable after an initial inquiry to the Commissioner.

(c) SECONDARY VERIFICATION PROCESS IN CASE OF TENTATIVE NONCONFIRMATION.—In cases of tentative nonconfirmation, the Attorney General shall specify, in consultation with the Commissioner of Social Security and the Commissioner of the Immigration and Naturalization Service, an available secondary verification process to confirm the validity of information provided and to provide a final confirmation or nonconfirmation as soon as practicable after the date of the tentative nonconfirmation.

(d) DESIGN AND OPERATION OF PILOT PROGRAM.—

(1) IN GENERAL.—The pilot program shall be designed and operated—

(A) to apply in, at a minimum, the States of California, New York, Texas, Florida, and Illinois;

(B) to be used on a voluntary basis, as a supplementary information source, by State and local election officials for the purpose of assessing, through citizenship verification, the eligibility of an individual to vote in Federal, State, or local elections;

(C) to respond to an inquiry concerning citizenship only in a case where determining whether an individual is a citizen is—

(i) necessary for determining whether the individual is eligible to vote in an election for Federal, State, or local office; and

(ii) part of a program or activity to protect the integrity of the electoral process that is uniform, nondiscriminatory, and in compliance with the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.);

(D) to maximize its reliability and ease of use, consistent with insulating and protecting the privacy and security of the underlying information;

(E) to permit inquiries to be made to the pilot program through a toll-free telephone line or other toll-free electronic media;

(F) to respond to all inquiries made by authorized persons and to register all times when the pilot program is not responding to inquiries because of a malfunction;

(G) with appropriate administrative, technical, and physical safeguards to prevent unauthorized disclosure of personal information, including violations of the requirements of section 205(c)(2)(C)(viii) of the Social Security Act; and

(H) to have reasonable safeguards against the pilot program's resulting in unlawful discriminatory practices based on national origin or citizenship status, including the selective or unauthorized use of the pilot program.

(2) USE OF EMPLOYMENT ELIGIBILITY CONFIRMATION SYSTEM.—To the extent practicable, in establishing the confirmation system under this section, the Attorney General, in consultation with the Commissioner of Social Security, shall use the employment eligibility confirmation system established under section 404 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208; 110 Stat. 3009–664).

(e) RESPONSIBILITIES OF THE COMMISSIONER OF SOCIAL SECURITY.—As part of the pilot program, the Commissioner of Social Security shall establish a reliable, secure method which compares the name, date of birth, and last 4 digits of the social security account number provided in an inquiry against such information maintained by the Commissioner, in order to confirm (or not confirm) the correspondence of the name, date of birth, and number provided and whether the

individual is shown as a citizen of the United States on the records maintained by the Commissioner (including whether such records show that the individual was born in the United States). The Commissioner shall not disclose or release social security information (other than such confirmation or nonconfirmation).

(f) RESPONSIBILITIES OF THE COMMISSIONER OF THE IMMIGRATION AND NATURALIZATION SERVICE.—As part of the pilot program, the Commissioner of the Immigration and Naturalization Service shall establish a reliable, secure method which compares the name and date of birth which are provided in an inquiry against information maintained by the Commissioner in order to confirm (or not confirm) the validity of the information provided, the correspondence of the name and date of birth, and whether the individual is a citizen of the United States.

(g) UPDATING INFORMATION.—The Commissioner of Social Security and the Commissioner of the Immigration and Naturalization Service shall update their information in a manner that promotes the maximum accuracy and shall provide a process for the prompt correction of erroneous information, including instances in which it is brought to their attention in the secondary verification process described in subsection (c) or in any action by an individual to use the process provided under this subsection upon receipt of notification from an election official under subsection (i).

(h) LIMITATION ON USE OF THE PILOT PROGRAM AND ANY RELATED SYSTEMS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, nothing in this section shall be construed to permit or allow any department, bureau, or other agency of the United States Government to utilize any information, data base, or other records assembled under this section for any other purpose other than as provided for under this section.

(2) NO NATIONAL IDENTIFICATION CARD.—Nothing in this section shall be construed to authorize, directly or indirectly, the issuance or use of national identification cards or the establishment of a national identification card.

(3) NO NEW DATA BASES.—Nothing in this section shall be construed to authorize, directly or indirectly, the Attorney General and the Commissioner of Social Security to create any joint computer data base that is not in existence on the date of the enactment of this Act.

(i) ACTIONS BY ELECTION OFFICIALS UNABLE TO CONFIRM CITIZENSHIP.—

(1) IN GENERAL.—If an election official receives a notice of final nonconfirmation under subsection (c) with respect to an individual, the official—

(A) shall notify the individual in writing; and

(B) shall inform the individual in writing of the individual's right to use—

(i) the process provided under subsection (g) for the prompt correction of erroneous information in the pilot program; or

(ii) any other process for establishing eligibility to vote provided under State or Federal law.

(2) REGISTRATION APPLICANTS.—In the case of an individual who is an applicant for voter registration, and who receives a notice from an official under paragraph (1), the official may (subject to, and in a manner consistent with, State law) reject the application (subject to the right to reapply), but only if the following conditions have been satisfied:

(A) The 30-day period beginning on the date the notice was mailed or otherwise provided to the individual has elapsed.

(B) During such 30-day period, the official did not receive adequate confirmation of the citizenship of the individual from—

(i) a source other than the pilot program established under this section; or

(ii) such pilot program, pursuant to a new inquiry to the pilot program made by the official upon receipt of information (from the individual or through any other reliable source) that erroneous or incomplete material information previously in the pilot program has been updated, supplemented, or corrected.

(3) INELIGIBLE VOTER REMOVAL PROGRAMS.—In the case of an individual who is registered to vote, and who receives a notice from an official under paragraph (1) in connection with a program to remove the names of ineligible voters from an official list of eligible voters, the official may (subject to, and in a manner consistent with, State law) remove the name of the individual from the list (subject to the right to submit another voter registration application), but only if the following conditions have been satisfied:

(A) The 30-day period beginning on the date the notice was mailed or otherwise provided to the individual has elapsed.

(B) During such 30-day period, the official did not receive adequate confirmation of the citizenship of the individual from a source described in clause (i) or (ii) of paragraph (2)(B).

(j) AUTHORITY TO USE SOCIAL SECURITY ACCOUNT NUMBERS.—Any State (or political subdivision thereof) may, for the purpose of making inquiries under the pilot program in the administration of any voter registration law within its jurisdiction, use the last 4 digits of the social security account numbers issued by the Commissioner of Social Security, and may, for such purpose, require any individual who is or appears to be affected by a voter registration law of such State (or political subdivision thereof) to furnish to such State (or political subdivision thereof) or any agency thereof having administrative responsibility for such law, the last 4 digits of the social security account number (or numbers, if the individual has more than one such number) issued to the individual by the Commissioner. Nothing in this subsection may be construed to prohibit or limit the application of any voter registration program which is in compliance with any applicable Federal or State law.

(k) TERMINATION AND REPORT.—The pilot program shall terminate September 30, 2001. The Attorney General and the Commissioner of Social Security shall each submit to the Committee on the Judiciary and the Committee on Ways and Means of the House of Representatives and to the Committee on the Judiciary and the Committee on Finance of the Senate reports on the pilot program not later than December 31, 2001. Such reports shall—

(1) assess the degree of fraudulent attesting of United States citizenship in jurisdictions covered by the pilot program;

(2) assess the appropriate staffing and funding levels which would be required for full, permanent, and nationwide implementation of the pilot program, including the estimated total cost for national implementation per individual record;

(3) include an assessment by the Commissioner of Social Security of the advisability and ramifications of disclosure of social security account numbers to the extent provided for under the pilot program and upon full, permanent, and nationwide implementation of the pilot program;

(4) assess the degree to which the records maintained by the Commissioner of Social Security and the Commissioner of the Immigration and Naturalization Service are able to be used to reliably determine the citizenship of individuals who have submitted voter registration applications;

(5) assess the effectiveness of the pilot program's safeguards against unlawful discriminatory practices;

(6) include recommendations on whether or not the pilot program should be continued or modified; and

(7) include such other information as the Attorney General or the Commissioner of Social Security may determine to be relevant.

SEC. 502. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Department of Justice, for the Immigration and Naturalization Service, for fiscal years beginning on or after October 1, 1998, such sums as are necessary to carry out the provisions of this subtitle.

Subtitle B—Other Measures to Protect Election Integrity

SEC. 511. REQUIRING INCLUSION OF CITIZENSHIP CHECK-OFF AND INFORMATION WITH ALL APPLICATIONS FOR VOTER REGISTRATION.

(a) IN GENERAL.—Section 9 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–7) is amended by adding at the end the following new subsection:

"(c) CITIZENSHIP CHECK-OFF AND OTHER INFORMATION.—

"(1) IN GENERAL.—Effective January 1, 2000—

"(A) the mail voter registration form developed under subsection (a)(2) and each application for voter registration of a State shall include 2 boxes for the applicant to indicate whether or not the applicant is a citizen of the United States, and no application for voter registration may be considered to be completed unless the applicant has checked the box indicating that the applicant is a citizen of the United States; and

"(B) such form and each application for voter registration of a State shall require the applicant to provide—

"(i) the city, State or province (if any), and nation of the individual's birth; and

"(ii) if the individual is a naturalized citizen of the United States, the year in which the individual was admitted to citizenship and the location where the admission to citizenship occurred (if applicable).

"(2) STATE OPT-OUT.—Paragraph (1) shall not apply with respect to applications for voter registration of any State which notifies the Federal Election Commission prior to January 1, 2000, that it elects to reject the application of such paragraph to applications for voter registration of the State.".

(b) CONFORMING AMENDMENTS.—The National Voter Registration Act of 1993 is amended by striking "requirement;" each place it appears in section 5(c)(2)(C)(ii) (42 U.S.C. 1973gg–3(c)(2)(C)(ii)), section 7(a)(6)(A)(i)(II) (42 U.S.C. 1973gg–5(a)(6)(A)(i)(II)), and section 9(b)(2)(B) (42 U.S.C. 1973gg–7(b)(2)(B), and inserting "requirement (consistent with section 9(c));".

SEC. 512. IMPROVING ADMINISTRATION OF VOTER REMOVAL PROGRAMS.

(a) PERMITTING STATE TO REQUIRE AFFIRMATION OF ADDRESS OF REGISTRANTS NOT VOTING IN 2 CONSECUTIVE GENERAL FEDERAL ELECTIONS.—Section 8(e) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–6(e)) is amended by adding at the end the following new paragraph:

"(4)(A) If a registrant has not voted or appeared to vote in two consecutive general elections for Federal office, a State may send the registrant a notice consisting of—

"(i) a postage prepaid and pre-addressed return card, sent by forwardable mail, on which the registrant may state his or her current address; and

"(ii) a notice that if the card is not returned, oral or written affirmation of the registrant's identification and address may be required before the registrant is permitted to vote in a subsequent Federal election.

"(B) If a registrant to whom a State has sent a notice under subparagraph (A) has not returned the card provided in the notice and appears at a polling place to cast a vote in a Federal election, the State may require the registrant to provide oral or written affirmation of the registrant's identification and address before an election official at the polling place as a condition for casting the vote.".

(b) PERMITTING STATE TO PLACE REGISTRANTS WITH INAPPLICABLE ADDRESSES ON INACTIVE LIST.—

(1) IN GENERAL.—Section 8(d)(1)(B)(i) of such Act (42 U.S.C. 1973gg-6(d)(1)(B)(i)) is amended by striking "paragraph (2);" and inserting "paragraph (2), or has provided a mailing address which the Postal Services indicates is no longer applicable and has provided no other applicable address;".

(2) REQUIRING CONFIRMATION OF ADDRESS PRIOR TO VOTING.—Section 8(d) of such Act (42 U.S.C. 1973gg-6(d)) is amended by adding at the end the following new paragraph:

"(4) The second sentence of paragraph (2)(A) shall apply to an individual described in paragraph (1)(B)(i) who has provided a mailing address which the Postal Services indicates is no longer applicable and has provided no other applicable address in the same manner as such sentence applies to an individual who has failed to respond to a notice described in paragraph (2).".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect January 1, 1999, and shall apply with respect to general elections for Federal office held on or after January 1, 1998.

TITLE VI—REVISION AND INDEXING OF CERTAIN CONTRIBUTION LIMITS AND PENALTIES

SEC. 601. INCREASE IN CERTAIN CONTRIBUTION LIMITS.

(a) CONTRIBUTIONS BY INDIVIDUALS.—

(1) CONTRIBUTIONS TO CANDIDATES.—Section 315(a)(1)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(1)(A)) is amended by striking "$1,000" and inserting "$2,000".

(2) CONTRIBUTIONS TO STATE OR LOCAL POLITICAL PARTIES.—Section 315(a)(1) of such Act (2 U.S.C. 441a(a)(1)) is amended—

(A) by striking "or" at the end of subparagraph (B);

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following new subparagraph:

"(C) to the political committees established and maintained by a State or local political party, which are not the authorized political committees of any candidate, in any calendar year which, in the aggregate, exceed $15,000; or".

(3) CONTRIBUTIONS TO NATIONAL POLITICAL PARTIES.—Section 315(a)(1)(B) of such Act (2 U.S.C. 441a(a)(1)(B)) is amended by striking "$20,000" and inserting "$60,000".

(4) AGGREGATE ANNUAL LIMIT ON ALL CONTRIBUTIONS.—Section 315(a)(3) of such Act (2 U.S.C. 441a(a)(3)) is amended by striking "$25,000" and inserting "$75,000".

(b) CONTRIBUTIONS BY POLITICAL PARTIES.—Section 315(a)(1) of such Act (2 U.S.C. 441a(a)(1)), as amended by subsection (a)(2), is amended—

(1) by striking "or" at the end of subparagraph (C);

(2) by redesignating subparagraph (D) as subparagraph (E); and

(3) by inserting after subparagraph (C) the following new subparagraph:

"(D) in the case of contributions made to a candidate and any authorized committee of the candidate by a political committee of a national, State, or local political party which is not the authorized political committee of any candidate, in any calendar year which, in the aggregate, exceed $15,000; or".

SEC. 602. INDEXING LIMITS ON CERTAIN CONTRIBUTIONS.

(a) IN GENERAL.—Section 315(c) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(c)) is amended by adding at the end the following new paragraph:

"(3)(A) The amount of each limitation established under subsection (a) (other than any limitation under paragraph (1)(E) or (2)) shall be adjusted as follows:

"(i) For calendar year 2001, each such amount shall be equal to the amount described in such subsection, increased (in a compounded manner) by the percentage increase in the price index (as defined in paragraph (2)) for 1999 and 2000.

"(ii) For calendar year 2003 and each second subsequent year, each such amount shall be equal to the amount for the second previous year (as adjusted under this subparagraph), increased (in a compounded manner) by the percentage increase in the price index for the previous year and the second previous year.

"(B) In the case of any amount adjusted under this subparagraph which is not a multiple of $100, the amount shall be rounded to the nearest multiple of $100.".

(b) APPLICATION OF INDEXING TO SUPPORT OF CANDIDATE'S COMMITTEES.—Section 302(e)(3)(B) of such Act (2 U.S.C. 432(e)(3)(B)) is amended by adding at the end the following new sentence: "The amount described in the previous sentence shall be adjusted (for years beginning with 1999) in the same manner as the amounts of limitations on contributions under section 315(a) are adjusted under section 315(c)(3).".

SEC. 603. INDEXING AMOUNT OF PENALTIES AND FINES.

(a) INDEXING TO ACCOUNT FOR PAST INFLATION.—

(1) PENALTIES.—Section 309(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)) is amended—

(A) in paragraph (5)(A), by striking "$5,000" and inserting "$15,000";

(B) in paragraph (5)(B), by striking "$10,000" and inserting "$30,000";

(C) in paragraph (6)(A), by striking "$5,000" and inserting "$15,000";

(D) in paragraph (6)(B), by striking "$5,000" and inserting "$15,000"; and

(E) in paragraph (6)(C), by striking "$10,000" and inserting "$30,000".

(2) FINES.—Section 309 of such Act (2 U.S.C. 437g) is amended—

(A) in subsection (a)(12)(B)—

(i) by striking "$2,000" and inserting "$6,000", and

(ii) by striking "$5,000" and inserting "$15,000"; and

(B) in the second sentence of subsection (d)(1)(A), by striking "$25,000" and inserting "$75,000".

(b) INDEXING FOR FUTURE YEARS.—Section 309 of such Act (2 U.S.C. 437g) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

"(13) Each amount referred to in this subsection shall be adjusted (for years beginning with 2001) in the same manner as the amounts of limitations on contributions under section 315(a) are adjusted under section 315(c)(3).'"; and

(2) in the second sentence of subsection (d)(1)(A), as amended by subsection (a)(2)(B), by inserting after "$75,000" the following: "(adjusted for years beginning with 2001 in the same manner as the amounts of limitations on contributions under section 315(a) are adjusted under section 315(c)(3))".

TITLE VII—RESTRICTIONS ON SOFT MONEY

SEC. 701. BAN ON SOFT MONEY OF NATIONAL POLITICAL PARTIES AND CANDIDATES; BAN ON USE OF SOFT MONEY BY STATE POLITICAL PARTIES FOR FEDERAL ELECTION ACTIVITY.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by section 306, is amended by adding at the end the following new section:

"RESTRICTIONS ON USE OF SOFT MONEY BY POLITICAL PARTIES AND CANDIDATES

"SEC. 324. (a) BAN ON USE BY NATIONAL PARTIES.—

"(1) IN GENERAL.—No political committee of a national political party may solicit, receive, or direct any contributions, donations, or transfers of funds, or spend any funds, which are not subject to the limitations, prohibitions, and reporting requirements of this Act.

"(2) APPLICABILITY.—Paragraph (1) shall apply to any entity which is established, financed, maintained, or controlled (directly or indirectly) by, or which acts on behalf of, a political committee of a national political party, including any national congressional campaign committee of such a party and any officer or agent of such an entity or committee.

"(b) CANDIDATES.—

"(1) IN GENERAL.—No candidate for Federal office, individual holding Federal office, or any agent of such a candidate or officeholder may solicit, receive, or direct—

"(A) any funds in connection with any Federal election unless the funds are subject to the limitations, prohibitions and reporting requirements of this Act;

"(B) any funds that are to be expended in connection with any election for other than a Federal office unless the funds are not in excess of the applicable amounts permitted with respect to contributions to candidates and political committees under paragraphs (1) and (2) of section 315(a), and are not from sources prohibited from making contributions by this Act with respect to elections for Federal office; or

"(C) any funds on behalf of any person which are not subject to the limitations, prohibitions, and reporting requirements of this Act if such funds are for the purpose of financing any activity on behalf of a candidate for election for Federal office or any communication which refers to a clearly identified candidate for election for Federal office.

"(2) EXCEPTION FOR CERTAIN ACTIVITIES.—Paragraph (1) shall not apply to—

"(A) the solicitation, receipt, or direction of funds by an individual who is a candidate for a non-Federal office if such activity is permitted under State law for such individual's non-Federal campaign committee; or

"(B) the attendance by an individual who holds Federal office at a fundraising event for a State or local committee of a political

party of the State which the individual represents as a Federal officeholder, if the event is held in such State.

"(c) STATE PARTIES.—

"(1) IN GENERAL.—Any payment by a State committee of a political party for a mixed political activity—

"(A) shall be subject to limitation and reporting under this Act as if such payment were an expenditure; and

"(B) may be paid only from an account that is subject to the requirements of this Act.

"(2) MIXED POLITICAL ACTIVITY DEFINED.—As used in this section, the term 'mixed political activity' means, with respect to a payment by a State committee of a political party, an activity (such as a voter registration program, a get-out-the-vote drive, or general political advertising) that is both for the purpose of influencing an election for Federal office and for any purpose unrelated to influencing an election for Federal office.

"(d) PROHIBITING TRANSFERS OF NON-FEDERAL FUNDS BETWEEN STATE PARTIES.—A State committee of a political party may not transfer any funds to a State committee of a political party of another State unless the funds are subject to the limitations, prohibitions, and reporting requirements of this Act.

"(e) APPLICABILITY TO FUNDS FROM ALL SOURCES.—This section shall apply with respect to funds of any individual, corporation, labor organization, or other person.".

SEC. 702. BAN ON DISBURSEMENTS OF SOFT MONEY BY FOREIGN NATIONALS.

(a) PROHIBITION ON DISBURSEMENTS BY FOREIGN NATIONALS FOR POLITICAL PARTIES AND INDEPENDENT EXPENDITURES.—Section 319 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e) is amended—

(1) in the heading, by striking "CONTRIBUTIONS" and inserting "DISBURSEMENTS";

(2) in subsection (a), by striking "contribution" each place it appears and inserting "disbursement"; and

(3) in subsection (a), by striking the semicolon and inserting the following: ", including any disbursement to a political committee of a political party and any disbursement for an independent expenditure;".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to disbursements made on or after the date of the enactment of this Act.

SEC. 703. ENFORCEMENT OF SPENDING LIMIT ON PRESIDENTIAL AND VICE PRESIDENTIAL CANDIDATES WHO RECEIVE PUBLIC FINANCING.

(a) IN GENERAL.—Section 9003 of the Internal Revenue Code of 1986 (26 U.S.C. 9003) is amended by adding at the end the following new subsection:

"(f) ILLEGAL SOLICITATION OF SOFT MONEY.—No candidate for election to the office of President or Vice President may receive amounts from the Presidential Election Campaign Fund under this chapter or chapter 96 unless the candidate certifies that the candidate shall not solicit any funds for purposes of influencing (directly or indirectly) such election, including any funds used for an independent expenditure under the Federal Election Campaign Act of 1971, unless the funds are subject to the limitations, prohibitions, and reporting requirements of the Federal Election Campaign Act of 1971.".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to elections occurring on or after the date of the enactment of this Act.

SEC. 704. CONSPIRACY TO VIOLATE PRESIDENTIAL CAMPAIGN SPENDING LIMITS.

(a) IN GENERAL.—Section 9003 of the Internal Revenue Code of 1986 (26 U.S.C. 9003), as amended by section 703, is further amended by adding at the end the following new subsection:

"(g) PROHIBITING CONSPIRACY TO VIOLATE LIMITS.—

"(1) VIOLATION OF LIMITS DESCRIBED.—If a candidate for election to the office of President or Vice President who receives amounts from the Presidential Election Campaign Fund under chapter 95 or 96 of the Internal Revenue Code of 1986, or the agent of such a candidate, seeks to avoid the spending limits applicable to the candidate under such chapter or under the Federal Election Campaign Act of 1971 by soliciting, receiving, transferring, or directing funds from any source other than such Fund for the direct or indirect benefit of such candidate's campaign, such candidate or agent shall be fined not more than $1,000,000, or imprisoned for a term of not more than 3 years, or both.

"(2) CONSPIRACY TO VIOLATE LIMITS DEFINED.—If two or more persons conspire to violate paragraph (1), and one or more of such persons do any act to effect the object of the conspiracy, each shall be fined not more than $1,000,000, or imprisoned for a term of not more than 3 years, or both.".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to elections occurring on or after the date of the enactment of this Act.

TITLE VIII—DISCLOSURE OF CERTAIN COMMUNICATIONS

SEC. 801. DISCLOSURE OF CERTAIN COMMUNICATIONS.

Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) is amended by adding at the end the following new subsection:

"(d)(1) In addition to any other information required to be reported under this Act, any person who makes payments described in paragraph (2) in an aggregate amount or value in excess of $250 during a calendar year shall report such payments and the source of the funds used to make such payments to the Commission in the same manner and under the same terms and conditions as a political committee reporting expenditures and contributions to the Commission under this section, except that if such person makes such payments in an aggregate amount or value of $1,000 or more after the 20th day, but more than 24 hours, before any election, such person shall report such information within 24 hours after such payments are made.

"(2) A payment described in this paragraph is a payment for any communication which is made during the 90-day period ending on the date of an election and which mentions a clearly identified candidate for election for Federal office or the political party of such a candidate, or which contains the likeness of such a candidate, other than a payment which would be described in clause (i), (iii), or (v) of section 301(9)(B) if the payment were an expenditure under such section.".

TITLE IX—EFFECTIVE DATE

SEC. 901. EFFECTIVE DATE.

Except as otherwise specifically provided, this Act and the amendments made by this Act shall apply with respect to elections occurring after January 1999.

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

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

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

Madam Speaker, H.R. 3581 has a strong resemblance to H.R. 3458 that came out of committee, with a couple of changes based upon information which was provided to us after the committee met. As a matter of fact, the gentleman from Connecticut (Mr. SHAYS), indicated that he was concerned that although there was a soft money ban at the national level, there was not a commensurate soft money ban of Federal money at the State level. And so to address that particular concern, the bill was modified to follow the 103rd Congress's Republican campaign reform bill which banned soft money at both the Federal and the State level.

There were a number of other very minor adjustments that were made, so that the bill that is in front of us tonight says, number one, that only American citizens may contribute to political campaigns. Anyone who is a noncitizen may not participate in a political campaign, either in contributions or in spending. No one need go into any detail as to why that is part of a campaign reform bill, based upon what we now know and are continuing to learn from the 1996 presidential campaign.

In addition, it seems to a number of Members that if someone were compelled to provide money which could be used for political contributions, that it somehow seemed to violate the spirit of voluntary participation, and so we include a provision which requires that if any money from paychecks is spent by organizations in political campaigns, that money would have to have been solicited from individuals. They would have had an opportunity to say, "Yes, you may utilize that money for that purpose," rather than having it removed from their paycheck without their permission.

In addition, there is a very long section which will be offered later as a separate bill on suspension, as well, which has basically pulled together a number of the reforms that the Federal Elections Commission has been advocating for the last several years. They are contained in a number of Members' bills, and what they do is bring up to date the disclosure of campaign spending either through a more detailed reporting procedure or, a shortening of the time line for reporting, given the electronic world that we now live in.

In addition, the Supreme Court has spoken very clearly about the ability of an individual to spend as much money as they so choose when it is their own money, and it is therefore extremely difficult for the average candidate to compete in an election against someone who has millions and

millions of dollars to spend. It is quite clearly unconstitutional to not allow an individual to spend that money but we believe it is quite constitutional, based upon a threshold of personal spending by that individual, to allow for a modification of the contribution rules that permit an individual who does not have the wherewithal from their own resources to be able to run a credible and viable campaign.

□ 1845

In addition, all of us have read the headlines about the kind of election activities that have been occurring in various regions of the United States, California, and Texas, for example. Miami, I believe, is one that comes to mind rather vividly in terms of the concern about whether or not the voting rolls contain only those individuals who should be on those rolls, and also whether or not even if individuals are legally on those rolls, it is the individuals on the rolls who are in fact casting their own ballots. So there is a section on voter fraud which is an enabling section. The section does not mandate anything upon the chief election officer of a State or a local election unit. It does, however provide the procedure, so that if that election officer wishes to validate the roll, he or she has the ability to do so. I previously mentioned the soft money ban at both the Federal and the State level.

The other area concerns a number of Members as well in terms of more recent political activities. It deals with the issue of independent expenditures. Once again, the United States Supreme Court has made it clear that unless someone is advocating the election or defeat of a particular candidate, that expenditure of funds in that category is protected by the Constitution. That is, the person has a constitutional right to spend the money.

We believe that the American people need to know fully who is participating in the elections, notwithstanding the court's statement that individual groups have a constitutional right to engage in independent expenditures. What we propose is to designate a so-called election season, that is the last 90 days of a campaign. We choose that period as the election season because here in the House of Representatives, no elected Member is allowed to use taxpayer dollars to send out mass mailings during that period because it is a sensitive period. It is, in essence, the election season. The bill then says anyone who is advocating the election or defeat of a candidate or mentions a candidate or political party, if they do so during the political season, 90 days prior to an election, must report. They must disclose.

That is the basic bill although we borrowed from a number of other Members' particular provisions, and I am sure they will wish to address those particular provisions.

Madam Speaker, I reserve the balance of my time.

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

I want to say to my colleagues that, first, I do not believe that this is a process that the gentleman from California (Mr. THOMAS) himself would have chosen. I am not going to ask him to answer that question but we have a situation on the floor where Members have been denied an opportunity, I think, to even read the legislation, many Members returning from a funeral, that we are about to vote on here tonight. I think we have to start off with the fundamentals.

In China, at one point Mao Tse Tung announced the cultural revolution. The cultural revolution was really about cultural destruction. To call this bill before us campaign finance reform, it should be more properly referred to as campaign finance reform destruction.

It raises the amount of money individuals can give, hard dollars from $25,000 a year to $75,000 a year. This is consistent with what many of the Republicans believe. Speaker GINGRICH himself said that more money was a sign of a healthy debate. Well, the voters have not felt that way. The voters in this country, as spending has gone up, voter participation has shot down. So they are sending us a message.

But not just the substance of this legislation is bad. The process before us is horrific. This is a process the Politburo under Joseph Stalin would have been proud of. Think about what we are doing here today.

We are taking up campaign finance reform after the Senate has definitively shown they can filibuster the bill to death. Strike one.

We have made sure that no alternative from the opposition can be heard here today. Strike two.

And just in case by some faint stretch of the imagination the Republican bill might pass, we have come to the floor with a process where we do not need 51 percent of the vote to win today. We have to have two-thirds of the votes because they know they cannot get them. So we are here.

Let us see what some of our friends are saying about this process not to pass campaign finance reform, not to put in spending limits to try to restrain the amount of money that is in campaigns. We are here as a charade.

Members might say that this is simply my assessment of the situation. Before I go to the New York Times, let me say the Democrats have a record here that we can be proud of.

In 1971, the Democrats in the House and the Senate overrode a veto by President Nixon, overrode that veto to begin the road on campaign finance reform. In 1974, the most substantial bill ever to pass Congress passed by a Democratic House and Senate in 1992. We passed campaign finance reform through the House and Senate. I had the privilege of leading that effort, vetoed by President Bush.

We finally elect a Democratic President. This Congress, under Democratic leadership, passed campaign finance reform that was comprehensive. Even the Senate was able to pass campaign finance reform. But then in sheer horror, the Republicans understood that the President would sign the bill. So they filibustered the bill from going to conference. So we had no reform.

It is not just what I say and others are going to say about this process that has demeaned this House. It is the assessment of almost every major publication in the country.

A plot to bury reform, the New York Times; campaign finance charades, the New York Times; the Washington Post, mocking campaign reform. And it goes on. A cynical sham, a hoax on the American people, a complete travesty, several of the worst campaign ideas rolled into one, repugnant and partisan.

I ask the handful of Members on that side of the aisle, and there is only a handful, I am sorry to say, to join with the Democrats in this House to reject this charade, to give the American people a real debate on real campaign finance reform that would limit spending, that would limit the amount of money in campaigns. At the end of the day we might not win, but at least we would have a straight-up discussion and an honest vote. And what we are doing here today is not honest.

Madam Speaker, I reserve the balance of my time.

Mr. THOMAS. Madam Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. HUTCHINSON) one of the major forces in reshaping the direction of campaign reform.

Mr. HUTCHINSON. Madam Speaker, I came to Congress with a desire to reduce cynicism and to build confidence in our institutions of government. That is why I have worked with a bipartisan group of freshman Members to accomplish reform and to empower individuals in our political process. Because of those beliefs and work, I rise in support of this legislation sponsored by the chairman, the gentleman from California (Mr. THOMAS). It is not a perfect bill but it is a good bill. It bans soft money to our national parties, which has been the greatest source of campaign abuse, and I compliment the chairman for his willingness to make adjustments through this process to accomplish substantial reform.

I am pleased to express my support of this bill, but I am deeply disappointed that in the last moments the people's hope for reform was crushed when majority rule became defeat by design.

While the bill is worthy of support, the process today will not produce victory but reflects the dark side of this

institution, and both sides of the aisle have contributed to this darkness.

The last minute move to put a few bills on suspension sent a message to the American people that we are afraid of reform, and that we will undermine it at any price, even that highest price, the confidence of the American people.

The public has become cynical in regard to the process of government. Each election we lose more voters. Each year more voters say, what is the point. I do not have enough money to compete with the corporations and unions who really control our government.

When we act with such transparent tactics can we blame the public for giving up hope? Do we really believe that we can go home and tell our constituents that we had an honest debate in voting reform. I do not think so. I came to the United States Congress to change the status quo, not defend it. I will not go home and look my constituents in the eye and tell them Congress made an honest effort to reform a deeply flawed system despite the merits of this bill.

I have not been in Washington that long. In 1994, the Republican Party took Congress by storm. There was enough fire in the belly of those reformers to light up the city of Washington. I hope that we will not let that fire die; that we will vote for this legislation but build on this effort today, and accomplish reform and build confidence in what we are doing in Congress.

Mr. GEJDENSON. Madam Speaker, I yield 1 minute to the gentleman from Maine (Mr. ALLEN), who has done such a terrific job leading the freshman class.

Mr. ALLEN. Madam Speaker, I feel like I am in wonderland. This is supposedly a debate on campaign reform but the vote is rigged, the process is rigged. And one way my colleagues can tell that is the gentleman from Arkansas (Mr. HUTCHINSON) and I, who spent 6 months working with freshmen on both sides of the aisle to develop a bipartisan approach to this problem, are now on opposite sides.

This bill that is coming to the House today is not a bipartisan bill. The fact is that there are ways to deal with this issue. We can deal with it the way the freshmen did in a bipartisan way over a period of months. We can deal with it the way the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) have dealt with this bill, in a bipartisan way over a period of years. This is a sham. It is a fraud.

We started our freshman process by agreeing that we have to take the poison pills off the table and this bill has a poison pill. It has the biggest of all. That is a worker gag rule, a rule that is aimed unfairly at the men and women in this country who contribute a few bucks a month. It promotes big money in politics. It continues big money in politics. It is aimed directly at working Americans.

Mr. THOMAS. Madam Speaker, I yield 1 minute to the gentleman from Montana (Mr. HILL).

Mr. HILL. Madam Speaker, I thank the chairman for yielding me this time. I would like to invite my colleagues tonight to vote yes on this measure, but I must confess that my vote will be a very reluctant yes. I would far prefer today to be voting on the freshman bipartisan Campaign Integrity Act or the Shays-Meehan bill.

Finding a bipartisan approach to campaign finance reform is not easy. That is because of the abuse of soft money. This bill does work to end the influence of soft money, the money coming from corporations and labor unions, and they oppose these provisions because they benefit from it. From 1992 to 1996, soft money going to our national parties went from 35 million a year to 270 million. It is estimated now that it will go to 500 million in the next cycle. It is overwhelming our system. I am deeply concerned about the process that brought us here today.

I am deeply concerned that the two bipartisan measures, the freshman measure and Shays-Meehan, are not being voted on tonight. I will work for the balance of this Congress to find an opportunity for a serious vote on a bipartisan measure, either the freshman bill or the Shays-Meehan bill, that will ban soft money.

Mr. GEJDENSON. Madam Speaker, I yield 1 to the gentleman from California (Mr. FARR) who has led efforts in this and previous Congresses on campaign finance reform.

Mr. FARR of California. Madam Speaker, we are here tonight to discuss campaign finance reform. Where is everybody else? Half the Nation is watching basketball games. Half the Congress is attending a funeral. What kind of business are we in?

This House, your side, the House Committee on Government Reform and Oversight spent $5 million, had 13 days of public hearings, 33 witnesses and you bring nothing to the floor that deals with that issue. You try to say you are having campaign finance reform that requires a two-third vote of this House? This is a mockery of democracy. It is a violation of the spirit of Hershey. There is no bipartisan effort here. There is no Democratic bill on the floor. There is no substance to our debate.

We cannot have a debate in 20 minutes on an issue like this. There is no amendment allowed. It increases the limits one can give to campaigns. It triples and doubles the amount of money that can go to campaigns, not caps them out.

The timing tonight, this is a mockery of democracy.

Mr. THOMAS. Madam Speaker, I yield 2 minutes and 30 seconds to the gentleman from California (Mr. HORN), one of the cosponsors of the bill, someone who has been involved as long as anyone else in honest, earnest campaign reform.

□ 1900

Mr. HORN. Madam Speaker, I want to congratulate my colleague (Mr. THOMAS) from California. He has spent untold days, hours, and weeks to create a bill with some sense and to bring key issues before the House.

There is no question there are stark and fundamental disagreements between the two parties on the issue of campaign finance reform. There is no question that a lot of us on both sides of the aisle have tried to build a genuine bipartisan effort. If we are ever to achieve real reform, it must be done on a fair, bipartisan basis.

But do not give up hope. The reality is the other body says they want disclosure. We have given them disclosure, the last 90 days of the campaign. We have a bipartisan support for a disclosure bill. One of the ones I put in has as many Democrats as there are Republicans; and the commission bill, there are many from both parties.

But the bill offered by my colleague from California is a truly serious effort to meet the standard of progress. He starts in with banning so-called soft money. Now, our friend on the other side of the aisle knows well that the great abuse of the 1996 presidential campaign was the misuse of soft money at the national and State party level. We ban that.

The gentleman from California (Mr. THOMAS) requires disclosure of all campaign contributions and expenditures within 90 days of an election. Those are special interest group expenditures. For the first time, we will have progress in this area. The special interests will have to meet the test that we meet as candidates disclosing money in the last weeks of the election.

Mr. THOMAS also requires members of unions and business corporations to approve of electoral activity. The fact is, that is real progress.

So let is not hear all this rhetoric on the floor, the screaming, arm waving, and shouting. Let us get down to cases.

Do my colleagues want to make progress? This is the bill that makes progress.

We are banning soft money.

We are disclosing all special-interest money in the last 90 days of the campaign.

We are requiring members of unions—and that hurts our friends on the other side of the aisle—and business corporations, which hurts a few on this side of the aisle. We have required membership approval if those in a union or a business corporation use individual dues or funds to engage in electoral activity. That is progress.

The SPEAKER pro tempore (Mrs. EMERSON). The gentleman from Connecticut (Mr. GEJDENSON) has 13½ minutes remaining, and the gentleman from California (Mr. THOMAS) has 8½ minutes remaining.

Mr. GEJDENSON. Madam Speaker, it is my privilege to yield 3 minutes to the gentleman from Missouri (Mr. GEPHARDT), the Minority Leader and future Speaker of the House.

Mr. GEPHARDT. Madam Speaker, since the opening days of this Congress, Democrats have been fighting for a fair and open debate, an open debate on all of the campaign finance bills that have been presented in this Congress. In the last election, the money in politics hit an all-time high of $4 billion, while voter turnout fell 50 percent, a record low for a presidential election.

Average Americans feel that their voice is not being heard and does not count anymore, that they are being drowned out by the wealthy special interests. Democrats believe and know that we need campaign reform to regain the trust of America's families and restore integrity to the electoral process. But every time Democrats have called for a vote on reform, Republicans have refused to take action.

It took the specter, literally the specter, of a discharge petition to spook the Republican leadership into finally scheduling what they called a vote tonight on reform. But the bill Republicans have come up with is anything but reform. The Republican bill would be a bonanza for wealthy special interests and a nightmare for average citizens. The Republican bill would allow wealthy citizens to have even greater influence in the political process by tripling the amount that people could give.

At the same time, it effectively silences the voice of working families by imposing a worker gag rule on union members and others and blocking access to the ballot for Hispanic citizens.

Common Cause has called the Republican bill a cynical sham laced with poison pill amendments. The nonpartisan League of Women Voters called it a complete travesty, a big step in the wrong direction. Public Citizens said, it is the exact opposite of reform. But that, frankly, is only half of the outrage we are witnessing tonight.

Not only have the Republicans put a phoney bill on the floor but they have done it in a way that prevents Democrats and reform-minded Republicans from offering any, any, alternatives for what they wrongly call reform. Instead, we are racing through this debate on these phoney reform bills which, thanks to this trumped-up procedure, will not pass unless they get a supermajority vote.

Imagine, they are saying tonight we cannot have reform, the one thing that people said they wanted in the last election, unless we get a two-thirds vote of the House of Representatives. It is a travesty to put that kind of test on reform. We know the Republican leadership is scared to death of what would happen if the House ever got to vote in a real way on real reform, like the bipartisan McCain-Feingold II, sponsored by the gentleman from Massachusetts (Mr. MEEHAN) on our side and the gentleman from Connecticut (Mr. SHAYS) on the Republican side that we wanted voted on tonight.

Finally, we will not give up. Democrats will continue to fight every day for real reform. One of the ways we have kept up the fight is the discharge petition; and just last Friday, our newest Member, newest Democratic Member, the gentlewoman from California (Mrs. CAPPS), signed the discharge, which will provide for a full and fair debate on these issues. The American people deserve nothing less.

Tonight is a travesty to the American people; and Democrats will continue to fight with like-minded Republicans to have, finally, real reform on the floor with votes on all the plans which the American people deserve tonight. We are going to get that vote before this Congress ends.

Mr. THOMAS. Madam Speaker, how much time is remaining on each side?

The SPEAKER pro tempore. The gentleman from California (Mr. THOMAS) has 8½ minutes remaining, and the gentleman from Connecticut (Mr. GEJDENSON) has 9 minutes remaining.

Mr. GEJDENSON. Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. ESHOO), who has done such a great job at all our meetings on campaign finance reform.

Ms. ESHOO. Madam Speaker, I rise today in opposition to H.R. 3485, the so-called Campaign Reform and Election Integrity Act. It is not reform, and it bears no integrity relative to elections. It is a grave-side ceremony to bury reform by the Speaker.

We should be having a real debate on real reform, the Shays-Meehan bill. It bans the unregulated, unlimited donations to political parties known as soft money; it establishes exacting disclosure requirements; and it limits the fund-raising of independent groups who run those infamous TV attack ads.

Listen up, America. If you think there is too much money in the system now, the Republican bill will make you fasten your seatbelts. Because the Speaker's bill increases the amount that individuals can give in a yearly cycle up to $75,000 a year. The Speaker has placed a two-thirds approval requirement on the bill so it simply will not pass. This is a charade meant only to cynically produce the sentence to be uttered, "the House considered campaign finance reform."

I urge my colleagues to get rid of this bill. The New York Times, the Washington Post, Public Citizens, Common Cause, League of Women Voters, and many of us oppose it. Vote against it.

Mr. THOMAS. Madam Speaker, it is my pleasure to yield 2 minutes to the gentleman from Florida (Mr. GOSS).

Mr. GOSS. Madam Speaker, a great many Americans think that asking Members of Congress, Republican or Democrat, to reform campaign finance reform is asking the fox to watch the chicken coop. And I agree that, until there is sufficient public outcry and understanding to fully change the inequities and loopholes in our campaign law, politicians, presidents, and the biased media will continue to use this issue as a political football.

Having said that, I do believe that H.R. 3485 makes important improvements in the way we manage our campaigns. I congratulate the gentleman from California (Mr. THOMAS) for his very hard work and this good legislative product. This bill ends the abusive practice of using union, association and corporate mandatory dues for political campaigns. It provides a ban on raising or spending soft money on national political parties and candidates and a ban on disbursements of soft money by foreign nationals, and it makes clear that only American citizens should be able to make political contributions. I am also pleased that this increases accountability and disclosure by expediting and expanding FEC reporting requirements.

Although I strongly support H.R. 3485, I wish to include a significant component of my own campaign finance reform bill requiring that a high percentage of all contributions come from the geographical area a candidate seeks to represent. After all, it only makes sense that the majority of our contributions should come from the folks we represent.

But, as I said, H.R. 3485 is a good bill. It is incremental, the changes are incremental, but they are better than no change at all. No one should be encouraged into thinking that this is the final or total solution to the problems facing the current campaign system. They are very great problems. Nevertheless, this is a very good beginning; and I urge strong support.

For those of my colleagues who do not get all of the pieces in this that they wanted, such as getting the taxpayers to pay for campaigns or having other limitations, please use the same spirit I did of compromise on this. I did not get everything I wanted either. But it is an awfully good start. And the alternative is going to the American people and saying, we did nothing on campaign reform. Who wants to be among those who voted "no" on campaign reform?

Mr. GEJDENSON. Madam Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. MEEHAN), who has led on this issue persistently since his first days in the House.

REQUEST TO SUSPEND RULES AND PASS H.R. 3526, BIPARTISAN CAMPAIGN REFORM ACT OF 1998

Mr. MEEHAN. Madam Speaker, I ask unanimous consent to suspend the rules and ask for consideration of H.R. 3526, the bipartisan campaign finance reform bill.

The SPEAKER pro tempore. The Chair does not recognize the gentleman for that purpose. The gentleman cannot be recognized for that purpose. The gentleman may speak to the issues in his bill but not ask for it to be considered.

Mr. MEEHAN. Madam Speaker, but I cannot ask for unanimous consent to suspend the rules and ask for consideration of the bill?

The SPEAKER pro tempore. There is already one motion to suspend the rules pending.

Mr. MEEHAN. So this amendment cannot be amended to include it?

The SPEAKER pro tempore. This motion is not amendable. The gentleman may speak to the issues in his bill in general.

PARLIAMENTARY INQUIRY

Mr. GEJDENSON. Parliamentary inquiry, Madam Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GEJDENSON. Madam Speaker, I hope that time will not be taken from the gentleman from Massachusetts (Mr. MEEHAN).

The SPEAKER pro tempore. This parliamentary inquiry will not.

Mr. GEJDENSON. So I will ask the Speaker the question, then.

So a Member of Congress is not capable or able to ask the Chair whether or not he could, by unanimous consent, not by any parliamentary motion, by unanimous consent, change the procedures we are operating under? I believe that the gentleman has a right to ask for unanimous consent at any time.

The SPEAKER pro tempore. The Chair does not recognize the gentleman to make that unanimous consent request.

Mr. MEEHAN. Madam Speaker, that is exactly the point. I have worked with Republican and Democratic Members over the last 5 years working to find a way to find bipartisan campaign finance reform, to level the playing field and treat both Democrats and Republicans fairly. I have worked with the gentleman from Connecticut (Mr. SHAYS), the gentlewoman from New Jersey (Mrs. ROUKEMA), the gentleman from Iowa (Mr. LEACH), the gentlewoman from Maryland (Mrs. MORELLA), the gentleman from Tennessee (Mr. WAMP), the gentleman from Wisconsin (Mr. BARRETT), the gentleman from Virginia (Mr. MORAN), the gentleman from Michigan (Mr. LEVIN), the gentleman from Minnesota (Mr. MINGE), the gentlewoman from New York (Mrs. MALONEY), and the gentleman from California (Mr. FARR) and a number of other Members; and, finally, the day is here.

We had a bill that passed the United States Senate. It got 53 votes in the other body. That is the bill that we wanted to vote on today. But what did the Republican leadership do? Made a mockery of this debate, a sham of this debate by going through a suspension of the rules where a two-thirds vote is required and calling it campaign finance reform.

Shame on them. This is not the way to have campaign finance reform. There are Members who worked too hard, too long trying to pass a campaign finance reform bill that is fair to both political parties, that ends the corrupt system of raising more and more money through soft money contributions. All anyone has to do is look at the contributions of big tobacco in 1997 and how much money they are spending in attempting to try to influence the process as we try to make a decision on tobacco.

This debate is, without question, one of the lowest moments for this House of Representatives. Every conceivable public interest group in America that has been fighting for campaign finance reform has asked for a debate.

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Mr. MEEHAN. Madam Speaker, every public interest group that has been fighting for reform over the last decade have worked with a bipartisan group to put real reform before the table.

Members of the press, New York Times, the Washington Post, every credible editorial in America have called on this body to have a vote on real bipartisan campaign finance reform. And what do we have? We have a motion to suspend the rules that requires a two-thirds vote.

Members of the majority party may think that they are fooling the American public, but I have to tell them, the public gets it. They understand what is at work here, and they are just as disgusted at this process as the Democrats are.

Mr. THOMAS. Madam Speaker, it is my pleasure to yield 2 minutes to the gentleman from Delaware (Mr. CASTLE), a member who has been involved for years both at the State and Federal level in campaign reform, a cosponsor of H.R. 3581.

Mr. CASTLE. Madam Speaker, I thank the gentleman for yielding. Let me start by saying I agree with virtually everybody who spoke tonight, that this process is not what we would have wanted, those of us who are trying to reform campaign finance.

Let me just also say that both parties have had problems. I am not saying whether it is equal or not. Who knows what the circumstances are with respect to campaign finance. I think the whole country knows that.

I also am a supporter of Shays-Meehan. I like the freshman bill. I think there is a lot of good things that have happened over in the Senate as well. Unfortunately, we are not going to be able to get to all of those.

This is what we have before us, and we have to make a decision tonight on whether or not we are going to vote for this, because this may be the only vote we are going to get. So I did something unusual. I read the bill, and I decided to make up a list of reasons as to why we should support it. And after David Letterman, I did this. This is the top 10 reasons to support it.

Let me start with Number 10. This bill removes soft money from the Federal election process. That is extraordinarily important. We have already heard about all the soft money problems. It removes it from the Federal election process.

Number 9, the bill contains the core elements of campaign finance reform that Republican and Democratic reformers have agreed upon.

Number 8, it keeps foreign money outside of the United States elections.

Number 7, it helps States maintain accurate voter registration rolls.

Number 6, it adjusts hard money contributions for inflation.

Number 5, it strengthens FEC reporting requirements.

Number 4, it levels the playing field for candidates running against millionaires.

Number 3, it ensures voluntary contributions for members of corporations and unions.

And Number 2, it strengthens disclosure requirements for interest groups to prevent them from anonymously financing expensive advertising campaigns.

And Number 1, first, a bill that offends Republicans, Democrats, and interest groups alike is worth considering. This bill will cause everyone in the election process some pain, but it is the first step to achieve real campaign finance reform.

Madam Speaker, that is what it truly is all about. Most of the public believes that we will never be able to do this. The bottom line is, if we are going to be able to do it, we are going to have to take on our own political parties, all the outside interest groups, and we are going to have to make it tell.

The way to do that tonight is to cast a "yes" vote on this, start the process, get it over to the Senate, debate this in every way we possibly can; hopefully finish the process so that we, indeed, can be proud at some point with the fact that we have campaign finance reform.

Mr. GEJDENSON. Madam Speaker, I yield 1 minute to the courageous gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Madam Speaker, there are people of good faith, both Democrats and Republicans, who have some good idea about how to clean up the corrupting influence of big money in our campaign system. But every one

of our Republican friends will have to admit that the only reason that those ideas are not being considered tonight is because the gentleman from Georgia (Mr. GINGRICH), and the gentleman from Texas (Mr. ARMEY) do not want them considered. They know if we had a full and fair debate, as some of us have been demanding since January of 1995, that we would approve real reform and respond to the needs of the American people.

So this year, the Republican leadership, unlike 1996 when they were satisfied with a mere knife in the back of campaign finance, this year they prefer an axe murder. They have chopped this bill up. They want the blood to splatter across this Chamber and let everyone share a little bit of the blame.

The blame is clearly placed in one and only one place: Those who have chosen to deny a fair debate on Republican and Democratic proposals alike. They are the people who said they came here as revolutionaries. But when it comes to campaign finance, there they are only revolting. Some of us say they delayed too long on this, but I think we were wrong. They should have brought this bill up a day later, on April Fool's Day.

Mr. THOMAS. Madam Speaker, we have one remaining speaker, and I believe it is our right to close.

The SPEAKER pro tempore (Mrs. EMERSON). The gentleman is correct.

Mr. GEJDENSON. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. MILLER), a senior Member of Congress who has fought for campaign finance reform for many years.

Mr. MILLER of California. Madam Speaker, this weekend, Speaker GINGRICH went home to his district, and he was giving a speech in his district, and he talked about how, under our system, the power rests with the people, and we as elected officials can only borrow that power, because, eventually, we have to do what the people want.

With this rule tonight or with this suspension vote tonight, Speaker GINGRICH has ripped the power away from the people who are represented by the freshman coalition. Millions of Americans who are represented by the freshman bipartisan coalition who had a campaign finance bill they wanted to present, debate, and vote on, they cannot do it under this measure.

With this procedure, Speaker GINGRICH and the gentleman from Texas (Mr. ARMEY) have ripped the power out of the hands of hundreds of millions of Americans who are represented by a majority of this House who want to vote on Shays-Meehan. Those people do not get to exercise their power because their elected officials are silenced by the suspension process.

As we just heard, there are no amendments in order. There is no way to spread, to broaden the debate. There is no way to bring up those provisions that are supported by people throughout the country. Why? Because Republicans found out last week, if they let it happen, it would pass. So they had to go back to trickery. They had to go to the suspension of the rules. They had to protect their Members and protect themselves from amendments, from democracy, from free and open debate.

That is why we are here tonight. We are here because the Republicans, for the last 15 months, could not stand to trust the people and their elected representatives. So tonight they decided to suspend the rules and give us 20 minutes to debate these measures that are so complicated and so important to the continuation of our democratic institutions, democratic institutions that are being corroded, that are being corrupted by the huge amount of money, tonight the Republicans think the answer is to let wealthy people give more money to campaigns rather than to give the American people a voice in the reform of this system.

Mr. GEJDENSON. Madam Speaker, I yield such time as she may consume to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Madam Speaker, I thank the ranking member very much for this time.

Madam Speaker, I rise in opposition. This is campaign finance sham. It increases the amount of money the wealthy can give to candidates.

Madam Speaker, I rise this evening in strong opposition to H.R. 3581, the so-called "Campaign Finance Act of 1998." I am here today to express my commitment to reform of our current campaign finance system and to urge my colleagues to support meaningful and comprehensive campaign finance reform. H.R. 3581, however, is neither. Instead, this bill is a sham—it is the antithesis of genuine campaign finance reform.

Genuine campaign finance reform would empower America's working families—our average citizens—and decrease the disproportionate influence that wealthy special interests now command in our political system. H.R. 3485 acts in exactly the opposite manner to further amplify the already loud political voice of the wealthy. If adopted, this legislation would: inject as much as 3 times more money into federal campaigns and elections than current law permits; impose onerous requirements on groups that have a legitimate right to engage in political activities on behalf of their dues-paying members; and single-out for scrutiny citizens who have a right to vote in this nation's elections.

Let's begin with a discussion of the so-called "Paycheck Protection" provision—more accurately named the "Worker Gag Rule." This provision will prohibit unions from making political expenditures without prior written consent from their members. Proponents of this legislation have dishonestly agreed that it is intended to protect the rights of union members. In reality, it is intended to effectively silence the ability of America's working families to have a voice in the political process by singling out American workers for burdensome restrictions on their right to have their voices heard here in Washington. Although cleverly disguised as campaign finance reform, this legislation is clearly a coordinated effort to silence workers and their families and remove them from the political playing field.

H.R. 3485 also sets up a "pilot" program to verify the citizenship of voters in the five states that contain the majority of our nation's Hispanic and minority voters. Does that sound familiar? It should. This provision is very similar to H.R. 1428, the Voter Eligibility Verification Act, legislation that was overwhelmingly defeated by the House just this past February. This provision will allow local election officials to submit voter's names to the Immigration and Naturalization Service and the Social Security Administration for citizenship verification. However, according to testimony from both the INS and SSA, this is utterly unworkable because neither agency can confirm the citizenship of a majority of Americans. Like the bill, that preceded it, this provision purports to eliminate voter fraud by requiring proof of citizenship for registered voters and applicants for voter registration. In fact, it is nothing more than a thinly veiled tool for suppressing the minority vote.

Finally, H.R. 3485 doubles the contributions for individuals to $2000 and triples the amount that wealthy special interests can give to political parties to $60,000. This will quite obviously result in more money in politics and greater influence by wealthy special interests.

I am honored to have been chosen by the people of the 18th Congressional District of Houston to serve as their representative in this Congress. And I never lose sight of the fact that this body in which I serve is a body of the people. It is the People's house. It belongs to the people of the 18th Congressional District and to all the citizens of this nation. As the People's Congress, the doors of this Congress must be open to all the People. It must be accessible to every man and woman, not just the powerful and wealthy.

It is clear that the American people are disgusted with our current campaign finance system. They believe it to be inaccessible and corrupt. During the 1996 election cycle, an unprecedented amount of money was spent, further heightening public cynicism of how our democracy works.

The American people have voiced their concern and it is our duty to answer those concerns. The American people are calling out to all of us in Congress to restore their confidence in Congress's ability to act for the good of the nation. I believe that we can enact campaign finance reform. We can work together to find a balance between protecting the first amendment rights of individuals and fostering a positive role in reducing the influence of special interests. H.R. 3581, however, is not the right answer and I urge my colleagues to signal their disgust with the partisanship gamesmanship that this legislation represents with a "no" vote.

Mr. GEJDENSON. Madam Speaker, I yield 2½ minutes to the eloquent gentleman from Maryland (Mr. HOYER) to close on our side.

Mr. HOYER. Madam Speaker, this is a 52-page bill. We got it at 4 o'clock

this afternoon. Debate started shortly after 6:00. This is a sham.

Now, I could hopefully try to follow the introduction of my friend, the gentleman from Connecticut, of being eloquent, but let me read from the New York Times.

I tell my friend, the gentleman from Delaware, the bills that the gentleman from Georgia, (Mr. GINGRICH) are sponsoring are either anemic, irrelevant, or tied to an antiunion provision repugnant to most Democrats. With a two-thirds approval requirement, they cannot pass.

Of course, the gentleman from Georgia (Mr. GINGRICH) does not care if his own fraudulent legislation wins or loses. All he seeks is the chance to say the House considered campaign finance reform and was unable to pass a bill.

They end their editorial with this, "It is a cynical maneuver that will come back to haunt Mr. GINGRICH and any House Member who supports it." I tell my friend, the gentleman from Delaware, for whom I have great respect, he intones that this is the last opportunity.

Why, my friend, is this the last opportunity? Why would the power of the majority that has been exercised so effectively to push through what it wants, why I ask my friend, the gentleman from Delaware, can the Speaker of the House not say to the American public I am going to allow a bill on this floor to be fully debated, to be amended, and to be discussed in the presence of the American public, perhaps I might even suggest for 2 hours. A significant, most significant issue such as this surely deserves at least that much time.

But, no, my colleagues, this bill has been brought to the floor, as the New York times said, as a cynical maneuver to claim that they are doing something to reform campaign finance when they most assuredly know it will inevitably fail.

My friends, campaign finance reform is a critically important issue. We have twiddled our thumbs for the first 3 months of this session, largely at home, not here doing the people's business. But in the last minute, this legislation is brought to us. Let us reject it and demand that real reform be brought to this floor for full and honest debate.

Mr. THOMAS. Madam Speaker, I yield myself 4 minutes.

Madam Speaker, apparently moral outrage is alive and well on the floor. The argument is that reform is owned by only one group. It really is not owned by anyone.

It has been said that only one side plays politics. The other side, as I said, claims the moral high ground. But what is the moral high ground in campaign reform? Quite frankly, if we examine Shays-Meehan, McCain-Feingold, earlier versions, we really come to the conclusion that it is for sure a title that will remain, but the contents will change.

It is kind of interesting that the moral outrage today is that we have to ban soft money. When McCain-Feingold started, it was to ban political action committees. But nowhere in the current bill do they find banning political action committees. Does that mean that they were wrong earlier, and they are right now? Or were they right earlier and they are wrong now?

It seems to me that, if we will examine those earlier bills, we will find that they banned leadership PACs. Members will find no provision in the current bill banning leadership PACs. At one time, they banned leadership PACs. Was it wrong earlier to ban leadership PACs and right now to exclude them?

So I think, when we are talking about looking for the moral high ground, one of the things we ought to do is what the gentleman from Delaware did, and that is read the bills. Because I think, notwithstanding the rhetoric on the other side of the aisle, Members will be surprised, indeed some Members might be shocked, to find out what H.R. 3581 holds and what Shays-Meehan does not hold.

I mentioned earlier, at the beginning of the debate, millionaire candidates. Although the court has said, constitutionally, that candidates are allowed to spend their money, we are trying to create a level playing field. Guess what? When we read Shays-Meehan, they exclude the primary. When we read H.R. 3581, the primary is included. On their moral high ground bill, millionaires can still buy primaries. In our bill, they cannot.

They say the bane of this system is soft money. What would we do to a Presidential candidate who promised to take only public financing but went ahead and raised soft money? What H.R. 3581 does is ban the ability of candidates taking public money if they take soft money. What does Shays-Meehan do? It is silent.

Let us go to the heart of banning money both at the Federal and the State level. Guess what? H.R. 3581 is a hard ban on soft money both at the Federal and the State level. If Members actually read Shays-Meehan, they will find that, in fact, there are a number of loopholes on soft money at the State level. It is not a hard ban on soft money. We can use it for a number of overhead costs. We can use it for staff if it is less than the majority of the time.

Of course one of the glaring neglects in Shays-Meehan is the whole question of voter fraud that has gained the headlines all across the country, it contains not one provision to guarantee that only people who are supposed to vote can actually participate in the election.

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Let me indicate another area where, if my colleagues are honestly for reform, they might be somewhat shocked. Today one of the dirtiest campaign tricks is what we call push polling. It is where they poll but then they say, "If candidate X had done 1, 2 or 3, what would you think about that candidate?" Guess what? We require disclosure if it is not in the public domain. What does Shays-Meehan do? Absolutely nothing, no addressing of push polling.

And then of course when we take a look at the way in which the Federal Election Commission requires us to report, we can put down $10,000 to campaign committee X, and we do not have to itemize. Shays-Meehan allows this block registration of money; it is wrong. We require that campaigns break down to secondary givers.

It is amazing that when we look at real reform, we find far more specific real reforms in H.R. 3581 than we do in the bill that will be changed tomorrow, the day after tomorrow, just as it was changed yesterday and the day before yesterday, but they retain moral outrage.

I would ask for an "aye" vote on 3581.

Mrs. MORELLA. Madam Speaker, I rise today in opposition to H.R. 3485. Although this legislation addresses some important reform components, it is flawed in many ways. The biggest travesty, however, is the process by which this legislation is being considered. There is no opportunity to debate or vote on real campaign finance reform. The American people deserve better than what we are offering today.

Regrettably, we are considering four pieces of legislation to change our campaign financing system under the suspension calendar, a process that is reserved for non-controversial legislation, precluding an honest debate over one of the most complicated, pressing national issues before us. I am deeply troubled that this process does not allow any Member to offer amendments to this legislation, and we do not even have the opportunity to consider H.R. 3526, Congressmen SHAYS and MEEHAN'S companion bill to McCain-Feingold.

Through my service on the Government Reform and Oversight Committee, it has become obvious that we need real reform. Clearly, the Federal Election Campaign Act prohibits contributions by foreign nationals in connection with any election. But, it has become increasingly difficult to distinguish which campaign practices are legal and which are not—and most important, which campaign practices should be illegal.

Soft money began to fill campaign coffers following the Federal Election Campaign Act Amendments of 1979, which allowed a greater role for state and local parties by exempting certain grassroots and generic party-building activities from FECA coverage. Although they are legal, soft money contributions have led to questionable fundraising practices and to the escalating costs of elections. Shays-Meehan truly closes the soft money loophole. It is not clear that the soft-money ban in H.R. 3485

would prevent unlimited and unregulated soft money to be laundered through state parties to influance federal elections.

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

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

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

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

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

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

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

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

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

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

The question was taken.

Mr. THOMAS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

ILLEGAL FOREIGN CONTRIBUTIONS ACT OF 1998

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

The Clerk read as follows:

H.R. 34

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Illegal Foreign Contributions Act of 1998".

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

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

(b) PROHIBITION APPLICABLE TO EXPENDITURES.—

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

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

SEC. 3. EFFECTIVE DATE.

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

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

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

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

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

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

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

Madam Speaker, I reserve the balance of my time.

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

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

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

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

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

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

Madam Speaker, therefore I concur with the 100 law professors who have

submitted a letter to all the Members of this body decrying this bill, denouncing it as unconstitutional, and certainly if this Congress should pass it and it should become law, it will be contested and it will be found unconstitutional.

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

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

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

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

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

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

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

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

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

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

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

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

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

Am I correct?

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

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

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

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

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

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

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

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

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

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

THE PLOT TO BURY REFORM

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Ms. KAPTUR. That is correct.

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

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

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

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

□ 1945

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

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

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

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

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

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

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

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

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

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

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

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

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

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

March 20, 1998.

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

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

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

Proponents of this legislation have suggested that, as LPRs do not enjoy the right to vote, Congress may prohibit them from contributing. We disagree. The right to vote and the right to speak on political matters are, for constitutional purposes, distinct. For example, persons under age 18, certain corporations, and in many states, even convicted felons, do not enjoy the right to vote, but nonetheless enjoy the right to engage in "political speech" by making campaign contributions or expenditures as do others. The right to speak is not limited to those who have the right to vote. Everybody can participate in the marketplace of ideas regardless of whether they can vote, and the voices of LPRs, like those of the members of every segment of our society, only contribute to the variety that marketplace has to offer.

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

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

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

Sincerely,

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

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

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

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

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

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

Professor of Law, American Univ., Washington College of Law; Andrew Silverman, Professor and Director, Clinical Studies, University of Arizona College of Law; Girardeau A. Spann, Professor of Law, Georgetown University Law Center.

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

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

Mr. SNYDER. Madam Speaker, those of us on this side were admonished a few minutes ago to read the bill and pointed out that perhaps moral outrage does not belong just on this side. The problem I have is not moral outrage over any one bill. I think a lot of good bills have been considered here. The problem is the process.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Today, the House leadership has brought up a disingenuous bill. This is no more "campaign finance reform" than the moon is made of green cheese. To make matters worse, the

bill is being considered under suspension of the rules, a procedure that is generally reserved for non-controversial legislation. It allows only 40 minutes of debate and requiring a 2/3rds majority for passage. No amendments can be offered that might turn this counterfeit legislation into real reform.

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

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

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

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

Mr. GEJDENSON. Mr. Speaker, I yield 1½ minutes to the gentleman from Ohio (Mr. KUCINICH), who has been fighting for campaign finance reform since the day he got here.

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

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

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

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

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

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

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

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

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

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

Mr. HOYER. A citizen.

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

Mr. HOYER. But not vote.

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

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

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

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

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

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

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

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

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

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

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

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

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

Banning legal permanent residents from contributing is not the solution to the alleged abuses of the 1996 campaign. The problem

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

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

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

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

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

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

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

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

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

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

□ 2000

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 2015

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

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

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

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

PARLIAMENTARY INQUIRY

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

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

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

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

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

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

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

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

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

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

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

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

As many of this Member's colleagues know, this Member has long been a supporter of campaign finance reform. It is clear to this Member that effective campaign finance reform is of fundamental, even crucial, importance to our political system. Our failure to reduce the disproportionate impact of money in elective politics is having a corrosive influence on the American political process contributing to suspicion and cynicism in the American people. Furthermore, there is more than enough blame to go around, as this Member believes it is deplorable that the two political parties have been unwilling to come together to reform this process by relinquishing the elements of our current campaign finance system that favor each particular party. However, this

Member has not given up the fight and remains committed to such reform and will continue to be active in pursuing it.

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

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

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

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

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

To this Member it's very simple—if you want to be fully involved in our political process, then you must become a citizen of the U.S. If you don't make the full commitment to our country by becoming a U.S. citizen, then you shouldn't have the right to participate in our political system by making a campaign contribution and affecting the lives of American citizens—you shouldn't have a role in electing American officials. This Member believes it is a very obvious conclusion that the process of electing our officials should be a right reserved for citizens. It is wrong and dangerous to allow even the potential to exist for undue foreign influence in electing our government, and H.R. 34 is one of the numerous important steps to do so.

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

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

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

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

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and pass the bill, H.R. 34, as amended.

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

Mr. THOMAS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

PAYCHECK PROTECTION ACT

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

The Clerk read as follows:

H.R. 2608

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Paycheck Protection Act".

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

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

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

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

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

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

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

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

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

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

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

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

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

There was no objection.

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

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

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

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

The Paycheck Protection Act applies to all wage earners across the country,

all paychecks. This is not an act that singles out any one group or organization. It is not a bill that proposes to place a greater burden on one organization or another. This is a bill that speaks directly to paychecks and wage earners.

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

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

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

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

Mr. Speaker, I reserve the balance of my time

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

Mr. BONIOR. Mr. Speaker, I thank the gentleman from Connecticut (Mr. GEJDENSON) for yielding me this time.

Mr. Speaker, invoking the name of Thomas Jefferson in support of this bill is sacrilegious to say the least. This bill, this idea, is the concept and the efforts of special interests and multimillionaires who are running around the country trying to convince people that workers do not have a right to speak on their own behalf. The Grover Norquists, the Patrick Rooneys of the world pretending to speak for people who pack a lunch and punch a clock and work hard every day.

This bill, Mr. Speaker, is a Trojan horse. It is a sneak attack on working families. It is an ambush designed to silence their voices with a workers gag rule. This bill says if there is a debate over Social Security or minimum wage or Medicare, democratically elected unions cannot even talk about it with their own members. That is what this bill says.

This gag rule would actually prohibit millions of Americans from communicating with each other about their elected representatives, about the political process, of which we have very little tonight, by the way, and about the policies that affect them.

Mr. Speaker, shutting down free speech like this does not just border on tyranny, something Mr. Jefferson knew something about, it crosses the line. Today my colleagues on the other side are trying to silence people who believe in unions. Tomorrow, will they be trying to silence people who believe in a particular religion?

And who is behind this attack on working families' freedom of speech? Well, the answers should not surprise us. It is those special interests, the very wealthy in this country who want to break the backs of workers and unions in this Nation. And they are aligned with Speaker GINGRICH to do it. They want to silence the voices of people who speak out for decent wages, affordable health care, and a secure retirement. And at the very same time, they want to open up the floodgates of special interest money from corporations and the very wealthy in our society.

Mr. Speaker, this bill is a sham. It is a travesty. The majority of this House would vote today on a genuine bipartisan campaign reform bill, the McCain-Feingold bill, if we had a chance, if we had an opportunity, but the Speaker is denying us that opportunity. The only option we have is to march to this well and to sign the discharge petition to get true, open, effective campaign debate on this floor.

And I would say to my friends on this side of the aisle, they have eight courageous people, I believe, who have signed that petition today. In the next days, weeks, months, we will be watching. If Members believe in changing this system that denigrates all of us, a system in which we have to parade over and spend a good part of our day dialing for dollars, a system which has ruined the confidence of the American people in our government, and anybody who cannot see that cannot see the numbers declining every year participating, if Members want to change that, come down and sign the discharge petition and vote against this bill.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Speaker, I rise in support of the Paycheck Protection Act and I do so because I believe as Americans we should have control over the money that we earn, especially when the money goes to support a political opinion or a political candidate.

Now, there are some, as the previous speaker noted, who would say that this will go so workers do not have a right to speak. Well, that is not true. Workers do have a right to speak. All that this requires is they will have to say, "Yes, I want you to take my money and I want you to spend it however I see fit."

And to say that Thomas Jefferson did not say what he said, it was not sacrilegious, it is very clear what he said. He said it was tyranny.

It has been said that the unions will not be able to talk to their members because of this bill. Again, that is not true. In my district the unions communicate weekly with their members through newspapers. They talk to them and have union meetings. People freely come and go. All this bill says is that if organizations are going to use money for political purposes, they just have to get permission.

□ 2030

You just have to ask people for it. Who is behind this? Eighty percent of union households and about 90 percent of Americans that are not in union households. They want to protect the paychecks that people work so hard for. I think every one of us should be involved in the political process. But I think you should control how your political support goes.

I think you should control who your political money goes to support. In America today that does not happen. Millions of dollars are deducted directly from hard-working Americans' paychecks and sent to organizations that never ask for permission. They never ask if they support issues. They never ask if they support candidates. They take the money and they spend it how they see fit.

The gentleman from Colorado quoted Thomas Jefferson. He simply said that process is sinful and tyrannical. I believe Thomas Jefferson was right. The Paycheck Protection Act overcomes this tyranny that exists right here in America. I think we all ought to vote in support of this. I think we all ought to be in favor of protecting workers' paychecks. Let them control how their

money is going to be spent in the political process.

Mr. GEJDENSON. Mr. Speaker, I yield 1 minute and 10 seconds to the gentleman from Kentucky (Mr. BAESLER), who has been leading the effort on the petition drive to get the discharge petition. He has 181 brave souls on it.

Mr. BAESLER. Mr. Speaker, back in November, the Republican leadership promised a fair and bipartisan vote on campaign finance reform. This is not a fair, bipartisan vote. This is a cynical fraud being perpetuated on the Congress here tonight. But we have an opportunity to have a bipartisan vote on real campaign finance reform. I urge all my colleagues, if they really want reform but just do not want to talk about it, walk down and sign the discharge petition. It is the only way left to reverse this fraud that has been perpetuated on us tonight.

The blue dog discharge petition would give us a fair and open debate on all the leading reform bills: McCain-Feingold, Shays-Meehan, the freshman bill, the Republican leadership bill, the Democrat bill. It would even give us a vote on the Doolittle bill, which abolishes all limits on contributions. We need only 31 more signatures.

I urge my 25 Democratic colleagues who have not signed to do so and also see if we can get 7 or 8 more Republicans. The discharge petition means that campaign reform would not die today, it will not die this week, or over the recess.

Mr. Speaker, the game is not over. After we get through with this cynical exercise tonight, sign the discharge petition.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Speaker, it is sacrilegious, it is a Trojan horse, we are working somehow to gag and to silence the opposition. We are shutting down the opposition, shutting down free speech, and we are trying to silence people and this is a cynical fraud. We hear all of these very pejorative phrases, and Members seem to be trying to do everything they possibly can not to focus on exactly what we are debating here.

It is one thing to stand up and call everybody a bunch of names, but it is another thing to try to confront exactly what we are voting on. We are voting here, and what we are supposed to be discussing is whether or not people who are working should be permitted, should be required, before they can take something out of their paycheck and use it for political purposes, that they should have the right to have to have a signoff, that before you can take something from somebody, they should sign a document saying, it is okay for you to take it and use it for political purposes.

I do not think calling it sacrilegious, a Trojan horse and talking about we are trying to silence somebody, we are trying to prevent people from being robbed. We are trying to prevent people from saying, you have a right to take something out of your paycheck and use it for something that you do not believe in. We are not the government. We are a private group and we have that right with your money. Well, that is what we are defining here.

It is not sacrilegious. It is not trying to silence anybody. It is simply trying to set down, is it proper to give the power to the individual who is working out there in whatever company the right to control his own paycheck so people do not take it away from him without his permission and use it for political purposes that he or she may not agree with. That is very reasonable. This is a very reasonable bill. The hysterics that I am hearing from the other side would indicate that there are other things at work here.

Mr. GEJDENSON. Mr. Speaker, I just want to say this is about warning, as the lost in space movie comes out, if you do not vote for Republicans, they will get you. That is what this is about.

Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am delighted to be able to rise today and acknowledge that finally we have brought to the floor of the House the campaign finance sham act of 1998. These collective bills double the amount of money wealthy special interests can give. They silence the most vulnerable working families in America, not allowing them to come before the body that makes laws for all of this Nation, the United States Congress. Then the bill attempts to intimidate our newest and most innovative and interesting and wonderful voters, our voters who will become new citizens, particularly targeting Hispanic voters.

What more can one say than this is a sham? If this is not against what America stands for, 293 charitable groups, including the League of Women Voters, say do not vote for this bunch of sham. The gag rule is a gag on the Constitution of the United States of America. I am ashamed of this sham.

I ask my colleagues to defeat all of these bills, bring real campaign finance reform to the floor of the House. Vote for the discharge. Vote for the bills that have been put on that really mean something and take the Constitution and make it work.

Mr. Speaker, I rise this evening in strong opposition to the Paycheck Protection Act, a bill that more appropriately should be titled the Worker Gag Rule. This legislation will prohibit unions from making political expenditures without prior written consent from their members. It requires labor unions to obtain written, prior authorization from each member before collecting money from him or her to be used for the union's political activity. At the same time, the bill allows corporations to spend corporate funds for political purposes—unless individual shareholders object.

Proponents of this legislation have dishonestly argued that it is intended to protect the rights of union members. In reality, it is intended to effectively silence the ability of America's working families to have a voice in the political process by singling out American workers for burdensome restrictions on their right to have their voices heard here in Washington.

This legislation is an attack on working families who freely choose to organize and to join together to fight for access to health care, better education, pensions, safer workplaces, and other important issues that some of my colleagues find to be uncomfortable. Although cleverly disguised as campaign finance reform, this legislation is clearly a coordinated effort to silence workers and their families and remove them from the political playing field.

Make no mistake, this represents an effort to punish the American labor movement for supporting working families. Unfairly, but not surprisingly, this legislation only singles out union for these new restrictions. Corporations are not subject to the same burdensome requirements. In fact, corporations are required only to provide their shareholders with an annual statement detailing the proposed amount of money to be spent on political activities in the upcoming 12-month period, the percentage of that amount attributed to the individual shareholder, and a form allowing the shareholder to object to the expenditure of the funds for political purposes. This one-sided approach creates an unfair advantage in the political system for wealthy special interests, when business already out spends unions by an 11-to-1 margin.

My colleagues, I urge you to oppose this transparent attempt to make working families more irrelevant to the American political system by increasing the power of the rich. I urge to oppose this legislation.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from Colorado for yielding me this time.

I think it is very instructive for Members of this House and those who join us coast to coast beyond these walls on C-SPAN to hear the familiar cacophony of complaints, criticism and carping from those who claim to champion the rights of workers, but yet would move to abridge the most fundamental right, the freedom of any citizen to say, I do not agree with the political endeavor. How dare you reach into my pocket and take any of my pay and use it for a political cause with which I fundamentally disagree. And that is the issue which this House debates tonight.

And it is very, very instructive that amidst all the arguments, we have

heard nothing substantive tonight from the other side. We have heard no one try to stand up and defend the rights of abridging workers. Instead, we hear these playground taunts and this type of class warfare, but, Mr. Speaker, the fact is that on this one, the American people, regardless of their work status and affiliation, are speaking with a united voice. They know this is all about freedom of association, freedom of dissent, first amendment rights. And this is the real campaign reform that Members can vote for.

So I would urge my colleagues to resist the temptation of class warfare and driving wedges amongst the so-called classes of the American people and in fact cast a vote for freedom.

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

Mr. HAYWORTH. No, I will not yield at this time. The gentleman has his own time on which he can speak. This time has been given to me by my colleague, and I am going to make this case for the American people because not only with poll numbers, but with principles the American people say, it is our money. Let us spend it as we see fit. Adopt this act.

Mr. GEJDENSON. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. MENENDEZ) who has worked with us and toiled on this issue as well from his first day in the House.

Mr. MENENDEZ. Mr. Speaker, what the authors of these bills forget is that in America voting is not a dream. It is not just another government benefit or program to be means tested. It is a constitutional right. And Americans should not be subjected to a Federal Government background check when they register to vote. But that is what these bills do.

It turns the ballot box into an interrogation zone where Americans are guilty until they are proven innocent. And to show they are citizens, Republicans want the Social Security Administration and the INS to run background checks and share private information on American voters.

Not surprisingly, Republicans want this test to be taken out where? In California, in Texas, in Florida, in Illinois and New York, States with large minority populations, especially Americans of Hispanic descent. We know already what they tried to do in the discredited Dornan investigation. We will not permit you to do that under the name of campaign finance reform. The right to vote in this Nation should not be subject to government intrusion, and Hispanic-American voters will not forget their continuing persecution of their rights.

Lastly, the founders of the union movement battled corporate-sponsored, club-wielding thugs who tried to silence them with beating and violence. Today Republicans are trying to accomplish in a law what they could not accomplish with a billy club.

Democrats stand with working people and their families who still believe that a person who puts in a full workweek deserves a fair wage to support their family and to have a voice here in the Congress. We will not let you stop unions from speaking on behalf of working families in this country.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, may I inquire how much time remains between the two sides?

The SPEAKER pro tempore (Mr. FOLEY). The gentleman from Colorado (Mr. BOB SCHAFFER) has 10½ minutes remaining, and the gentleman from Connecticut (Mr. GEJDENSON) has 12½ minutes remaining.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I reserve the balance of my time.

Mr. GEJDENSON. Mr. Speaker, I yield 1¾ minutes to the gentleman from Florida (Mr. BOYD). I apologize for being so stingy with the time, but the other side, the leadership in this House, has given us so little time.

Mr. BOYD. Mr. Speaker, I came into this Congress over a year ago as a part of a class of 73 Members, Democrats and Republicans, who had two mandates from our electorate. One was to stop the partisanship. Two was to reform the campaign finance laws of this Nation.

Mistakenly and naively, most of us believed that we could do that. Today we learn the truth.

There are several real campaign finance reform proposals the House should be debating today. Unfortunately, all we are allowed to vote on are four campaign finance deform bills, designed to promote a partisan advantage for the majority party, not real campaign finance reform.

What is missing from the debate today? The sad truth is we are not even allowed to consider legislation developed by Members from both sides of the aisle. Why is not the House debating Shays-Meehan or the bipartisan freshman bill? Because the House Republican leadership is afraid one of those solutions might actually pass.

Last year, Speaker GINGRICH promised the American people and this House a fair and open debate on campaign finance reform. Unfortunately, the American people will see today what that promise really means. Debate limited to 20 minutes per side, no amendments allowed and a two-thirds majority for passage.

My colleagues on the other side of the aisle also like to talk about how they have opened up the process by allowing open rules. That is simply not true. The charade we are witnessing today on campaign finance reform cheats the American people of the open, honest debate they have demanded and more importantly deserve.

I urge my colleagues to vote against H.R. 2608, the worker gag act, and sign the discharge petition Number 3 so we can help the Speaker deliver on his promise.

□ 2045

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. DOOLITTLE).

Mr. DOOLITTLE. Mr. Speaker, the first amendment is quite clear, "Congress shall make no law bridging the freedom of speech." And yet, the whole business of campaign reform as has come out before the Members of the House largely centers on how do we bridge the freedom of speech. There is a whole litany of ways, many of which are displayed before us. However, the bill by the gentleman from Colorado (Mr. BOB SCHAFFER) is designed to protect the freedom of speech, the freedom of speech of those members of the unions who have the right to make sure that their money is not spent contrary to their own purposes.

It is a good bill. It is one of the few bills out here I can say I support wholeheartedly today.

Mr. Speaker, I listened to the gentleman from Connecticut (Mr. GEJDENSON) cite the history of the Democrats' involvement with campaign finance reform. He quite correctly pointed out in 1974 they did pass the present law, the disastrous present law that skewed contributions to PACs over contributions to individuals. We never really heard of PACs before, until that became the law.

By the way, 2 years ago, as recently as that, PACs was the great Satan; and today it is soft money. Soft money was given to us as well by this law, which places such severe restraints on direct contributions to candidates that money could flow then into the area of soft money, the unregulated area.

Of course, this Congress seems to want to regulate many things; and, happily, we have been able to resist that because regulation oftentimes is not the answer. Regulation has compounded the problem in the area of free speech. Now, having limited the amount of hard dollars that go to candidates, we see efforts to limit and regulate soft money. And, yes, let us get those evil issue advocacy ads.

I would say if we would go back and diagnose the problem correctly and recognize what it is, we could stop treating the symptoms of the problem and go right to the problem. The problem is too much regulation.

I urge support for the Schaffer bill.

Mr. GEJDENSON. Mr. Speaker, I yield 1½ minutes to the gentlewoman from California (Ms. PELOSI), a Member who has led this House on so many important fights and who has been so helpful in this particular area.

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

and for his leadership on this very important issue.

In fact, I do not think there is any issue more important than this one because it is about nothing less than our oath of office. Every single person who comes to this body to serve takes an oath of office to protect and defend the Constitution against all enemies, foreign and domestic. The greatest enemy to our democracy is foreign and domestic money poisoning our system.

On top of it all, we have the cynical, cynical action on the part of the Speaker today which gags American workers. The deck is so stacked against the average American today, the way is greased for corporate America and wealthy Americans to have their voices heard; and today in this body the Republican majority wants to add an additional burden to average Americans having their voices heard here.

Mr. Speaker, when Washington first became the capital of our country, it was built on a swamp. It is still a swamp, a swamp putrid from the huge amounts of money that pours in here, special interest money stacking, as I said, the deck against the average American.

Let us rid ourselves of this poison. Let us rid our system of this poison. Let us honor our oath of office. Let us ask the Speaker to have freedom of speech on this floor, allowing us to support the bipartisan McCain-Feingold bill and restore freedom in our country.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, when the other side says that they support the working man and woman, it is not true. Over 90 percent of the jobs in the United States are small and large business, nonunion affiliated. What they support are the big union bosses that want bigger government because they want the power; and that causes higher taxes, higher spending, which goes right along with the Democratic leadership.

Secondly, that over 30 percent of union workers are Republican, 10 percent of the workers are third party, and they are coercing that 40 percent to spend their money on campaigns against candidates that they support. And that is wrong. What this bill does is says that the union has got to ask those members, if they use their dollars, can they use them against the opponents. And that is wrong.

Thirdly, let us say that a Republican, there are a great number of them that represent union districts, let us say that they vote along with the unions. The President will veto anything that is kicked out against the unions because he wants that power also.

If the Republicans vote along with the unions, we lose that. If they vote against it, the President vetoes it; and the Senate probably will not pass it. But let us just say that the union stuff is kicked out. That leaves a disaster in campaigns, because it throws the majority of power to the Democrats.

That is exactly what they want. That is why they want the campaign finance reform, because they know it is a lose-lose situation. They want their unions to be able to contribute hundreds of millions of dollars. They want the Lincoln bedroom. They want the Tries, the Riadys and the Jeffersons and the rest of them to contribute, but yet they do not want the other side of it. They caused the problem in 1974 with the PAC money. We are trying to clear it up.

Mr. GEJDENSON. Mr. Speaker, I yield 1½ minutes to the gentleman from Missouri (Mr. CLAY).

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

Mr. Speaker, this bill is another example of the Republican majority's strategy to silence anyone who dares to disagree with its extremist agenda. The worker gag rule muzzles the legitimate voice of working men and women who dare to tell the truth about the Republican leadership's anti-labor agenda.

It is amazing that supporters of this proposal claim to be concerned about union workers. Where was that concern when they tried to bring back company unions, eliminate overtime pay, gut health and safety protections, repeal the Davis-Bacon Act, or oppose an increase in the minimum wage?

Mr. Speaker, let us get the facts straight. No worker may be forced to join a union. Union membership is always voluntary. And no worker may be forced to pay union dues. In right-to-work States, unions must fairly represent all workers in a bargaining unit, but individual workers may be free riders and pay nothing for their share of representation costs.

In other States, unions and employers are permitted to agree on union security clauses that require all employees to pay an agency fee to cover their fair share of collective-bargaining-related costs. No worker may be required to pay any fee for a political activity. Further, unions must notify all workers that they are not required to join the union and that such workers are not required to pay full union dues.

This bill imposes onerous burdens on the labor movement that do not apply to corporations or to nonprofit groups such as NRA and the Christian Coalition. This bill is nothing but a politically motivated attack on the workers of America.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I yield 2 minutes to the gentlewoman from Washington (Ms. DUNN).

Ms. DUNN. Mr. Speaker, Thomas Jefferson once said, "To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves is sinful and tyrannical." His thoughtful observation appeared a few years ago to be validated by the United States Supreme Court in the Beck decision.

Many of my colleagues have stated this evening that union workers do not need the protections given in this legislation. But let me give them a clear example of the effect this bill can have and what union leaders so fear.

In 1992, the voters of Washington State approved Initiative Measure 134, a state law prohibiting labor unions from withholding or diverting portions of an employee's wage for political purposes without the employee's written consent. The effect of the new law, which essentially implements the spirit of the Supreme Court ruling, has been striking. Prior to Initiative 134, one union, the Washington Federation of State Employees and American Federation of State, County and Municipal Employees, was among the Nation's leaders in terms of money raised and the number of workers contributing through payroll deductions.

Since I-134, more than 90 percent of this union's members chose not to give the union access to their earnings to pay for the union leaders' political agenda. The number of contributing union members dropped from 2,500 workers to 82 workers, this as a result of giving union members choice. Clearly, there is need to give the Supreme Court ruling in Beck the visibility and force of the Federal law.

How can this same kind of awareness in paycheck protection be extended to all American workers? Federal legislative action is needed. The Paycheck Protection Act addresses the core issue spotlighted by the Supreme Court preventing forced collection of union dues before the fact. The worker would not, as Beck allows, be required to request a refund of his dues after the dues have already been seized.

I encourage all my colleagues to vote for this legislation.

The SPEAKER pro tempore (Mr. FOLEY). The gentleman from Connecticut (Mr. GEJDENSON) has 7¾ minutes remaining, and the gentleman from Colorado (Mr. BOB SCHAFFER) has 4½ minutes remaining.

PARLIAMENTARY INQUIRY

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

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. PASCRELL. Mr. Speaker, on paragraph 2 of the bill that is before us right now, paragraph 2, line 11, on page 3 of the bill, it says "an authorization described in paragraph (1) * * *" And we go back to paragraph (1), Mr. Speaker. It says, "except with the separate, prior, written, voluntary authorization of each individual * * *"

What do we mean in that paragraph number 2? What does that mean? That is a parliamentary inquiry.

The SPEAKER pro tempore. The Chair cannot interpret the bill. That is for the House to determine in debate.

Mr. PASCRELL. May I ask through the Speaker to the sponsor?

The SPEAKER pro tempore. The gentleman has rhetorically posed his question and may pursue it in debate.

Mr. PASCRELL. I was asking for a parliamentary inquiry. Point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may propound the question on time yielded by the gentleman from Connecticut.

Mr. GEJDENSON. We will have to do that later, we are so short on time. Unless the gentleman from California has some extra time he might yield at this point just to explain that to one of our Members. The language is so new.

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

Mr. BARRETT of Wisconsin. Mr. Speaker, when I saw this bill came up today, I thought I read the calendar wrong; I thought it was April Fool's Day. Because this is an April Fool's joke. This bill should be up Wednesday, not today, because this bill is nothing more than a joke and a pretense to reform our campaign finance system.

These bills do nothing more than deform the system. Because this is not an honest attempt to reform the system. The only honest attempt to reform the system is a bipartisan attempt. The gentleman from Georgia (Mr. GINGRICH) and his followers have refused to let this House consider any bipartisan legislation. It is an attempt to gag not only the workers in this country in this bill but the members of the minority party.

Mr. Speaker, the American people are not going to be fooled by this. It may be April Fool's week, but it is not the time to try to pull one over on the American people. What we should be doing in this House is addressing real campaign reform. Let us do the McCain-Feingold bill. Let us do the freshmen bipartisan bill. But we have to do it on a bipartisan basis.

Any attempt to jam this down our throats on a partisan basis is nothing more than a sham, and the American people know it. The people of this House know it.

Mr. GEJDENSON. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in strong opposition to this so-called campaign finance reform debate. I hope my Republican colleagues do not think that they are going to pass this debate off as genuine campaign finance reform. It is a sham, it does not have any integrity, and the American people know that.

I just want to ask my colleagues, who do they think they are fooling in this process? We know that this is a hodgepodge of measures that the House has already rejected. We know that this "reform" would intimidate voters from registering to vote. This particular piece, the Paycheck Protection Act, is a dishonest proposal. It is meant to silence workers, prevent them from having a voice in the political process.

As a matter of fact, it requires labor unions to get written prior authorization before assessing a fee to finance political activities; and, conversely, it allows corporations to make political contributions unless and until individual shareholders or members object. It is mindless what they are proposing here today.

□ 2100

The fact of the matter is and the tragedy of this is that, in this House, we have the votes to pass real reform. They figured out that we could pass it, so they have come up with this charade here tonight that says we have got to get two-thirds of this body in order to pass reform. It is nonsense. We can pass it. It is nothing but a way to deny the people in this country a voice in the democracy. It is wrong. Vote against these bills.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I have no further speakers on my side. I would reserve the right to close and reserve the balance of my time.

Mr. GEJDENSON. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. Mr. Speaker, tonight's process is such a sham. It brings shame on its perpetrators. They use the argument about free speech when it comes to campaign reform, but they thwart free speech right on this floor.

Public cynicism is already too high. They are only going to increase it. There is already too much money in politics. They are going to bring in more. They talk about coercion, even though they know every union member who wants out in terms of use of his or her money has the right to exercise that.

I want to say one thing to each and every one of them, those of us who live with the present system should be the ones who take the lead in reforming it. Instead, the Republicans have finally brought a set of proposals here precisely because they know they will fail. They will fail. And you, Mr. Speaker, and company, will have failed the American people.

Mr. GEJDENSON. Mr. Speaker, how much time do I presently have?

The SPEAKER pro tempore. The gentleman from Connecticut has 4¼ minutes remaining.

Mr. GEJDENSON. Mr. Speaker, I yield 1½ minutes to the gentleman from North Carolina (Mr. HEFNER), who has done such an outstanding job; and we will all miss him as he is not seeking reelection. We thank him for all of his contributions.

Mr. HEFNER. Mr. Speaker, if this was not such a serious subject, this would be laughable. It is unfortunate we would not all be under oath. If we were under oath, we would be issued subpoenas for perjury for calling this campaign reform.

I ran for office the first time and spent $70,000, and that was a lot of money. Now it is not uncommon to spend $1 million to get elected to Congress.

I remember we had a debate around here, and we were talking about unions, we were talking about special interests and PACs and GOPAC. We do not, to this day, know who the contributors to GOPAC are.

At least when we get a contribution from the labor union, we know it is from the teamsters, the steelworkers or carpenters, whoever. We know who it is from. This is absolutely a charade.

If it were not for a good people that I am leaving in this place, I would say, hallelujah, I am glad I am out of here. This is an absolute travesty that is being perpetrated on the American people.

It is a mystery to me why Members put a bad bill under suspension. They have got to get two-thirds of the Members of the House to vote for a bad bill. It seems to me, if they are going to bring a bad bill out here, they should bring it out under regular order where they could at least get 51 percent.

I know what the spin is going to be, the Democrats kill campaign financing. If Members are able to do that, they are masters of it. But I do not believe you are going to be able to put it off this time, boys. You are not that good.

Mr. GEJDENSON. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. OWENS).

Mr. OWENS. Mr. Speaker, this Paycheck Protection Act provision is one more step in the oppression of working families by the Republican majority. If they are interested in stopping people from involuntarily contributing to political campaigns, then they should single out the corporations that can outcontribute the Democrats, the unions, by 20 to 1 in soft money.

How many of the millions of shareholders in America were consulted or asked their opinion as to what position these corporations took when they contributed that soft money on which candidates they endorse? We are talking about many millions more than unions spend.

Unions are under the control of the Beck decision. They have to do a lot of reporting. Each union member has certain rights in terms of the positions taken by the union, but what rights do shareholders have?

Thomas Jefferson has been misquoted here several times. Certainly Thomas Jefferson will be in favor of equal oppression and equal repression if the government is going to oppress anybody. Why do we not do the same for corporations that we do for unions?

Mr. GEJDENSON. Mr. Speaker, I yield 1 minute to the great gentlewoman from Marin, California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, for years the American people have told us loud and clear what they want with campaign finance reform. They want a system that encourages every American to participate, they want a system to close special interest loopholes, and they want to ban all soft money.

But instead of what the American people want, we have the special interest groups and their friends giving us a bill that benefits big business and their lobbyists.

The worker gag rule singles out workers, making it not easier but more difficult for them to participate in the electoral process. At the same time, large corporations are allowed to pour shareholder money into campaigns.

The fact is, Mr. Speaker, in the last election cycle alone, corporations outspent unions by a margin of 11 to 1. This is like letting a CEO vote 11 times while giving the worker only 1 vote. That is the worker gag bill.

Mr. GEJDENSON. Mr. Speaker, I yield three-quarters of a minute to the gentleman from New York (Mr. NADLER); and I hope the Chair will be generous with his gavel.

Mr. NADLER. Mr. Speaker, let us go to basics here. The basics are that unions are voluntary democratic institutions. We do not tell library associations how they can spend their money. The members determine that by majority vote and by the leaders they elect.

If a union member under current law does not want his money spent to explain legislation to members or for other political reasons, he can ask that his money not be spent, which is more than most organizations.

This bill is hypocritical. This bill says a union cannot spend money for these purposes until they get every individual signed off, but a corporation can spend money unless the individual shareholder says no. Why do we not make them both the same? The union and the corporation can spend money unless the individual says no, or neither can spend money unless the individual said yes. Then the bill would not be hypocritical.

The SPEAKER pro tempore (Mr. FOLEY). The gentleman from Colorado (Mr. BOB SCHAFFER) has 4 and one-half minutes remaining.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I yield myself the balance of time that has been allotted.

Mr. Speaker, this is a simple bill. It is one and a half pages long. It is not complicated. It applies to paychecks, period, paychecks across the board. Whether they are union paychecks, whether they are corporate paychecks, whether they are paychecks associated with banks or any other organization, this bill protects the wage earners who earn paychecks wherever they may be. It says this, no portion of their wages can be siphoned off and directed toward political causes unless we previously have the consent of the wage earner.

The other side who have come up and opposed this campaign finance reform measure have time and time and time again mentioned every topic under the sun except for the issue at hand. They have talked about extremist agendas, worker gag rules, overtime pay, minimum wage, Davis-Bacon Act, McCain-Feingold, and on and on and on.

Let me tell you, Mr. Speaker, why there is a reluctance to address the issue at hand. And 80 percent of the American public agrees with us when surveyed and polled. Union households, 80 percent of union households agree that the Paycheck Protection Act needs to be passed in order to protect their paychecks.

For the other side here who says this is radical, they agree with 16 percent of the union households in America. For the other side that says protecting paychecks is radical, they are agreeing with 16 percent of voters overall.

When it comes to teacher union households, they agree with 13 percent of teacher union households, 16 percent of nonunion households.

Mr. Speaker, I cannot say it loudly enough: 80 percent of the American public believes that it is right and just to protect paychecks and prevent a portion of someone's wages from going toward a political cause unless the wage earner agrees and approves.

Let me say this, the people of America tonight have a big question. They want to know who is in control of Congress and who is listening to whom here. They want to know whether this Congress is going to listen to the 80 percent of the American people, union households and nonunion households alike, who want their paychecks protected or whether this Congress is going to listen to the very small, extreme minority who believes that it is fair and just to steal cash out of someone's wages without their consent and without their approval.

That is the question that needs to be resolved today; and I say, Mr. Speaker, this question needs to be resolved as forcefully and clearly as it possibly can.

Mr. Speaker, Thomas Jefferson's name has come up a couple times; and the quote has come over three times tonight. Let me make it a fourth time, Mr. Speaker, because I believe it is most compelling. Thomas Jefferson said, to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves is sinful and tyrannical.

The question, also, tonight is whether Thomas Jefferson's legacy is correct or whether it will be ignored and trampled by those who believe that union bosses should have their voices heard over and above the voices of common, everyday, hard-working Americans.

There is precedence for this, Mr. Speaker. The State of Washington passed similar legislation where 72 percent of the voters approved the Paycheck Protection Act. The teachers union, 48,000 members strong, dropped their political contributions down to 8,000 members when voluntary standards were applied to those laws. That is freedom, Mr. Speaker. That is liberty. That is real fairness.

That is why the Paycheck Protection Act has more cosponsors in this House than any other campaign finance reform effort. It is the compelling reason that we put the voices, the concerns of every honest American hard-working taxpayer ahead of those of large, loud union interests.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and pass the bill, H.R. 2608.

The question was taken.

Mr. GEJDENSON. Mr. Speaker, on that, I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

CAMPAIGN REPORTING AND DISCLOSURE ACT OF 1998

Mr. THOMAS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3582) to amend the Federal Election Campaign Act of 1971 to expedite the reporting of information to the Federal Election Commission, to expand the type of information required to be reported to the Commission, to promote the effective enforcement of campaign laws by the Commission, and for other purposes.

The Clerk read as follows:

H.R. 3582

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 "Campaign Reporting and Disclosure Act of 1998".

SEC. 2. EXPEDITING REPORTING OF INFORMATION.

(a) REQUIRING REPORTS FOR CONTRIBUTIONS AND EXPENDITURES MADE WITHIN 90 DAYS OF ELECTION TO BE FILED WITHIN 24 HOURS AND POSTED ON INTERNET.—

(1) IN GENERAL.—Section 304(a)(6) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(6)) is amended to read as follows:

"(6)(A) Each political committee shall notify the Secretary or the Commission, and the Secretary of State, as appropriate, in writing, of any contribution received and expenditure made by the committee during the period which begins on the 90th day before an election and ends at the time the polls close for such election. This notification shall be made within 24 hours (or, if earlier, by midnight of the day on which the contribution is deposited) after the receipt of such contribution or the making of such expenditure and shall include the name of the candidate involved (as appropriate) and the office sought by the candidate, the identification of the contributor or the person to whom the expenditure is made, and the date of receipt and amount of the contribution or the date of disbursement and amount of the expenditure.

"(B) The notification required under this paragraph shall be in addition to all other reporting requirements under this Act.

"(C) The Commission shall make the information filed under this paragraph available on the Internet immediately upon receipt.".

(2) INTERNET DEFINED.—Section 301(19) of such Act (2 U.S.C. 431(19)) is amended to read as follows:

"(19) The term 'Internet' means the international computer network of both Federal and non-Federal interoperable packet-switched data networks.".

(b) REQUIRING REPORTS OF CERTAIN FILERS TO BE TRANSMITTED ELECTRONICALLY; CERTIFICATION OF PRIVATE SECTOR SOFTWARE.—Section 304(a)(11)(A) of such Act (2 U.S.C. 434(a)(11)(A)) is amended by striking the period at the end and inserting the following: ", except that in the case of a report submitted by a person who reports an aggregate amount of contributions or expenditures (as the case may be) in all reports filed with respect to the election involved (taking into account the period covered by the report) in an amount equal to or greater than $50,000, the Commission shall require the report to be filed and preserved by such means, format, or method. The Commission shall certify (on an ongoing basis) private sector computer software which may be used for filing reports by such means, format, or method.".

(c) CHANGE IN CERTAIN REPORTING FROM A CALENDAR YEAR BASIS TO AN ELECTION CYCLE BASIS.—Section 304(b) of such Act (2 U.S.C. 434(b)) is amended by inserting "(or election cycle, in the case of an authorized committee of a candidate for Federal office)" after "calendar year" each place it appears in paragraphs (2), (3), (4), (6), and (7).

SEC. 3. EXPANSION OF TYPE OF INFORMATION REPORTED.

(a) REQUIRING RECORD KEEPING AND REPORT OF SECONDARY PAYMENTS BY CAMPAIGN COMMITTEES.—

(1) REPORTING.—Section 304(b)(5)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(b)(5)(A)) is amended by striking the semicolon at the end and inserting the following: ", and, if such person in turn makes expenditures which aggregate $500 or more in an election cycle to other persons (not including employees) who provide goods or services to the candidate or the candidate's authorized committees, the name and address of such other persons, together with the date, amount, and purpose of such expenditures;".

(2) RECORD KEEPING.—Section 302 of such Act (2 U.S.C. 432) is amended by adding at the end the following new subsection:

"(j) A person described in section 304(b)(5)(A) who makes expenditures which aggregate $500 or more in an election cycle to other persons (not including employees) who provide goods or services to a candidate or a candidate's authorized committees shall provide to a political committee the information necessary to enable the committee to report the information described in such section.".

(3) NO EFFECT ON OTHER REPORTS.—Nothing in the amendments made by this subsection may be construed to affect the terms of any other recordkeeping or reporting requirements applicable to candidates or political committees under title III of the Federal Election Campaign Act of 1971.

(b) INCLUDING REPORT ON CUMULATIVE CONTRIBUTIONS AND EXPENDITURES IN POST ELECTION REPORTS.—Section 304(a)(7) of such Act (2 U.S.C. 434(a)(7)) is amended—

(1) by striking "(7)" and inserting "(7)(A)"; and

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

"(B) In the case of any report required to be filed by this subsection which is the first report required to be filed after the date of an election, the report shall include a statement of the total contributions received and expenditures made as of the date of the election.".

(c) INCLUDING INFORMATION ON AGGREGATE CONTRIBUTIONS IN REPORT ON ITEMIZED CONTRIBUTIONS.—Section 304(b)(3) of such Act (2 U.S.C. 434(b)(3)) is amended—

(1) in subparagraph (A), by inserting after "such contribution" the following: "and the total amount of all such contributions made by such person with respect to the election involved"; and

(2) in subparagraph (B), by inserting after "such contribution" the following: "and the total amount of all such contributions made by such committee with respect to the election involved".

SEC. 4. PROMOTING EFFECTIVE ENFORCEMENT BY FEDERAL ELECTION COMMISSION.

(a) REQUIRING FEC TO PROVIDE WRITTEN RESPONSES TO QUESTIONS.—

(1) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by inserting after section 308 the following new section:

"OTHER WRITTEN RESPONSES TO QUESTIONS

"SEC. 308A. (a) PERMITTING RESPONSES.—In addition to issuing advisory opinions under section 308, the Commission shall issue written responses pursuant to this section with respect to a written request concerning the application of this Act, chapter 95 or chapter 96 of the Internal Revenue Code of 1986, a rule or regulation prescribed by the Commission, or an advisory opinion issued by the Commission under section 308, with respect to a specific transaction or activity by the person, if the Commission finds the application of the Act, chapter, rule, regulation, or advisory opinion to the transaction or activity to be clear and unambiguous.

"(b) PROCEDURE FOR RESPONSE.—

"(1) ANALYSIS BY STAFF.—The staff of the Commission shall analyze each request submitted under this section. If the staff believes that the standard described in subsection (a) is met with respect to the request, the staff shall circulate a statement to that effect together with a draft response to the request to the members of the Commission.

"(2) ISSUANCE OF RESPONSE.—Upon the expiration of the 3-day period beginning on the date the statement and draft response is circulated (excluding weekends or holidays), the Commission shall issue the response, unless during such period any member of the Commission objects to issuing the response.

"(c) EFFECT OF RESPONSE.—

"(1) SAFE HARBOR.—Notwithstanding any other provisions of law, any person who relies upon any provision or finding of a written response issued under this section and who acts in good faith in accordance with the provisions and findings of such response shall not, as a result of any such act, be subject to any sanction provided by this Act or by chapter 95 or chapter 96 of the Internal Revenue Code of 1986.

"(2) NO RELIANCE BY OTHER PARTIES.—Any written response issued by the Commission under this section may only be relied upon by the person involved in the specific transaction or activity with respect to which such response is issued, and may not be applied by the Commission with respect to any other person or used by the Commission for enforcement or regulatory purposes.

"(d) PUBLICATION OF REQUESTS AND RESPONSES.—The Commission shall make public any request for a written response made, and the responses issued, under this section. In carrying out this subsection, the Commission may not make public the identity of any person submitting a request for a written response unless the person specifically authorizes to Commission to do so.

"(e) COMPILATION OF INDEX.—The Commission shall compile, publish, and regularly update a complete and detailed index of the responses issued under this section through which responses may be found on the basis of the subjects included in the responses.".

(2) CONFORMING AMENDMENT.—Section 307(a)(7) of such Act (2 U.S.C. 437d(a)(7)) is amended by striking "of this Act" and inserting "and other written responses under section 308A".

(b) STANDARD FOR INITIATION OF ACTIONS BY FEC.—Section 309(a)(2) of such Act (2 U.S.C. 437g(a)(2)) is amended by striking "it has reason to believe" and all that follows through "of 1954," and inserting the following: "it has a reason to investigate a possible violation of this Act or of chapter 95 or chapter 96 of the Internal Revenue Code of 1986 that has occurred or is about to occur (based on the same criteria applicable under this paragraph prior to the enactment of the Campaign Reform and Election Integrity Act of 1998),".

(c) STANDARD FORM FOR COMPLAINTS; STRONGER DISCLAIMER LANGUAGE.—

(1) STANDARD FORM.—Section 309(a)(1) of such Act (2 U.S.C. 437g(a)(1)) is amended by inserting after "shall be notarized," the following: "shall be in a standard form prescribed by the Commission, shall not include (but may refer to) extraneous materials,".

(2) DISCLAIMER LANGUAGE.—Section 309(a)(1) of such Act (2 U.S.C. 437g(a)(1)) is amended—

(A) by striking "(a)(1)" and inserting "(a)(1)(A)"; and

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

"(B) The written notice of a complaint provided by the Commission under subparagraph (A) to a person alleged to have committed a violation referred to in the complaint shall include a cover letter (in a form prescribed by the Commission) and the following statement: 'The enclosed complaint has been filed against you with the Federal Election Commission. The Commission has not verified or given official sanction to the complaint. The Commission will make no decision to pursue the complaint for a period of at least 15 days from your receipt of this complaint. You may, if you wish, submit a

written statement to the Commission explaining why the Commission should take no action against you based on this complaint. If the Commission should decide to investigate, you will be notified and be given further opportunity to respond.'".

SEC. 5. BANNING ACCEPTANCE OF CASH CONTRIBUTIONS GREATER THAN $100.

Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a) is amended by adding at the end the following new subsection:

"(i) No candidate or political committee may accept any contributions of currency of the United States or currency of any foreign country from any person which, in the aggregate, exceed $100.".

SEC. 6. EFFECTIVE DATE.

Except as otherwise specifically provided, this Act and the amendments made by this Act shall apply with respect to elections occurring after January 1999.

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

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

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

This is the fourth item before us tonight. A little bit of math will tell us that, when we are finished with this particular measure, we will have been debating campaign reform for 2 hours and 40 minutes. The phrase "this is a sham" has been repeated, I believe, a world record number of times on this floor, perhaps for a want of a different term.

This particular measure, if anyone bothers to look at it, has 10 specific provisions. Seven of them are FEC, Federal Election Commission, recommendations. They were contained in the Republican campaign reform bill of the 104th Congress. They are, by anyone's examination, absolutely appropriate, indeed, long overdue and necessary reforms.

Of the other three, one especially, the electronic reporting on the Internet, I will leave to my colleague to explain in more detail, as one of the younger, more astute, computer knowledgeable Members of the House.

The other two provisions, are not FEC recommendations, but I believe any Member would have a very difficult time not agreeing that they are also appropriate and indeed overdue.

One of the provisions provide that, when a standard FEC complaint form is filled out, that such complaint indicates that it has not been verified by the FEC. In too many campaigns, someone files a complaint form. It is accepted by the FEC, and the statement is made: The FEC has accepted my complaint. In fact, on the form itself, it will say the complaint has not been verified.

□ 2115

The final provision was in a bill by our colleague from California (Mr. DREIER). It says that the Federal Election Commission, when a question is submitted in writing, can submit a written response to the individual. It just seems to me that if the Federal Government is going to control the election process, someone ought to be able to get an answer from the government when they ask a question. If the question is in writing, then the answer ought to be in writing.

Mr. Speaker, I yield the balance of my time to the gentleman from Washington (Mr. WHITE) and I ask unanimous consent that he manage the balance of the time.

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

There was no objection.

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

Mr. Speaker, I thank the gentleman from California (Mr. THOMAS) for his work and leadership on this issue. This certainly is a contentious issue, one that we sometimes have some hard times dealing with, but he has exercised some leadership and we appreciate it very much.

Mr. Speaker, this bill is a small bill, but it is a good bill, and I like to take some time and go through it point by point. But before I do that I want to say and make one point that I think may be of more importance than really the details of what is in this bill.

The fact is, as we have heard today from many Members on the other side of the aisle and probably some Members on our side of the aisle, too, there is some disappointment in this Chamber about some of the bills that we are going to go voting on today; and I have to tell my colleagues very frankly I am disappointed, too, because I had a bill with 118 cosponsors, a commission bill that is not going to be voted on today, and I see the gentlewoman from New York and others on the other side who have cosponsored this bill, and there is certainly disappointment in my heart, too, that we have not been able to vote on all the bills we would like to vote on. But I would ask us all not to let our disappointment prevent us from doing some good things, and that is essentially what this bill is about.

The measures in this bill are all bipartisan, they are common to almost every single campaign finance bill that we have seen in the Congress this year, whether proposed by a Republican or by a Democrat, and it would be a shame to let ourselves miss this opportunity to do something important just because we are upset with one part of the process or another.

I will take just a couple minutes to go through some of the specifics of what we are doing in this bill.

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

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

Mr. GEJDENSON. Mr. Speaker, has the gentleman signed the discharge petition?

Mr. WHITE. I have not signed the discharge petition.

Mr. GEJDENSON. Will the gentleman sign it?

Mr. WHITE. There are several good reasons for why I will not, and I will explain those during the course of this process.

Mr. Speaker, the gist of this bill, the main thing this bill does and the thing I wager that even the gentleman from Connecticut really would not be able to defend voting against is the idea that we put FEC reports on the Internet. Really very hard to disagree that that would not be good for his constituents, for my constituents, for everybody in the country, rather than doing it on microfiche, which was wonderful technology in the 1970s. Let us put it on the Internet so everything can be seen. That is really the heart of what this bill does.

It also does a couple other good things. It says that the gentleman from Connecticut would have to file his campaign finance reform reports electronically so that they can be put on the Internet in a much shorter period of time. It says that within 24 hours after he receives a nickel of contribution in the last 90 days of the campaign he would have to put that information on the Internet.

So the gist of what this bill does is to use this technology to make sure that the American citizens do have the ability to see in a very short period of time what sort of contributions their Members of Congress and their candidate are accepting. I think it is very hard for any of us in this House to suggest that that is something we should vote against.

In addition, this bill does some other good things. It goes through a list of five or six more or less technical changes that have been requested by the FEC.

This is a good government bill, it is bipartisan, does not have anything to do really with either party. It just increases disclosure and lets the American people see what is going on.

So, Mr. Speaker, I would respectfully urge all my colleagues to vote for it.

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

Mr. GEJDENSON. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. FAZIO), who has led an effort through this Congress trying to coordinate campaign finance reform efforts, and we are going to miss him as well.

Mr. FAZIO of California. Mr. Speaker, I thank the gentleman from Connecticut (Mr. GEJDENSON) for yielding me this time.

As the gentleman from Washington said, this legislation has been included in most of the campaign finance reform

bills that have been introduced on both sides of the aisle, and certainly I do not believe there is any reason to oppose it. But it is rather ironic that this is presented as additional responsibilities for the Federal Election Commission when in fact, if my colleagues read the bill, there is no new authorization for what the report that accompanies the bill says would cost another $2 million simply to perform.

That is not unusual when we look at the history of how Republicans have handled the FEC. Year after year after year the commission charged with responsibility for compliance under current law comes to the Congress and asks for a budget that would increase their ability to enforce the law, only to be rebuffed by the appropriations process dominated in the last 3 cycles by the Republican Party, cutting 8–10 percent from the requests, always cutting in the area of compliance, therefore requiring in 1996 hundreds of complaints to be thrown out, so that we cannot even finish requiring people under existing law to live up to their responsibilities as candidates.

Now last year they did not make a very deep cut. A change was made, but it is pointed out in report after report that Republicans have only allowed the fund to go for computer modernization, never for the kinds of activity that would allow the American people to know who is not living up to the requirements of our campaign law.

So there is no reason to oppose this legislation except to say we would hope that this Republican Congress would fund the FEC adequately so that we could see the laws currently on the books, let alone these that would be enacted in this bill, enforced.

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

Mr. DAVIS of Florida. Mr. Speaker, I have never been so ashamed as I am tonight of the tactic that is being deployed to deprive both Democrats and Republicans from having a serious debate in taking up campaign finance reform. Relegating this issue to a series of very limited debates is depriving both Republicans and Democrats the opportunity to take up and pass the McCain-Feingold bill which closes one of the gaping loopholes in our system today, soft money, and forces outside third party groups to put their names on their ads. Those who have taken control of this process tonight are standing up for the obscene amount of moneys that are flooding into our campaigns today, that really a stop ought to be brought to.

Let me give my colleagues an example about the freshman campaign finance reform bill we brought up. These outside third party groups objected to our bill, similarly the McCain-Feingold bill. They said, "If you force us to put our names on these ads, we won't run these ads." Well, that is exactly what the bill was all about, and by adopting this masquerade tonight when we are supposed to be debating campaign finance reform but we are really not, we are depriving the American public of the chance to make sure those ads have their names on them and to ban soft money.

The American people are watching, they care deeply about this issue. We need take up and debate campaign finance reform.

Mr. GEJDENSON. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. TURNER).

Mr. TURNER. Mr. Speaker, for over 15 months this Congress has spent thousand of hours and billions of dollars investigating campaign finance abuses, and this is what it has all come down to: a package of four partisan bills brought to this floor on a calendar that offers no opportunity for amendment and little debate.

Those who work for genuine reform on both sides of the aisle are outraged by this thinly disguised charade. I call on every American to send a message to this Congress that they too are outraged, that they deserve and rightly expect a system of democracy where their voice and their vote determine the outcome of elections, not the hundreds of thousands of dollars poured into campaigns by special interests, dollars hidden in so-called soft money.

Every American understands that true campaign reform must be accomplished in a bipartisan effort. No such bill was allowed on this floor tonight. Instead we were given the illusion of reform. I am confident that the American people know the difference and that they will demand government in the public interest, not the special interests.

Mr. WHITE. Mr. Speaker, I yield myself 30 seconds to point out to the gentleman from California, who may have left the Chamber, that it is absolutely our intention to fund the FEC separately to accomplish all the goals that are at issue on this bill. So I think he can rest assured that that will actually happen.

Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Speaker, I thank the gentleman from Washington for yielding me this time and for his leadership on this issue.

I too have introduced legislation to require electronic filing of Federal Election Commission reports, and I would hope that our colleagues on the other side of the aisle who have complained about the lack of opportunities to support real campaign finance reform will join us in supporting this important measure, because who could possibly be opposed to this common sense reform? It ensures accountability and provides access to essential information regarding our political system.

Right now when we file a campaign finance report with the FEC, we have to file it by the deadline imposed by the FEC. But that filing simply means putting it in the mail, the U.S. Postal Service, and sometimes it can take a week to get that report to the FEC. They then might take another several days or more to get it up and available to the public, so the news media, campaigns, the general public have a delay of sometimes 10 days or even 2 weeks between when a contribution is made and when they can learn about who contributed to whom in this situation.

I think it is critically important that we adopt this legislation with electronic filing. We can still file on the deadline, but they will receive it on the deadline as well. And if we require them to immediately put it up on the Internet, everyone in the country with access to a computer in their home and libraries and schools can have access to this information instantaneously, and that is a critical reform, letting people decide for themselves what the purpose of campaign contributions are, who is receiving what for what purpose. The best way to deal with campaign finance is to lay it out on the table and let the public know exactly who has received what.

Who could possibly oppose requiring campaign committees that raise or spend more than $50,000 to file their reports electronically with the FEC? Who could possibly oppose a requirement that Federal committees immediately report contributions and expenditures made within 90 days of an election?

I urge adoption of this legislation.

Mr. GEJDENSON. Mr. Speaker, it is my privilege to yield 2 minutes to the gentleman from New York (Mr. SCHUMER), an excellent legislator, an orator and someone who has fought for reform for decades in this Congress.

Mr. SCHUMER. Mr. Speaker, I hope the introduction did not count against my time. In any case, I thank the gentleman and my friend for yielding this time to me, and I would like to make 2 points.

One, the desperate need for campaign finance reform. It hit me about 7–8 years ago. My best friend came down and worked in the Congress for 3 months, one of my best friends, and he is a smart and sensitive person. I asked him at the end of the three months, we went out to dinner and I said, "Well, Mark, what do you think of the Congress?"

He said there was good news and bad news. He said the good news was that the quality of the people was much better than he ever imagined. He thought the staffs were better than anything he had seen in business or law or anything else. He said the bad news what it all did not matter because the way we finance campaigns vitiated the entire system.

Mr. Speaker, tonight does not do justice to that problem. Four quick bills

put on suspension, calculated, carefully crafted to simply get the issue off their back; it is not right, it is not fair. Sooner or later, I do not know if it will be sooner or whether it will be later, but they will pay the price for trying to play a game with a very serious issue.

The second point I would like to make is the one also made by my colleague from New York (Mr. OWENS), this idea that there should be choice applies to labor unions but not to corporations. What hypocrisy. Do shareholders get the right to determine whether a big company makes a contribution or cascades soft money into a campaign? Not under this logic. What is good for the goose is good for the gander. If my colleagues believe it for one, they believe it for the other. But if my colleagues want the American people to think they really care about the issue, and are not engaged in just a cheap political trick to go after their opponents but not those who support them, they would never put such a bill on the floor.

□ 2130

Mr. WHITE. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. Mr. Speaker, we need full and immediate disclosure, and that is what H.R. 3582 does. At the end of next month, most of us will file our FEC report for the first time since 1997. I cannot imagine a Member here or a challenger that does not have a fax machine, a telephone, e-mail, the ability to get on the Internet.

This bill will require reports by all committees that raise or spend $50,000 to be filed electronically so that we can see an immediate reporting of contributions and expenditures within 24 hours. What is wrong with that? Nothing, and that is why every Member here should support it. This bill is an important first step as we look for full disclosure and the need to enforce the law.

Last year, there was a report in the magazine, The Hill, that all of us receive here in Washington in our offices, and it said that most Members do not comply fully with the laws that are already on the books.

Well, I have a fourth grader at home, and I know that when she does not fully comply with her homework assignment, that her dad, myself, or her mom, makes sure that in fact that work is done before she goes to school the next day.

I would say that both this bill and other measures will seek full compliance with the law so that every constituent can see how we raise and spend money which is very important as we look forward to the days when we receive the full confidence that our constituents should have in the Members that run for office.

Mr. GEJDENSON. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. MALONEY), who has worked on campaign finance reform from the day she got here.

Mrs. MALONEY of New York. Mr. Speaker, the Republican majority has spent in this Congress $8 million investigating alleged campaign finance abuses, yet the same Republican majority failed to fund the Federal Elections Commission at the level they requested and said they needed to do the job. It was $6 million short.

I am pleased my colleague says he will get the funding for this bill, but we have to get the funding they said they need in order to investigate the cases before them, the only group charged to investigate in a bipartisan way.

The Speaker earlier said we would have a vote on campaign finance reform in this Congress, but what we have tonight is a campaign finance reform kill. Everyone knows that true reform has to be comprehensive. A little small approach, although worthy, will not get the job done.

We have a comprehensive bill, Shays-Meehan. We should allow a vote on this bill before we go home and ask our constituents to vote for us.

Mr. GEJDENSON. Mr. Speaker, I yield 1 minute to the able gentleman from New York (Mr. ENGEL).

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

Mr. Speaker, what is going on this evening is really a cruel hoax on the American people. I would like to say to the Republican leadership, what are you afraid of? Why can we not have an open debate and real campaign finance law?

Today's Roll Call has it right. It says, "Angry GINGRICH scheduled doomed reform votes." It says, "Angry GINGRICH scheduled doomed reform votes," and it says that "GINGRICH scheduled four reform votes under the suspension calendar, requiring a virtually impossible two-thirds majority to pass."

The fact is the Republican leadership does not want campaign finance reform, so they will not give us real reform. Of all these bills, the anti-union bill is the worst bill. It is nothing more than a cheap political trick to try to punish labor unions for supporting Democratic candidates. It is a sham, and it ought to be exposed for what it is.

The fact of the matter is that we need to have a discharge petition signed so that this Congress can vote on McCain-Feingold and Shays-Meehan and have a real debate on campaign finance reform.

Let the majority of this Congress prevail. Let us have an up or down vote on campaign finance reform, not the sham being perpetrated this evening.

Mr. WHITE. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. SALMON).

Mr. SALMON. Mr. Speaker, when I came here 3 years ago, I came, I think, full of fire in the belly ready to make some major changes in this place.

I, too, am very disappointed tonight. There are a lot of reformers on both sides. The gentleman that just spoke is a true hero of mine, the gentleman from New York (Mr. ENGEL). I think he is a great guy and somebody that stands for the right thing time and time again. Hopefully, he sees there are some of us on the other side that try to do the same thing.

We get a little tired of the games between the leadership on both sides. Frankly, we stand here tonight, and I am ashamed, I really am ashamed to see how this is coming up tonight, that it is in the same manner as that of the leadership who ran the House for 40 years under the Democrats. It is wrong. It is wrong when they did it, and it is wrong if we do it, and I don't think this is a service to the American people.

Let me say something. We are here to talk about a very sensitive issue, special interest influence on Washington. I come from a State that passed the most comprehensive campaign finance reform in the Nation. You can only give $300 to a candidate in the State of Arizona, yet scandals still persist, problems still occur, because people do break the law.

Let us stop telling lies to the American people. Everybody knows that the Republicans want to preserve the ability for big corporations to give bucks on the side through soft money to the ones in charge.

By the way, if the Democrats were in charge, they would be giving to you, because, frankly, I do not think they have a soul. They give to whoever is in charge of the place so they can get what they need.

But the Democrats do not want the unions to be restricted in any way. They do not want union employees to know where their money is going. So there is this perpetration on both sides. I think it is wrong.

Frankly, I think that until we have a real debate, and I hope we do, we are never going to get this resolved. Let us finally realize what will really make a difference. It is not about stopping PACs or stopping this or that. What is going to stop it is full disclosure.

Mr. GEJDENSON. Mr. Speaker, I yield 1 minute to the articulate gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. Mr. Speaker, I thank the gentleman for yielding me this time, and I thank the gentleman for his previous comments a moment ago, and I applaud his common sense in approaching this. I join him, Mr. Speaker, in the idea that having come here to Congress and knowing before I got here, obviously, there is a great deal of cynicism about our process, speaking to any number of students that come

to Washington or going throughout the district and speaking to students, trying to address them and tell them they ought not to be caught up in the cynicism, it is very hard to watch what has been going on here tonight.

Although this particular portion of the bill may indeed be well-intended, and what you intend to do with this may, in fact, have some merits that could be supported, the whole process by which you have gone about doing this tonight, the whole idea of not even addressing any of the bills that have been filed for some period of time now, not giving them the period of time for debate and discussion, putting it forward tonight in a late-drafted bill, broken down into four parts, very cynically, looking to get people on record for campaign purposes, but never really dealing with any details of campaign finance reform. We do not talk about getting money out of campaigns, we do not talk about shortening campaigns.

Mr. GEJDENSON. Mr. Speaker, I yield 1 minute to the able gentlewoman from New York (Mrs. MCCARTHY).

Mrs. MCCARTHY of New York. Mr. Speaker, I am a freshman, and one of the things that we first did when we first got here, freshmen Republicans and Democrats, we tried to work together on campaign finance reform. We wanted to make a difference.

Tonight what is going on is wrong, only because there are a lot of good bills out there that could make a difference.

We have to go home and face the people and they do not understand. To be very honest with you, when I am working with people and they are thinking that because someone comes in to lobby me I am getting money out of this, I do not like it.

I have a campaign coming up. I do not want to have to raise the amount of money I have to raise. I think it is obscene. I would rather see it go to education and health care. I think our businesses and people would rather see the money go there also.

I hope tonight does not end the debate. I am hoping we will truly get finance campaign reform before I retire from this place.

Mr. GEJDENSON. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. SLAUGHTER), who has fought for this issue year after year.

Ms. SLAUGHTER. Mr. Speaker, Congress desperately needs to reform our campaign finance laws. The Federal campaigns are becoming little more than a money chase to pay for increasingly expensive elections, and voter turnout is at an all time low. The most recent election cycle spent on the Federal election an estimated $1.6 billion, but less than half of the eligible Americans exercised their right to vote.

The cost of political campaigns has simply become too high, threatening the integrity of our system of representative government. The American people are discouraged by a system in which money seems more important than issues, and the interests of money seems more important than the concerns of working families.

But the legislation the House will vote on today actually increases the amount of money that can be contributed by wealthy individuals and special interests, and it includes a gag rule that makes it even more difficult for working Americans to get information on issues that matter to their families.

To add insult to injury, this misguided legislation has been brought to the House under suspension of the rules.

Mr. GEJDENSON. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. MEEHAN), another gentleman deprived of the opportunity to offer his legislation.

Mr. MEEHAN. Mr. Speaker, not that long ago I listened to my friend, the gentleman from California (Mr. THOMAS), state all kinds of reasons as to what was wrong with the Shays-Meehan-McCain-Feingold bill, and he went on and on and on about all these problems with this bipartisan approach to campaign finance reform.

It kind of made me wonder why the Republican leadership has gone to great lengths, such great lengths, to prevent a vote on this bill, if it is such a bad bill. It is incredible how far the Republican leadership has come to try to stop this debate.

We were promised a debate; a full, fair debate, with integrity and honesty on the floor of this House, and we have not gotten it.

The gentleman from California (Mr. THOMAS) knows full well that every public interest group in America who has been fighting for campaign finance reform supports the bipartisan approach, and he knows as well that every major editorial board in America favors the bipartisan approach. He also knows that Members on both sides of the aisle have been working for 3 years to get a debate and get a vote on meaningful bipartisan campaign finance reform, and he also knows that the other body just voted 53 votes for the same bill in the United States Senate.

Well, we are going to get this bill sooner or later, because the American people will respond and newer Members will respond. All I have to do is look at the newest Member of this body, the gentlewoman from California (Mrs. CAPPS), who walked into my office with the gentleman from Connecticut (Mr. SHAYS), and made this legislation the first bill that she signed on to as a new Member, and the people of the 22nd District of California are proud of the gentlewoman from California (Mrs. CAPPS), and Walter is as well, and there will be more Members that will be elected in the November elections, and campaign finance reform will be an issue. There will be a price to be paid for this disgusting maneuver.

Mr. WHITE. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. EHLERS).

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

Mr. Speaker, my interest in campaign finance reform goes back to 1972 when I became very angry at a fellow Republican, Mr. Nixon, for the manner in which he raised and disbursed money in his Presidential campaign, and that, in fact, is one of the reasons that I ran for public office the following year.

Today, we have decided that those laws which were passed after Watergate simply no longer do the job, and I speak particularly in favor of the bill that is before us, the one introduced by the gentleman from Washington (Mr. WHITE). It is something we should do. I am sorry we are not debating it more. But in this electronic age we clearly should do precisely what this bill requires, and that is to have instantaneous disclosure, instantaneous reporting of contributions received. The money contributed will be known to the entire world and to the opponents of the person involved.

Now a few general comments about the debate. Several speakers have said we need comprehensive campaign finance reform. Those are the bills that do not pass.

I think what we are doing here tonight is right. I am hopeful that at least one, perhaps two, maybe even three, and, if a miracle occurs, all four will pass. But I am convinced that the only way we are going to get campaign finance reform passed in this House is to take it bit by little bit, put it up for a vote, up or down, and some will pass and some will fail, and we will keep plugging away.

□ 2145

Parkinson's law, for those of us who are old enough to remember Parkinson's law, tells us that the difficulty in getting something passed in a decision-making body is inversely related to the experience that body has with the issue.

We all know and understand campaign finance reform, and we can find something wrong with every bill. The more comprehensive the bill is, the harder it is to get it passed. So I think doing what we are doing tonight, breaking it into little pieces and saying we will pass each individually, is the right way to go. We have to continue doing that.

Mr. GEJDENSON. Mr. Speaker, I yield 2½ minutes to the articulate gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, even in the perpetration of a sham, a little light comes through. There is nothing wrong with this bill. It is the right thing to do.

I would hope everybody would support this bill, even in their disappointment about this process, even in their disappointment that this bill is a sliver of what we ought to be doing, even though this bill, introduced by the gentleman from Washington (Mr. WHITE), does not cover soft money. There is no disclosure of soft money in the bill offered by the gentleman; and, furthermore, there is no disclosure of independent expenditures: who come into your districts and spend all sorts of money.

Both candidates, both the gentlewoman from California (Mrs. LOIS CAPPS) and her opponent, said that that kind of expenditure undermined the integrity of their election.

So even though the bill of the gentleman from Washington (Mr. WHITE) goes only a little bit, it is a proper bill, so it would be foolish to oppose this bill.

I suggest to my colleagues that this bill was put last in this group of four because, number one, it is such a small facet, a correct one but a small facet, that it would perhaps clean up what has been an otherwise desultory representation of campaign finance reform.

Let me again repeat to all the editorial referencing this process,

> Newt Gingrich has selected today as the moment to line up his firing squad and kill campaign finance reform in this Congress. Just how desperate Mr. Gingrich is to thwart reform is clear from the parliamentary tactics he is preparing and is using this night. It is a cynical maneuver that will come back to haunt Mr. Gingrich and any House Member who supports it.

Yes, this facet is an acceptable small but appropriate facet. But the package that has been presented is a sham and a shame.

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

Mr. Speaker, when the gentleman from Maryland (Mr. HOYER) said it would be foolish to oppose this bill, and that it was a bright light shining in an otherwise dark universe, I realized how very articulate he really is. I appreciate that very much.

Mr. Speaker, I yield 1¼ minutes to the equally articulate gentleman from Maryland (Mr. GILCHREST).

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

Mr. Speaker, I would like to respond to my good friend, the other gentleman from Maryland (Mr. STENY HOYER) that the part of this legislation that is by the gentleman from Washington (Mr. WHITE) is a good piece of the puzzle.

I would also add, however, that I think the package that we are voting on tonight, the fundamental issue here is that the package that we have an opportunity to vote on tonight pushes the whole campaign finance funding problem into a better situation. Basically what we are voting on is a package that will put the whole campaign funding situation in a much better light for the American public.

I would like to say one other thing, that each succeeding Member that speaks to the House tonight, Mr. Speaker, should also tell the American people that we as individuals have an opportunity every single day, every day we have the option, we have the choice, to reject all out-of-State money, all PAC money, all out-of-district money. Each of us can just say, I will only accept money from those people who vote and live in my district.

Mr. GEJDENSON. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. BECERRA), a fighter for campaign finance reform.

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

Mr. Speaker, because we have not been given enough time to truly and meaningfully debate this, let me tell a story about a meeting I had with some constituents on Friday night. I met with folks from the Citizens Committee to save Legion Park on Friday night, and I had a chance to briefly speak to them.

I said this morning, meaning today, we are going to be debating campaign finance reform, but I said, do not hold your breath. Chances are we are going to do it in the dead of night, and it is going to be a stacked deck against the passage of any bill. Sure enough, that is what we have.

But perhaps the worst thing and saddest thing about this is that none of my constituents were surprised. They all knew that we were not going to head toward any type of meaningful reform. So for me to stand here and tell why this legislation we have before us is bad for the average citizen who is fed up with money-driven elections, or bad for working men and women who simply want to keep their meager voice in society heard, or it is bad for long-term legal residents who are always asked to pay their taxes, but the little chance they have to express their voice in this democracy is now going to be stifled through this legislation. It is also bad for new citizens, whose new voice through their vote will be stifled, as well.

That is okay with this bill, but we will not pass it because we know it is being done in the dead of night, stacked against us. It will go nowhere. Vote against this legislation.

Mr. WHITE. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I probably will not take the 2 minutes, because I want to say that we have heard some harsh rhetoric in the last few minutes, but it is actually harsh rhetoric that hides a relatively pleasant fact: That there probably is one piece of legislation that just about everybody in this Chamber can agree on.

I will grant that it does not do everything that any of us would like it to do, but it is a small step in the right direction. It may be all that we are able to do this year, but by golly, let us at least do something. Let us not miss this opportunity to take a step, small though it may be, to move in the direction of real campaign finance reform.

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

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

The SPEAKER pro tempore (Mr. FOLEY). The gentleman from Connecticut (Mr. GEJDENSON) is recognized for 3½ minutes.

Mr. GEJDENSON. Mr. Speaker, it is time for a little review. We have been here going over four proposals, all authored by the Republicans. I have been in this Congress for 18 years. I have spoken to Members in this Chamber who have been here longer. I have never, ever in my life been on the floor debating campaign finance reform where the other party was not given an opportunity to put forth a proposal.

My parents fled Hitler and Stalin. In those countries there was no debate. We have just done that here on the floor of the House. Unless you are an R, unless you are a Republican, you do not get to offer something.

That is not bad enough. Even on the proposals they have put forth here, they have chosen a procedure that guarantees failure on the Thomas proposal, because they choose a procedure that guarantees a necessity of two-thirds of the House of Representatives.

Let me get this straight: They get to set up the rules for their own proposal, and rather than half, they choose two-thirds. Why? Because they do not want to succeed.

We look at this institution we serve in, and we look back to our Founding Fathers. There have been references here to Jefferson. I would venture to say, none of us can speak for Jefferson, none of us can match his imagination, but I would be shocked to find Jefferson being for a system that did not allow the other party in the Congress to offer even one alternative proposal.

I can read from Madison. Madison, in questioning who the electors are, who should control the great fate of this country, he said, "Not the rich," "Not the rich, more than the poor; not the learned, more than the ignorant; not the haughty heirs of the distinguished names more than the humble sons of obscure and unpropitious fortune. The electors are the great body of the people of the United States."

We have come a distance from democracy's beginnings in England and elsewhere: A Magna Carta that gave rights to wealthy lords, so they could protect their property against the nobility of the King. Along came the revolutionaries on this continent, and they gave the power of the vote to

white men who owned property, even though without title. It was a step forward.

Through years and struggles, we extended that vote to blacks and Indian males, and finally, yes, we included women. But there is still one great divide. If you have money, you get to speak and you get to be heard. If we get the Republican proposal of the gentleman from California (Mr. THOMAS), money speaks louder than it ever has in this Chamber.

Mr. Speaker, I ask Members to tell me, is what is wrong with the American political system that rich people cannot find their voice? Do we need to triple the amount of money that wealthy individuals can give? I do not believe there is a nonpartisan American in this country that believes it.

Give us a chance to vote on real reform. Reject this fundamental proposal that the gentleman from California (Mr. THOMAS) has put before us. Vote for American clean government. Reject that proposal.

Mr. WHITE. Mr. Speaker, I yield the balance of my time to the gentleman from California (Mr. THOMAS).

The SPEAKER pro tempore. The gentleman from California (Mr. THOMAS) is recognized for the 4 minutes remaining in the debate.

Mr. THOMAS. Mr. Speaker, if some are looking for the definition of "cynical," I would suggest they go back to the 103rd Congress. The current minority party controlled the House of Representatives, controlled the United States Senate, controlled the office of the presidency. The Democratic Party could pass in the House or in the Senate and sign by their President campaign reform. Guess what happened? Guess what happened? Nothing. Nothing went to the President.

So what I find about these fervent reformers is simply this: They are fervent. The problem is, if we look at the previous legislation, McCain-Feingold or Shays-Meehan, what they are fervent about changes. Go back to the original McCain: This country is being undermined by Political Action Committees. We have to ban PACs. We have to ban leadership PACs. Take a look at their bill. It is not in there.

Now, does it mean that what was fundamentally important to Americans has changed, or are they in search of a political answer that they can use under the guise of real reform? If we want to ban soft money, take a look at H.R. 3581. This bill tonight bans soft money at the Federal and the State level tougher than they do. Yet they are going to complain and moan about soft money.

Take a look at what we are doing in terms of non-citizens. The gentleman from Massachusetts (Mr. MEEHAN) has a bill that agrees with that, but he has been coming to the floor and berating what we are doing. It seems to me that at some point cynicism has to stop, and it stops now.

They have had 2 hours and 40 minutes more time than we have had previously to debate reform. It seems to me that the key to good legislation, the key to following the process, is to see if any of these measures pass. I believe campaign reform tonight will pass.

Mr. FROST. Mr. Speaker, the Republican Majority is again bringing to the floor of this House legislation designed to discourage voter registration and participation and our electoral process.

H.R. 3582 is but another attack on the rights of thousands of citizens to vote, aimed primarily at our nation's Hispanic citizens. Earlier in this Congress, Republicans targeted Hispanic voters in the 46th Congressional District of California during their outrageous investigation of LORETTA SANCHEZ's victory in 1996. What happened there was simply an effort to deny a Hispanic candidate a legitimately won seat in Congress, while attempting to intimidate lawful citizens and discourage them from voting.

But that's not all. The Republicans are also attempting to limit the impact of Hispanics in the political process by setting up a Census procedure that will severely undercount Hispanic and other minority populations. They are promoting a method that by all accounts will prevent an accurate Census count, with Hispanics in particular being harmed by their proposal.

Now this troubling trend is continuing with this unwarranted provision of H.R. 3582, a provision which could allow state and local officials to drop thousands of American citizens from the voter rolls, solely on the basis of race or an "ethnic-sounding" name. I find it incredible and intolerable that the Republicans would so blatantly go after Hispanic Americans and attempt to deny them their rights at the voting booth.

Mr. Speaker, Hispanic Americans are watching, and they understand that they are being targeted by the Republican Majority for discriminatory treatment. It is absolutely critical that we stand up to this attack against Hispanic citizens, and defeat this and other provisions promoted by the Republicans that would erect substantial barriers to voter participation and undermine the right to vote.

The priority under our Constitution is on citizens' rights to participate in democratic elections. This proposal undermines that right, and it must be soundly rejected.

Mr. POSHARD. Mr. Speaker, I rise today to register my strong opposition to H.R. 3582, the majority's embarrassing attempt to bring campaign finance reform to the House floor. As a member who has worked for meaningful campaign reform for many years, who refuses PAC money and voluntarily limits individual campaign contributions, I find it offensive that the leadership would try to fool the American people into believing that they have kept their promise to allow debate and a vote on real reform. However, I am confident that the people will not be fooled, and I trust that my colleagues will join me in my opposition if they truly believe in our duty to reduce the overwhelming influence of money and return our campaign system to its roots of citizen legislators who challenged each other on the issues and their vision of the future.

It is incredible to me that one of the most complex, contentious and critical issues facing this Congress could be brought up under suspension of the rules, but it is no more than a thinly veiled attempt by the Republican leadership to stifle debate and disallow amendments, thereby locking out Democrats and Republicans who would embrace the challenge of implementing true reform. H.R. 3582 ignores the most pressing issues in campaign financing and focuses instead on intimidating working men and women and attempting to shut them out of the political process. The Republican bill delivers yet another unwarranted and mean-spirited attack on the labor movement by erecting barriers to the political participation of working families and making it more difficult for them to exercise their fundamental right to join together to protect their interests. Furthermore, this legislation seeks to silence minority populations by establishing a "ballot integrity" pilot program in, certainly not by coincidence, the five states with the largest Hispanic populations.

Mr. Speaker, my colleagues and I were promised the opportunity to debate and vote on meaningful campaign finance reform during the 105th Congress. Instead, all we have seen are delays, stalling tactics and tricks designed to place the blame for failing to enact campaign reform on those who have gone to the line to press for its passage. I am confident that my constituents, and the American public, will see this sham for what it is and will instead reward the efforts of those who have continued to work against the odds in the hopes that someday this tainted system can again be a source of pride for all of us.

Mr. MALONEY of Connecticut. Mr. Speaker, I am a strong supporter of campaign finance reform. I firmly believe that we must work to end the money chase and put power back in the hands of voters, not special interests. The political process should be a competition of ideas, not of checkbooks.

To this end, I am a co-sponsor of H.R. 493, the Shays-Meehan legislation which is the companion bill to the McCain-Feingold legislation introduced in the Senate, and also a co-sponsor of the Bipartisan Campaign Integrity Act of 1997, legislation introduced by both Democratic and Republican members of the current freshman class of Congress. In addition, I am one of 187 signatories to the discharge petition to force comprehensive campaign finance legislation to the floor for a vote.

Along with many of my Democratic colleagues, I have also signed two letters to Speaker GINGRICH and Chairman SOLOMON of the House Rules Committee to urge a fair and open bipartisan debate on campaign finance reform. Our Republican reform colleagues have also submitted similar letters to Speaker GINGRICH and Chairman SOLOMON.

Unfortunately, Republican Leadership has ignored our plea with its decision to bring bills today to the House floor under suspension of the rules, seriously jeopardizing their passage and tabling open discussion of campaign finance reform for the remainder of this Congress. For example, Republican Leadership is recommending passage of H.R. 3485 which would triple the amount of money individuals

may contribute to federal candidates and political parties.

Placing these bills on the suspension calendar effectively precludes free and open debate on these bills from occurring on the House floor, which would include the option of considering the Shays-Meehan/McCain-Feingold bills, comprehensive legislation which is supported by legislators on both sides of the aisle as well as by citizens groups serious about campaign finance reform.

This move on the part of the Republican Leadership reflects their desire to block the House from enacting true campaign finance reform and cheapens bipartisan efforts to address the concerns of American voters across the country who feel politics are unduly influenced by checkbooks. To restore voter confidence in the American electoral process, we need authentic, comprehensive campaign finance reform.

Reform-minded Republicans and Democrats alike have worked very hard to craft legislation that deals with the real issues behind campaign finance reform, such as banning soft money contributions and tightening up disclosure requirements. Partisan Republican Leadership should not be allowed to defeat our efforts with transparent political posturing such as bringing disingenuous legislation to the floor in the name of campaign finance reform.

Mr. EWING. Mr. Speaker, I rise today in support of the four bills on the floor to reform our campaign finance system. While I am a cosponsor of H.R. 2183, The Bipartisan Campaign Integrity Act of 1997, the legislation on the floor today would make many needed improvements. The campaign finance system needs to be reformed in order to improve public confidence and accountability in the system. The investigations of campaign finance abuses during the 1996 presidential campaign only serves to further the public's distrust and cynicism of our election system. However, new laws would not have prevented many of these abuses from occurring—the abuses occurred despite the laws already on the books. We need to ensure that the opportunity to violate the law is as limited as possible, and that when the law is broken, the responsible parties are swiftly punished. Today's debate is an important step in strengthening our democracy, and ensuring that continued violations of campaign finance laws are stopped.

While reform measures can benefit our political process, we must be careful not to compromise the free speech constitutional rights of voters, candidates and other participants in the system. I am concerned that some of the reform proposals seek to adopt public financing of congressional campaigns. Some measures advocate free television advertising for candidates, an unwarranted provision that is inevitably intended to lead to eventual taxpayer-funding of national elections. Further, legislation has been introduced which prohibits any PAC contributions to federal candidates, a very likely unconstitutional provision which would remove citizen's constitutionally guaranteed rights to free speech and to support groups that participate in public advocacy.

The campaign finance abuses that we have witnessed over the last few years could be all but eliminated by adopting two reform measures, and Congress has the opportunity to do just that today. The first is to ban the use of soft money by state and national political parties and federal candidates, and to ban the transfer of soft money between state and political parties. Unlike hard money (which can legally be accepted by a candidate or used by a party for political advocacy), soft money is raised outside the federal limits on campaign contributions, and can be used for such events like party building and voter registration drives, which were abused during the last election cycle. The current controversies over illegal fundraising activities by the administration focus almost entirely on abuses in raising soft money. Soft money is not subject to any donation limits, meaning corporations, labor unions, and wealthy individuals can donate massive amounts of money to political parties, completely unregulated by the Federal Election Commission.

We also need to adopt measures requiring complete and immediate disclosure of campaign donations. Implementing a full disclosure policy will ensure that the public has quick access to candidates' campaign activities, which would also have greatly curbed the fundraising abuses of the last presidential campaign. The Campaign Reform and Election Integrity Act we are considering requires all contributions that a campaign receives within the last 20 days of an election to be reported within 24 hours, requires mandatory electronic filing for campaign committees which raise or spend more than $50,000, and prohibits a candidate from accepting cash contributions greater than $100. Further, the bill takes steps to curb the use of "push polls" by requiring a disclaimer on who is paying the expenses of a federal election poll and requires that the contributions and expenditures for non-publicized polls of more than 1,200 people and conducted within 90 days of the election to be reported to the FEC.

Congress has the opportunity to adopt rules that will require a corporation or labor union to obtain the written and voluntary consent of their employees or union members before removing from their pay any portion of their wages for political purposes. These reform measures also prohibit campaign contributions from individuals who are not United States citizens. Also, "issue advocacy" is a practice that has been prone to abuse, and the Campaign Reform and Election Integrity Act requires disclosure of all contributions and expenditures for communications that identify a federal candidate or political party within 90 days of the election.

We have the opportunity today to ban soft money, mandate full disclosure of campaign spending, require workers' consent to use their dues for political purposes, and ban noncitizen contributions to political campaigns. While we will never be able to eliminate the possibility of campaign abuses occurring, today's legislation would put in place campaign finance reforms that will greatly reduce the chance of future abuses, and that will make it extremely difficult to hide abuses of campaign law. Congress is faced with the task of reforming our campaign funding system so that public confidence in our democratic system is strengthened, but that at the same time protects citizens' basic constitutional free speech rights.

Mr. FAWELL. Mr. Speaker, today we are considering legislation which addresses in part the issue of union dues being taken from workers without their consent and spent on activities which have nothing to do with legitimate collective bargaining activities.

I rise to point out that H.R. 1625, the Worker Paycheck Fairness Act, which the Committee on Education and the Workforce favorably reported to the House November 8, 1997, after six hearings the past two years in my Employer-Employee Relations Subcommittee, addresses the issue of compulsory union dues from a different perspective.

While H.R. 3485 would amend federal election campaign law to require written consent of employees before funds could be taken from their paychecks to fund political activities, H.R. 1625 is a free-standing federal statute, also requiring written consent, but which focuses on the union security agreement, contains tough enforcement measures, provides for notice and disclosure to workers, and prohibits unions from retaliating against those exercising their rights under the statute. It is my hope that the House will consider H.R. 1625 later this year, perhaps in June, when the State of California will be voting on a similar initiative in its drive for fairness.

Indeed, decades ago Congress granted unions as extraordinary power—the power to require employees to give financial support to unions as a condition of employment. This mandate is called a union security agreement, and such agreements are currently legal in 29 states. Simply put, a union security agreement forces a worker to pay an agency fee to the union, or the worker has no right to work. The reason I introduced H.R. 1625 is because unions are diverting wages from employees working under such security agreements and spending it on activities having nothing to do with a union's legitimate activities.

In the six hearings I chaired on this issue during the past two Congresses, we heard from worker after worker telling us one thing they wanted from their union: "Give me the respect,' they all said, 'of asking me for my permission before you spend my money for purposes unrelated to your union obligations.' Yes, most of these employees were upset over finding out their hard-earned dollars were being funneled into political causes or candidates they did not support. However, these employees supported their union and still overwhelmingly believe in the value of organized labor. A number of them were stewards in their union. All they want is to be able to give their consent before their union spends their money on activities which fall outside collective bargaining activities and which subvert their deeply held ideas and convictions.

At its simple core, H.R. 1625 is about common sense and basic fairness. It is not about trying to silence unions or interfere with the role they play in the political process. In fact, nothing in H.R. 1625 keeps unions from spending their money exactly as they currently do.

What H.R. 1625 does is grant to workers, union members and non-members alike, the ability to give their consent to unions before they direct workers' funds into activities that are not "core" union functions. H.R. 1625 is about implementing the spirit of the Supreme

Court's Beck decision nearly a decade ago, which held that workers cannot be required to pay for activities beyond legitimate union functions. It is about the freedom of all men and women to make individual and informed choices about the political, social or charitable causes they support.

H.R. 1625 also requires employers whose employees are represented by a union to post a notice telling workers of their right under this legislation to give their prior consent. It also amends the Labor-Management Reporting and Disclosure Act of 1959 to ensure that workers will know what their money is being spent on. Under this change, unions will have to report expenses by "functional classification" on the LM-forms they are currently required to file annually with the Department of Labor. This change was proposed by the Bush administration in 1992 but was done away with by the Clinton administration. H.R. 1625 also puts real enforcement into place, as those whose rights are violated would be entitled to double damages and attorney's fees and costs—similar to relief available under the Family and Medical Leave Act.

Finally, H.R. 1625 includes a common employment law provision making it illegal for a union to retaliate against or coerce anyone exercising their consent rights. This provision is intended to overrule the Fourth Circuit's 1991 Kidwell decision, a case arising under the Railway Labor Act, which has been interpreted by some to hold that a union can kick a member out of the union for exercising his or her Beck rights. H.R. 1625 applies to all employees—union members and non-members alike—and under it unions may not discriminate against any worker for giving, or not giving, their consent.

Some say the current system is working fine and no changes are needed because workers already have the right under the Supreme Court's Beck decision to opt-out of paying non-collective bargaining fees under a union security agreement. To them I say two things. First, the current system absolutely is not working. As my six hearings have shown, individuals attempting to exercise their rights under current law often face incredible burdens, including harassment, coercion, and intimidation. Second, no one would argue that just because the Supreme Court has issued decisions regarding racial or gender discrimination, or on the rights of handicapped children to a quality public education, that Congress was somehow precluded from passing legislation addressing due process concerns guaranteeing such rights. The current system is badly broken, and it is our responsibility to fix it.

It is my strong belief that equity and fairness in the area of compulsory union dues would become a reality under H.R. 1625, and it is my hope that the House of Representatives will consider this legislation this June.

Mr. HINOJOSA, today we are scheduled to debate what is purported to be campaign finance reform. If only that were the case. Sadly, it is not.

When I ran for this office I said I wanted to see substantive change. I, in fact, co-sponsored a bipartisan bill to bring about such change. It is a measure which would ban soft money and take the biggest of the big money out of the political system. It would replace unregulated, million dollar contributions with limited, hard money contributions. It also would require advocacy groups to disclose their identify and expenditures when they run advertisements to affect a political race. Tough new candidate disclosure provisions are also part of the bill.

But what is before us today does not bear any semblance to this solid package. What is before us is a bill that locks average citizens out of the political process, and gives even greater influence to big money contributors. Americans want less money in politics, not more.

Simply put, this bill is not genuine campaign finance reform. And what is even more onerous is that this bill has been placed on the suspension calendar, a procedural tactic effectively blocking the House from having a free and open debate that allows consideration of alternative measures. I have brought with me an article printed in this past Saturday's New York Times which I would like to have inserted into the CONGRESSIONAL RECORD elaborating on this sham, and which I find to be nothing less than a total disregard for public interest.

The opportunity that should be before us today is one to make the system better. That is what the public wants and that is what we need to do. However, the legislation before us will do nothing more than preserve the status quo. It is egregious, to say the least. That is why I cannot vote for this package. The status quo must be changed and I will continue to fight instead for real campaign reform, so that Congress responds to the needs of all Americans, not just those who are able to contribute the most money.

HOUSE G.O.P. SHIFTS ON CAMPAIGN BILLS VOTE SET FOR NEXT WEEK, BUT NOT ON THE MAIN BIPARTISAN PROPOSAL

(By Steven A. Holmes)

WASHINGTON, March 27.—Abruptly shifting gears, the House Republican leadership announced today that it would take up four campaign finance bills on Monday—but not the main bipartisan bill, which would not be allowed to the floor.

The four measures would be considered on a special calendar under which they could not be amended and would require a nearly insurmountable two-thirds vote to pass. These rules are usually reserved for noncontroversial legislative items like resolutions honoring a group or an individual.

The announcement was made by Representative Dick Armey, the Texas Republican and majority leader, and was the latest twist in efforts to overhaul campaign finance. Democrats and some moderate Republicans responded with indignation.

Among them was Representative Martin T. Meehan, the Massachusetts Democrat who is co-sponsoring the bipartisan bill with Representative Christopher Shays, Republican of Connecticut.

"I cannot believe the total disregard for the public interest that we have seen this afternoon," Mr. Meehan said, "It's an absolute outrage. I have never seen it this bad before."

In November, Speaker Newt Gingrich, hoping to secure enough votes from Republican centrists to adjourn the House, promised a vote on campaign finance legislation by the end of March. In announcing plans to vote on the four bills, Mr. Armey said the Republican leadership was fulfilling the commitment made by Mr. Gingrich, a Georgia Republican.

Christina Martin, his press secretary, explained the decision this way: "Today, in an elected leadership meeting, it became clear that there were a number of members who had informed their constituents that there would be a vote on campaign finance before Easter, regardless of their stance on the issue. Therefore, they wanted the promise fulfilled."

House Republican leadership is fiercely opposed to the Shays-Meehan proposal, which is similar to one sponsored in the Senate by John McCain, an Arizona Republican, and Russell D. Feingold, a Wisconsin Democrat. The House bipartisan proposal would restrict so-called issue ads, which often skirt campaign rules by focusing on candidates, and ban the unlimited and unregulated donations that corporations, unions and individuals give to political parties for general activities, not for specific candidate elections.

The Shays-Meehan bill would not have gained the two-thirds vote to pass if it had been included on the special calendar. But the Republican decision to exclude the bill in the package to be voted on next week eliminated not only the possibility of a test vote showing that it could obtain a majority but also campaign television commercials singling out Republicans who voted against the Shays-Meehan proposal.

The Republican leadership's maneuver provoked the unusual scene on the House floor today as Democrats stepped back to allow some Republicans to direct sharp questions at their own leaders.

For several minutes, Mr. Shays mordantly questioned Mr. Armey on how he could call the new approach a fair and open debate. To question Mr. Armey, Mr. Shays had to ask the opposition Democrats to yield some of their speaking time. Each time he made the request, the Democrats complied, producing the legislative version of holding Mr. Shays's coat while he did the fighting.

"I yield to the gentleman from Connecticut," Representative Vic Fazio, Democrat of California, said eagerly as Mr. Shays pressed the majority leader. "I'm more than happy to yield."

The House leadership's maneuver came just a day after the Republicans abandoned their plans to vote this week on campaign legislation. The vote was put off because enough Republicans were leaning toward the Shays-Meehan bill that it threatened to pass on a procedural motion. The Republican rebellion showed that the bill could very likely have achieved a majority.

But the decision to kill any vote on campaign finance until after the House recess, which begins next mid-week, did not sit well with some members of the Republican leadership, said senior aides. Some Republicans did not want to be left vulnerable to criticism from Democrats and some moderate Republicans.

Thursday's decision provoked a group of conservative Democrats to press a petition that would allow a number of campaign finance bills, including the Shays-Meehan proposal, to be considered. The petition is about 30 signatures short of the necessary 188 needed to bring it to the floor.

One of the Democrats, Scotty Baesler of Kentucky, said he wanted "to challenge those who say they are for campaign reform to fish or cut bait."

Although Mr. Shays and Mr. Meehan cannot block the leadership's plans for Monday, they signaled that it would bolster the efforts by Mr. Baesler and others to collect enough signatures for the petition.

Mr. Shays offered this assessment: "I think every Democrat and every reform-minded Republican would want to sign a discharge petition that allows for a free and open debate on campaign."

Of the four bills to be considered on Monday, one would ban the national political parties from receiving the unlimited donations to the national political parties, known as soft money, but would still allow state parties to use such contributions for Federal candidates. The bill includes a number of other elements that are certain to provoke opposition from Democrats.

The second bill would prohibit noncitizens from contributing to political campaigns. The third bill, which is opposed by Democrats but embraced by many Republicans, would require labor unions to seek permission from members to spend their dues on political activity. The fourth bill, which might receive a two-thirds majority, would expand reporting and disclosure requirements for campaign contributions.

Mr. KIND. Mr. Speaker the campaign finance reform legislation we are considering today, and the process by which we reached this point is a complete sham and a fraud. The Republican leadership of the House of Representatives is engaged in a purely partisan attempt to kill campaign finance reform. As was illustrated by the debate last Friday, the scheduling of this bill took place without any consultation with the Democrats or even with moderate Republicans who are committed to reform. With the scheduling of reform under "Suspension of the Rules", which requires the support of 2/3 of Congress to pass, it is guaranteed that campaign reform will fail.

It is clear that a bipartisan majority of this House supports campaign finance reform. The delay of the vote from last week, and now the parliamentary tricks the leadership is using today, show the lengths the Republican leadership will go to kill campaign finance reform.

For the past year I have worked with my fellow freshman members on the Bipartisan Campaign Finance Reform task force. Our group came up with a strong, bipartisan bill that had no poison pills. No one from our group was consulted in scheduling this vote. Representatives CHRIS SHAYS and MARTY MEEHAN have been working in a bipartisan manner for more than three years to craft a campaign finance reform bill. They were not consulted in scheduling this vote. The members who are committed to changing the status quo have been shut out by the leadership in favor of those who want to increase the amount of money in the campaign system.

For the second time this year, the will of the majority to pass meaningful campaign finance reform has been denied. In the U.S. Senate, a majority of Senators supported the McCain-Feingold reform bill, but because of a Senate rule, 60 votes were needed to pass the bill. Now in the House, through the creative use of legislative tactics, the leadership is on its way to defeating reform legislation.

Mr. Speaker, it is time to end this deception and allow an honest vote on campaign finance reform. The House Republican leadership's attempts to deny the will of the majority and kill campaign finance reform is a black mark on this House. The only way to restore the faith of the public in their elected officials is by reforming our broken system. This is a sad day for our democratic process.

Mr. SERRANO. Mr. Speaker, I rise to express my outrage at the manner in which the Republican leadership has decided to bring campaign reform to the House floor and my opposition to the bills we are considering tonight.

Mr. Speaker, despite the well-remembered handshake with the President in New Hampshire, despite promises last fall that the House would have a full, fair debate this spring on reforming the way political campaigns are financed, the process your side has contrived goes in the opposite direction. Procedures that were designed to speed passage of non-controversial legislation are being bent to prevent passage of any meaningful reform.

Under the suspension procedures the Republicans have decided to use, each of the four bills being presented today will receive only twenty minutes of debate on each side. None can be amended unless by the bill's manager. To pass, each must gain two-thirds of the votes, not the usual majority, making passage virtually impossible.

Moreover, even though there is visible bipartisan interest in campaign finance reform, and even though several bipartisan bills have been introduced, the content of the four bills comes entirely from the Republican side. Democrats were simply not part of the process.

H.R. 3582, the so-called "Campaign Reform and Election Integrity Act", is far and away the worst bill of the bunch because it contains so many outrages. It is appropriate that the Republicans call this "Campaign Reform" instead of "Campaign Finance Reform", because it would vastly increase—double or even triple—the amounts of money that wealthy special interests could pour into political campaigns and political parties.

At the same time, its Worker Gag Rule provisions would silence working men and women by making union political activity subject to an expensive and cumbersome approval process. And political activity is defined so broadly that it would even keep unions from educating their members about legislation that could directly affect their health, safety, pensions, or bargaining rights.

It would continue the Republicans' recent string of immigrant-bashing measures in two ways:

It would prohibit non-citizen legal residents from contributing to federal campaigns—which, since they cannot vote, is the only way they can exercise their First Amendment rights and participate in the political system. I'm not aware of any legal barrier to felons contributing to candidates, although a candidate might think twice about accepting such a contribution. But legal permanent residents, who work, pay taxes, serve in the military, and spend their lives under our laws, would be silenced by this bill.

Moreover, the bill would establish a voter citizenship verification pilot program in the five states with the largest immigrant populations—a provision explicitly designed to harass and intimidate Hispanic and other ethnic voters by threatening would-be voters who look or sound "foreign" with investigation. It certainly can't be intended to actually verify anyone's citizenship, because the Immigration and Naturalization Service (INS) and the Social Security Administration (SSA) have said their records and databases are not complete or up-to-date enough to be used for that purpose. it can only be meant to intimidate and suppress minority voters.

Mr. Speaker, these are only a couple of the flaws in this bill, but the bottom line is that the process is outrageous. Members of this House, and the people we represent, have the right to full and open debate and votes on the range of proposals for reforming the campaign finance system. This is not that debate and the major reform proposals are left entirely out.

I intend to vote against all of these bills tonight and I will work to win the 218 signatures needed to free the discharge petition that would bring the various campaign finance reform proposals to the floor. I urge my colleagues to vote against these bills and to sign the discharge petition so we can finally engage in fair and open debate, with votes, on meaningful campaign finance reform.

Mr. DINGELL. Mr. Speaker, in one of the most outrageous, cynical, and arrogant displays I have seen in my long service in the Congress the Republican leadership put the bill H.R. 3485, the Campaign Reform Election Integrity Act, on the floor today under suspension of the rules.

This procedure allows no amendments, and only forty minutes of debate.

This is one of the most important issues in the Nation today.

Americans are being alienated by the deluge of money entering our political system and being alienated from their government and our political system by practices they believe are corrupting our entire political system.

I cannot and will not vote for bad legislation protected by a gag rule and outrageous procedure, without opportunity for either debate or amendment.

The SPEAKER pro tempore (Mr. FOLEY). All time has expired.

The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and pass the bill, H.R. 3582.

The question was taken.

Mr. THOMAS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

□ 2000

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FOLEY). Pursuant to clause 5 of rule I, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order:

H.R. 3581, by the yeas and nays;

H.R. 34, by the yeas and nays;

H.R. 2608, by the yeas and nays; and H.R. 3582, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

CAMPAIGN REFORM AND ELECTION INTEGRITY ACT OF 1998

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3581.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and pass the bill, H.R. 3581, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 74, nays 337, answered "present" 1, not voting 18, as follows:

[Roll No. 81]

YEAS—74

Archer
Bachus
Ballenger
Bartlett
Bass
Bryant
Buyer
Camp
Campbell
Castle
Chambliss
Coburn
Cook
Duncan
Ehrlich
English
Ewing
Fawell
Fowler
Fox
Frelinghuysen
Gilchrest
Gillmor
Goss
Granger
Greenwood
Gutknecht
Hansen
Hayworth
Herger
Hill
Hilleary
Horn
Hulshof
Hutchinson
Kasich
Kingston
Kolbe
Livingston
Lucas
McCollum
McKeon
Metcalf
Mica
Miller (FL)
Petri
Porter
Pryce (OH)
Radanovich
Rogan
Rohrabacher
Roukema
Salmon
Sanford
Scarborough
Schaefer, Dan
Sensenbrenner
Shadegg
Shimkus
Shuster
Smith (MI)
Souder
Spence
Sununu
Tauzin
Taylor (NC)
Thomas
Thornberry
Upton
Watkins
Weldon (FL)
Weldon (PA)
Weller
White

NAYS—337

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Armey
Baesler
Baker
Baldacci
Barcia
Barr
Barrett (NE)
Barrett (WI)
Barton
Bateman
Becerra
Bentsen
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bunning
Burr
Burton
Callahan
Calvert
Canady
Capps
Carson
Chabot
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Collins
Combest
Condit
Conyers
Costello
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Emerson
Engel
Ensign
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Fazio
Filner
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (NJ)
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilman
Goode
Goodlatte
Goodling
Gordon
Graham
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hefley
Hefner
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Hostettler
Houghton
Hoyer
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Klug
Knollenberg
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Pomeroy
Portman
Poshard
Price (NC)
Quinn
Rahall
Ramstad
Redmond
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogers
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer, Bob
Schumer
Scott
Serrano
Sessions
Shaw
Shays
Sherman
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Talent
Tanner
Tauscher
Taylor (MS)
Thompson
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Velázquez
Vento
Visclosky
Walsh
Wamp
Watt (NC)
Watts (OK)
Waxman
Wexler
Weygand
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

ANSWERED "PRESENT"—1

Kim

NOT VOTING—18

Bereuter
Bliley
Cannon
Cardin
Coble
Cooksey
Cox
Gonzalez
Hunter
Jefferson
McCarthy (MO)
Payne
Rangel
Riggs
Royce
Solomon
Waters
Yates

□ 2219

Mrs. CUBIN, and Messrs. GIBBONS, PICKERING, EVERETT, RYUN, WICKER, BARRETT of Nebraska, and RILEY changed their vote from "yea" to "nay."

Messrs. FOX of Pennsylvania, SMITH of Michigan, and WELDON of Pennsylvania changed their vote from "nay" to "yea."

So (two-thirds not having voted in favor thereof) the motion was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FOLEY). Pursuant to the provisions of clause 5, rule I, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on each additional motion to suspend the rules on which the Chair has postponed further proceedings.

ILLEGAL FOREIGN CONTRIBUTIONS ACT OF 1998

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 34, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and pass the bill, H.R. 34, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 369, nays 43, answered "present" 1, not voting 17, as follows:

[Roll No. 82]

YEAS—369

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Capps
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coburn
Collins
Combest
Condit
Conyers
Cook
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Dickey
Dicks
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing

Fawell
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hulshof
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kennedy (MA)
Kennelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McDade
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Meehan
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Moakley
Moran (KS)
Moran (VA)
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Rothman
Roukema
Rush
Ryun
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Traficant
Turner
Upton
Vento
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Young (AK)
Young (FL)

NAYS—43

Becerra
Berman
Davis (IL)
Diaz-Balart
Dingell
Dixon
Doolittle
Ehlers
Farr
Fattah
Fazio
Filner
Gutierrez
Hoyer
Jackson-Lee (TX)
Johnson, E. B.
Kaptur
Kennedy (RI)
Lofgren
Martinez
McDermott
McKinney
Meek (FL)
Meeks (NY)
Mink
Mollohan
Morella
Murtha
Oberstar
Pelosi
Pombo
Ros-Lehtinen
Roybal-Allard
Sabo
Scott
Serrano
Skaggs
Torres
Towns
Velázquez
Watt (NC)
Waxman
Wynn

ANSWERED "PRESENT"—1

Kim

NOT VOTING—17

Bereuter
Bliley
Cannon
Cardin
Coble
Cooksey
Gonzalez
Hunter
Jefferson
McCarthy (MO)
Payne
Rangel
Riggs
Royce
Solomon
Waters
Yates

□ 2226

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PAYCHECK PROTECTION ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2608.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and pass the bill, H.R. 2608, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 166, nays 246, answered "present" 1, not voting 18, as follows:

[Roll No. 83]

YEAS—166

Archer
Armey
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bilbray
Bilirakis
Blunt
Boehner
Bonilla
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Chabot
Chambliss
Christensen
Collins
Combest
Cook
Cox
Crane
Cubin
Cunningham
Deal
DeLay
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehrlich
Emerson
Ensign
Everett
Ewing
Fawell
Fossella
Fowler
Frelinghuysen
Gallegly
Ganske
Gibbons
Gilchrest
Gillmor
Gingrich
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson, Sam
Jones
Kasich
Kingston
Klug
Knollenberg
Kolbe
Largent
Latham
Lewis (CA)
Lewis (KY)
Linder
Livingston
Lucas
Manzullo
McCollum
McCrery
McInnis
McIntosh
McKeon
Mica
Miller (FL)
Moran (KS)
Myrick
Nethercutt
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Peterson (PA)
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Radanovich
Ramstad
Redmond
Riley
Rogan
Rogers
Rohrabacher
Roukema
Ryun
Salmon
Sanford
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Souder
Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (MS)
Thomas
Thornberry
Thune
Tiahrt
Upton
Wamp
Watkins
Watts (OK)
Weldon (FL)
White
Wicker
Wolf
Young (FL)

NAYS—246

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Bachus
Baesler
Baldacci
Barcia
Barrett (WI)
Bass
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Capps
Carson
Castle
Chenoweth
Clay
Clayton
Clement
Clyburn
Coburn
Condit
Conyers
Costello
Coyne
Cramer
Crapo
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehlers
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Foley
Forbes
Ford
Fox
Frank (MA)
Franks (NJ)
Frost
Furse
Gejdenson
Gephardt
Gilman
Gordon
Green
Greenwood
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Horn
Houghton
Hoyer
Jackson (IL)
Jackson-Lee (TX)
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
LaFalce
LaHood
Lampson
Lantos
LaTourette
Lazio
Leach
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McDade
McDermott
McGovern
McHale
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Neumann
Ney
Northup
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pappas
Pascrell
Pastor
Paul
Pease
Pelosi
Peterson (MN)
Petri
Pickett
Pomeroy
Poshard
Price (NC)
Quinn
Rahall
Regula
Reyes
Rivers
Rodriguez
Roemer
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schumer
Scott
Serrano
Sherman
Shimkus
Sisisky
Skaggs
Skelton
Slaughter

Smith (NJ)
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Taylor (NC)
Thompson
Thurman
Tierney
Torres
Towns
Traficant
Turner
Velázquez
Vento
Visclosky
Walsh
Watt (NC)
Waxman
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wise
Woolsey
Wynn
Young (AK)

ANSWERED "PRESENT"—1

Kim

NOT VOTING—18

Bereuter
Bliley
Cannon
Cardin
Coble
Cooksey
Gekas
Gonzalez
Hunter
Jefferson
McCarthy (MO)
Payne
Rangel
Riggs
Royce
Solomon
Waters
Yates

□ 2233

So (two-thirds not having voted in favor thereof) the motion was rejected.

The result of the vote was announced as above recorded.

CAMPAIGN REPORTING AND DISCLOSURE ACT OF 1998

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3582.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and pass the bill, H.R. 3582, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 405, nays 6, answered "present" 1, not voting 18, as follows:

[Roll No. 84]

YEAS—405

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Capps
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coburn
Collins
Combest
Condit
Conyers
Cook
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Moran (KS)
Moran (VA)
Morella
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryun
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velázquez
Vento
Visclosky
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—6

Dingell
Martinez
Mollohan
Murtha
Sabo
Shadegg

ANSWERED "PRESENT"—1

Kim

NOT VOTING—18

Archer
Bereuter
Bliley
Cannon
Cardin
Coble
Cooksey
Gonzalez
Hunter
Jefferson
McCarthy (MO)
Payne
Rangel
Riggs
Royce
Solomon
Waters
Yates

□ 2239

Mr. GILLMOR and Mr. McINTOSH changed their vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. McCARTHY of Missouri. Mr. Speaker, on rollcalls no. 81, on HR 3581, Campaign Reform & Election Integrity Act; 82, on HR 34, Illegal Foreign Contribution Act; 83, on HR 2608, the Paycheck Protection Act; 84 and on HR 3582, the Campaign Reporting and Disclosure Act.

I was absent due to respiratory illness.

Had I been present, I would have voted no on rollcall 81, yes on rollcall 82, no on rollcall 83, and yes on rollcall 84.

UTAH VICTORY OVER NORTH CAROLINA TARHEELS

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

Mr. COOK. Mr. Speaker, I am delighted to stand here and to recount the Utah victory last Saturday night over the North Carolina Tarheels. It gives me particular great pleasure because just a year ago I was forced to wear all day the cap of the Chicago Bulls when a bet of mine went sour with my colleague and good friend, the gentleman from the State of Illinois (Mr. JACKSON). But tonight I get to stand here; and my very good friend, the gentleman from the State of North Carolina (Mr. PRICE), is wearing the Utah red and acknowledging his loss to the bet we had last week.

Mr. PRICE of North Carolina. Mr. Speaker, if the gentleman will yield, I have to say red is not normally my color. I usually prefer a light shade of blue. But the outcome of Saturday's game between the University of Utah and the Tarheels of North Carolina has forced me to alter my wardrobe this evening.

I do want to thank my friend and colleague, the gentleman from Utah (Mr.

COOK), for the T-shirt. Make sure we see it. This may be the last time, though, it is seen on me. I am not the only Tarheel politician seeing red today. I believe the Governor, a United States Senator, many others were run over by the Rick Marjerus-led Utes last Saturday.

In North Carolina, of course, we are very proud of our school and players. I mostly feel bad for my colleague from Utah because he missed out wearing that fine light blue T-shirt I had for him. But I hope Saturday's victory is a source of some consolation.

Mr. COOK. Mr. Speaker, reclaiming my time, I want to thank very much the gentleman from North Carolina and just to say, as I left the cloakroom just a few minutes ago before this last vote, Utah was ahead by almost six points, on the verge of winning the national championship; and I have to tell him that all day today I searched for someone from the Kentucky delegation to take me up on a bet. I thank my colleague. Go Utah.

Mr. PRICE of North Carolina. Well, my colleague certainly beat a highly regarded Carolina team. We are real proud of that team, led by Coach of the Year Bill Guthridge. The Tarheels ended their season with 34 wins and just four losses, a great year by any measure.

So I will save this T-shirt for next year. I will suggest that it would be a fine fit, that blue T-shirt for my colleague or anyone else after next season.

□ 2245

I say to the gentleman from North Carolina, I hope he enjoyed today. I know he is doing real well right now, not doing too badly at the moment as that Kentucky game moves on. But Carolina blue is not the only blue that can cause you trouble. Good luck.

PERSONAL EXPLANATION

Mr. BERRY. Mr. Speaker, unfortunately because of the tragedy in the district that I represent, I missed rollcall votes numbers 79 and 80 on Friday, March 27, 1998.

Had I been present, I would have voted "no" on rollcall vote number 79. Had I been present, I would have voted "yes" on rollcall vote number 80.

GENERAL LEAVE

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the four bills just debated, H.R. 3581, H.R. 34, H.R. 2608, and H.R. 3582.

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

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON SMALL BUSINESS

The SPEAKER pro tempore (Mr. SHIMKUS) laid before the House the following resignation as a member of the Committee on Small Business:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 30, 1998.

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

DEAR MR. SPEAKER: I hereby resign from the House Committee on Small Business.

Sincerely,

MARION BERRY,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3060

Mr. WATTS of Oklahoma. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of the bill, H.R. 3060.

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

QUESTIONS REGARDING CHINESE EXPORT OF MISSILES AND NUCLEAR TECHNOLOGY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, earlier this year I stood in this Chamber and expressed my concern regarding the administration's certification that China had provided clear and unequivocal assurances that it was not either directly or indirectly assisting nonnuclear weapon states, and the states that I used as an example were Pakistan and Iran, in the acquisition of nuclear explosive devices. I had pointed out that this was the first time in 12 years that a U.S. President had granted such a certification.

Mr. Speaker, last Thursday, the administration officials in China reaffirmed their claim that China had kept its pledge. They had accepted the Chinese assurances that they have not helped Iran build nuclear weapons. They were, however, concerned about Chinese missile sales to Tehran. They also declined to discuss a foiled plan by a Chinese firm to sell Iran a chemical that could be used in the enrichment of uranium for nuclear weapons.

Sources have said that the meeting between the administration and the Chinese Government was to work out an agreement to give China access to Washington's more advanced missile technology if the Chinese agree not to export missiles to Iran and Pakistan.

Mr. Speaker, I must express tonight my concern regarding statements made by the administration regarding nuclear technology and China. As many Members of this body are aware, China is a major supplier of weapons of mass destruction, nuclear and missile technology.

When the United States and China signed an accord in 1985 to allow American firms to export nuclear technology to China, Members of Congress were concerned over China's sales of nuclear weapons technology to third countries. In response, Congress quickly passed legislation to require the President to first certify that China has not sold or transferred nuclear technology to countries that are not subject to inspection by the International Atomic Energy Agency.

In granting the certification, the Clinton Administration has chosen to overlook China's recent transfer of nuclear technology to unregulated nuclear facilities in Pakistan and Iran. The administration has accepted so-called assurances by Beijing that it would cancel or postpone indefinitely several projects, especially secret nuclear facilities in Pakistan and a uranium conversion facility in Iran, as the basis for the U.S. granting the certification.

Earlier this year, the Congressional Research Service stated that China may be continuing to violate its commitment to abide by international nuclear proliferation guidelines. Yet, the administration continues to overlook CIA findings that the Chinese have sold 5,000 ring magnets to Pakistan for its uranium enrichment facility. The ring magnets were transferred to a laboratory in Kahuta, Pakistan. The facility in Kahuta is named after the founder of Pakistan's nuclear weapons program. I would like to note that ring magnets are used for the building of nuclear weapons.

The administration has overlooked a CIA report that described the Chinese sale of special industrial furnace and high-tech diagnostic equipment to Pakistan. The furnace and diagnostic equipment have dual use and can be used to melt plutonium and uranium for nuclear weapons.

Paul Levanthal of the Nuclear Control Institute said that the United States should be on the lookout for China providing Pakistan with heavy water to start up a military plutonium production reactor at Khushab.

Mr. Speaker, I would like for the administration to outline the Chinese policy on controlling sales of missile technology. Unfortunately, they cannot. As several sources have correctly

pointed out, the Chinese have not established export controls that meet the international standards.

Despite the foiled Chinese plan and Mr. Levanthal's concerns regarding the sale of heavy water to Pakistan, the administration continues to look the other way. The administration will continue to support China's export of technology and ballistic and missile components to Pakistan.

The administration is willing to approve China's continued support of Pakistan's commitment to build a plutonium production reactor and a plutonium reprocessing plant. These facilities are essential for a nuclear weapons program. Despite the repeated protests by Members of this body, China continues to assist Pakistan in building a sophisticated nuclear arsenal. Unfortunately, this nuclear arsenal is not subject to international inspection.

I would like to remind my colleagues that Pakistan is not a member of the International Atomic Energy Agency and bans investigators from several of its nuclear facilities.

Members of this body have supported, and at times insisted, that China receive U.S. peaceful nuclear technology only if China halts all nuclear exports to nations with unregulated nuclear facilities. Last year, a letter was sent to President Clinton by Members of this body stating that China has not earned or behaved in a manner that warrants such certification.

The Arms Control and Disarmament Agency's annual report to Congress stated that while the administration could not stipulate a violation, questions remain about contacts between Chinese entities and elements associated with Pakistan's nuclear weapons program.

Last week I cosigned a letter with Members from both sides of the aisle, authored by the chairman of the Committee on International Relations, the gentleman from New York (Mr. GILMAN), that urged the President to prevent the delivery of reactors and nuclear technology to China. Many of my colleagues share the same concerns that I have outlined today. We are concerned that the Chinese Government has not held true to its promise.

Many of my colleagues share the same concerns that I have outlined today. We are concerned that the Chinese Government has not held to its promises in stopping the spread of its own technology to countries that are trying to develop nuclear weapons.

Mr. Speaker, the Members of this body have continued to send a message that we will not turn our heads away and accept the Chinese nuclear weapons relationship with Pakistan and Iran. We cannot accept the assurances made by the Chinese government when it has failed to be a responsible member of the international nuclear proliferation community.

HISTORIC PRESIDENTIAL VISIT TO AFRICA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, the last couple of days I had the honor of joining the President of the United States in a very historic visit to the continent of Africa. For those of us who care very much for this emerging relationship, let me applaud the President and the First Lady for making the larger statement, the viability of Africa as a world partner, both socially and as well as economically.

The President's journey to Ghana, Uganda, Rwanda, South Africa, Botswana and Senegal, albeit a small portion of the 53 nations of the continent and certainly of sub-Saharan Africa, counting 48, was not only symbolic, but meaningful and filled with substance for the world as well as this Nation.

The coverage by our media that followed and saw fit to respond and report on this story overall symbolizes the changing attitude about Africa. The front page or cover story on Time Magazine and the commentators from local news around the Nation showed our country willing to learn more about Africa and willing to accept Africa for what it is, a brilliant continent, rich in history and great in its future.

It was important that my local station, Channel 13, traveled all the way to South Africa to cover this historic journey. My local paper, the Houston Chronicle, carried a series day after day on the President's visit and the importance of its opening the doors of opportunity and economic opportunity as far away as Houston, Texas.

I was very pleased to have the opportunity one on one to discuss in meetings with business persons, both Americans doing business in South Africa and Africa, and African companies who wanted to extend the opportunity to do business in the United States.

I was encouraged by the attitude. I was greatly encouraged by the interest in Houston's port, and as well the noted recognition of the amount of business already done with our Houston port and the availability of doing more business with our port.

I was very much involved in discussing the ability of capital financing for joint ventures between businesses in the United States, particularly in Houston, particularly minority and small businesses, and South African businesses, and talking with business persons and owners of companies in South Africa that would provide for the financing of many of our small and minority businesses to engage in the right kind of successful business opportunities.

I am likewise very much encouraged by the potential opportunity for direct air routes to West Africa from Houston and other parts in the United States, and as well the recognition by the United States in making sure that our foreign policy is not trade instead of aid, but trade and aid, that we have the ability to respond to the great need of infrastructure, building and rebuilding, as well as the great health needs, particularly involved in the HIV ravaging epidemic in Africa.

Let me also pay special tribute to Alma Brown, who joined us in celebrating the opening of the Ron Brown Commercial Center in Johannesburg, South Africa. Her eloquent words and tribute to her late husband, Secretary Ron Brown, highlighted the importance of his legacy and message, joined by President Clinton and Secretary Daley and Congressman RANGEL, that we all must be committed to economic enhancement.

But needless to say, we must recognize the doors that were opened by Ron Brown's commitment to Africa and recognition of the kind of partner it can be on the world stage.

Let me say that this was not only an economic trip or a trip that would promote businesses and cooperative efforts between Africa and the United States of America, but it was one for social justice. With the visiting of Robin Island as well as the visiting of Soweto and Johannesburg, acknowledging the killing of young Mr. Peterson, 12 years old, in a 1976 uprising against apartheid, we knew full well the commonality between those of us of African American decent and our African brothers and sisters in the fight for social justice.

It was quite appropriate for our President to speak up eloquently on what slavery did to both continents and how in fact it enslaved all of us and how wonderful it was that we must move forward in the future, to never be shackled again by human bondage.

□ 2300

With that in mind it was very important that we spoke in Rwanda, as I close, Mr. Speaker, about the abuses in Sudan and other places in Africa against human rights. We must stand for human rights around the world.

All in all, Mr. Speaker, this was an outstanding effort to raise up the bonding between Africa and the United States, and I believe it is only a start and we must continue to work together to make it a reality.

YUCCA MOUNTAIN MUST BE DISQUALIFIED AS A SITE FOR REPOSITORY OF DEADLIEST MATERIAL EVER MADE BY MAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nevada (Mr. GIBBONS) is recognized for 5 minutes.

Mr. GIBBONS. Mr. Speaker, the proponents of storing nuclear waste in Nevada suffered a huge setback last week

when scientists from the California Institute of Technology and Harvard University reported that the strain in the Earth's crust near Yucca Mountain makes it at least 10 times more prone to earthquakes and lava flows than government scientists previously estimated.

The study commissioned by the Nuclear Regulatory Commission concluded that the ground around Yucca Mountain could stretch more than 3 feet over the next 1,000 years. While this may not sound like a great deal of movement, this distance is a distance that would easily crush any canister of nuclear waste buried there, exposing a wide area including the water table of the Southwest to deadly radioactivity and pollution.

When the original criteria for a long term nuclear storage site was created, the Environmental Protection Agency ruled that any site that would be stable for 10,000 years would be appropriate for a high-level nuclear waste dump. However, now this latest data shows that the ground around Yucca Mountain will not be stable for even one-tenth of that time. It is a sure bet though, if we give the U.S. Department of Energy a scientific reason to doubt the wisdom of storing high-level waste at Yucca Mountain, the agency will simply ignore the findings.

Nevada ranks third in the Nation for current seismic and earthquake activity. Earthquake databases indicate that since 1976 there have been 621 seismic events of a magnitude greater than 2.5 within a 50-mile radius of Yucca Mountain. The most notable event that occurred this period was a earthquake with a magnitude of 5.6 that occurred in 1992.

Now, the mountain ranges and valleys in the Yucca Mountain area are a result of millions of years of intense faulting and volcanism. With 33 earthquake faults and more than 30 earthquakes a year, Yucca Mountain is not geologically safe. Any nuclear accident at Yucca Mountain could send invisible but deadly radioactive dust across the Nation, contaminating everyone and everything in its path, since the winds blowing across the country move from West to East.

Mr. Speaker, on December 1997 an incident occurred near Kingman, Arizona in which a truck carrying radioactive waste had leaked from one of its nuclear waste containers. The nuclear waste canister leaks proved that transporting this refuse poses a real threat to our children and our communities. DOE's previous statement and guarantees made about the safety of transporting nuclear waste are now clearly irrelevant.

Their findings confess to four reasons why this incident occurred. First, containers were used for shipping after design flaws were identified in earlier container failures. Second, lack of understanding of the properties of the waste, specifically that excess free liquid would form during transportation. Third, lack of formality and rigor in contractor oversight between DOE Fernald and DOE Nevada. And finally, fourth, failure to provide the appropriate attention and oversight to these shipments because of the relatively low potential threat to public health and safety.

Acting Assistant Secretary for Environmental Management Jim Owendoff stated, "We are troubled by lapses in contractor management and DOE oversight, especially because problems with the containers had been identified on previous occasions."

These canister leaks were not caused by an accident or other large catastrophe. The Accident Investigation Board concluded that stress fractures caused the leaks in the shipping containers and were widened by vibration and wear associated with normal highway transport. Yet the DOE would have us believe that canisters that cannot withstand highway travel are impervious to earthquakes and other natural disasters.

When looking ahead to the possibility of canisters carrying high-level nuclear waste to Yucca Mountain, Nevada, canisters that carry 10 times the long-lived radiation that the bomb on Hiroshima released, citizens across this country must be protected, and cannot be threatened and endangered by canister leaks caused by simple highway vibrations.

Yucca Mountain must be disqualified as a site for a temporary or a permanent repository for the deadliest material ever made by man. The Department of Energy cannot safely transport nuclear waste, and this Congress wants to store the refuse in the third most active earthquake area in the United States.

Mr. Speaker, it becomes apparent that the lives of our constituents and their communities depend on the decisions we make on this floor. I encourage all Members and the American people to learn the true science surrounding this issue, for our children and their future depend on it.

THIS IS NOT THE END OF CAMPAIGN FINANCE REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FARR) is recognized for 5 minutes.

Mr. FARR of California. Mr. Speaker, I notice the gentleman from Nevada, who is just leaving the room, arrived here almost 12 hours ago and began the session today. It is now ended, we are in special orders, and it has been quite a day.

This was the day we were supposed to deal with substantive debate on campaign finance reform. It is now 11 p.m. in the Nation's Capital. As I speak, here in the East they are watching the last minute of the national collegiate basketball championships. We have Members, as you heard earlier, that came back from Africa today; we had Members that spent the day in New Mexico. It has been quite a day.

But I think what is so shocking to me and to many other people who spoke today is that today, with all of these other activities, was the day we were going to try to adopt in this House a comprehensive campaign finance reform bill, and we had votes on bills. There were four bills up today. They were under extraordinarily difficult procedures. No amendments were allowed, no Democratic bills, there were not bipartisan bills on the floor. A vote was taken on the Republican bill, H.R. 3581, and that vote, I think after you heard the comments, people were not surprised that that bill because what it did was, it did not do campaign reform.

It tripled the total Federal limit from $25,000 to $75,000 that can be given to a campaign, it tripled the party contributions from $20,000 to $60,000, and it doubled the individual, which under present law is $1,000, and would increase it to $2,000. I think what this body saw was by putting more money into campaigns you cannot call that campaign finance reform.

And so this House in an overwhelming bipartisan effort rejected that bill brought here by the leadership of the House, brought here with the idea that this was going to be the most substantive bill on campaign reform, and as the vote was tallied tonight you saw that it got 74 votes in favor of it and 337 votes against it and one abstention.

I think that the tragedy is that, perhaps for a lot of people leaving tonight in frustration, was that now that we have been there and done that, that campaign finance reform is over. I hope not. The issue started in this House. It started when the President of the United States came and, Mr. Speaker, spoke right in front of the podium you are now at and asked this House to give him a complete, comprehensive campaign finance reform bill in a timely fashion. We missed the deadlines, we missed any action last year on the bill, and now we have a vote that has rejected a bad bill.

Let us hope that that is not the end. Let us hope that we can do several things. One is regroup, because I think the public is going to be outraged by this action tonight and bring to the floor a true bipartisan bill or all the bills, and allow all of them that were not discussed here today to be voted on. We can do that by signing the discharge petition, and I hope my colleagues have; I know I have and many others have.

But let us bring a bill that does some reform. This bill tonight had no cap or

no limit on what you could spend; it had no ban on soft money. What was passed in the House were noncontroversial issues, essentially saying that you have to be a United States citizen to contribute to a campaign. I am very curious that a House that has been so concerned about unfunded mandates would pass such a comprehensive law, requiring the FEC to monitor the nationality and the citizenship of everybody who contributes to a campaign either in kind or by money, because that is going to be very difficult to do, very difficult to enforce.

And so I think what we have passed here tonight is another huge unfunded mandate which may cripple the FEC, the Federal Elections Commission.

The other thing we did was to pass a bill that says let us file reports in a timely fashion electronically, and obviously that had overwhelming support. But this, my colleagues, is not campaign finance reform. Campaign finance reform has not been voted on by the House of Representatives, we have not dealt with the issue in a substantive way, we have not had a bipartisan bill on the floor, and, Mr. Speaker, as I close I hope that you will convey to your leader that we may have had a day discussing some bad bills, but we have not yet dealt with campaign finance reform.

RECESS

The SPEAKER pro tempore (Mr. SHIMKUS). Pursuant to clause 12 of rule I, the Chair declares the House in recess, subject to the call of the Chair.

Accordingly (at 11 o'clock and 12 minutes p.m.), the House stood in recess, subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DREIER) at 12 o'clock and 48 minutes a.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3579, EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 1998

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 105-473) on the resolution (H. Res. 402) providing for consideration of the bill (H.R. 3579) making emergency supplemental appropriations for the fiscal year ending September 30, 1998, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 10, FINANCIAL SERVICES ACT OF 1998

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 105-474) on the resolution (H. Res. 403) providing for consideration of the bill (H.R. 10) to enhance competition in the financial services industry by providing a prudential framework for the affiliation of banks, securities firms, and other financial service providers, and for other purposes, which was referred to the House Calendar and ordered to be printed.

OMISSION FROM THE CONGRESSIONAL RECORD OF TUESDAY, MARCH 24, 1998

A PORTION OF THE FOLLOWING SPECIAL ORDER WAS INADVERTENTLY OMITTED

RELIGIOUS FREEDOM

The SPEAKER pro tempore (Mr. LEWIS of Kentucky). Under the Speaker's announced policy of January 7, 1997, the gentleman from Oklahoma (Mr. ISTOOK) is recognized for 60 minutes.

Mr. ISTOOK. Mr. Speaker, I am thankful for the opportunity to address an extremely significant issue that relates to our schools, that relates to some of our most cherished principles as citizens of the United States of America and that unfortunately involves things which the courts of the United States have thrust upon the people despite the unwillingness of the people, in fact despite great concern and opposition by the public.

This relates, Mr. Speaker, to the matter of what happens in our public schools. It relates to the practices that have gone on for generations upon generations in this country involving prayer in public bodies, in particular, in our schools.

I am not talking about this just to be talking about it, Mr. Speaker. I am doing it because we are going to have an opportunity in the next few weeks here in the House of Representatives to vote on correcting what the courts in the United States have done, what the U.S. Supreme Court has done in its bans and restrictions and prohibitions on the practice of simple prayers being offered at public school. That particular legislation is the Religious Freedom Amendment, House Joint Resolution 78. I am privileged to be the principal sponsor of it. There are over 150 Members of this body who are sponsors as well. I would like to share with my colleagues the text of that. The Religious Freedom Amendment is very simple and straightforward and tries to return us to what were bedrock principles of this country until the Supreme Court began undercutting those principles some 36 years ago. The text is very straightforward and reads as follows as an amendment to the U.S. Constitution:

> To secure the people's right to acknowledge God according to the dictates of conscience, neither the United States nor any State shall establish any official religion, but the people's right to pray and to recognize their religious beliefs, heritage or traditions on public property, including schools, shall not be infringed. Neither the United States nor any State shall require any person to join in prayer or other religious activity, prescribe school prayers, discriminate against religion or deny equal access to a benefit on account of religion.

It is simple and it is straightforward. It states that just as the constitutions of every single State in this country state, we believe in the people's right to acknowledge God, and expressly mentions Him, as the constitutions of the States do. No official religion, but not these restrictions that are put on prayer and positive expressions of religious faith but that are not applied to other forms of speech.

Why is religious speech singled out for discrimination? Mr. Speaker, in 1962, the U.S. Supreme Court ruled that even when participation was voluntary and even if it was some sort of nonsectarian prayer, it was unconstitutional, they said, for school children to join together in a prayer in their classroom. That was followed by other Supreme Court decisions, Stone v. Graham in 1980, in which the U.S. Supreme Court said that the Ten Commandments could not be displayed on the walls of a public school. Mr. Speaker, I would note that that decision came out of your home State of Kentucky because it was Kentucky schools that had the practice. Groups would make copies of the Ten Commandments available and they would be hung with other important documents as the source of law as well as the source of spiritual guidance.

I notice, Mr. Speaker, here in the Chamber of this House as I am facing and as the Speaker faces from the Speaker's dais, right there is the visage of Moses looking down on this Chamber, the great lawgiver who brought down from Mount Sinai the Ten Commandments which cannot be displayed in public schools. The U.S. Supreme Court says it is unconstitutional.

They went beyond that. They ruled in a case that came out of Pennsylvania, they ruled that a nativity scene and also a Jewish menorah could not be placed on public property during the holiday season unless right up there next to it you put nonreligious emblems, like plastic reindeer and Santa Claus and Frosty the Snowman. They had to be balanced. But, Mr. Speaker, I have never heard of any community that is required if they want to put out Santa Claus that they have to balance him with a nativity scene or a menorah or whatever it may be. It seems to be a one-way street.

The U.S. Supreme Court kept going. They had the case in 1985 of Wallace v. Jaffree. It came out of Alabama. Alabama had a law that said you can have a moment of silence to start the day at school, a moment of silence. The U.S.

Supreme Court ruled that was unconstitutional, because one of the permitted uses of that moment of silence was to enable students to have a silent prayer, and thus they said the whole moment of silence is even unconstitutional. And then a case upon which I would like to elaborate in 1992. By a 5–4 decision, the case of Lee v. Weisman out of Rhode Island, the U.S. Supreme Court ruled a prayer at a school graduation to be unconstitutional. It was a prayer that was offered by a Jewish rabbi. The court held it was unconstitutional.

All of these things, Mr. Speaker, are what the Supreme Court has done to twist and distort and undermine our First Amendment, the very first right mentioned in the First Amendment, Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof. Now, without even getting into the point of whether a school is creating an act of the Congress, and we are kind of two different bodies at two different levels, but to say that they are ignoring the part of the Constitution that says you do not prohibit the free exercise of religion, because what the Court did, Mr. Speaker, in all of these cases is to say that having a prayer or the Ten Commandments or a moment of silence or a nativity scene or a menorah, that that was the same as creating an official church. How absurd. An official church created just because you have a prayer? We open sessions of this Congress with a prayer. The House and the Senate, just like legislative bodies all around the country, be it State legislatures or city councils or private groups, Chamber of Commerce meetings, Kiwanis Club, Rotary Club, PTA meetings, people commonly open those things with prayer, just as we do here in Congress. It is normal. It does not make us a church just because we have a prayer. But the Supreme Court says, "Oh, you have a prayer at school and you're turning the school into a church." Therefore, they ignore the free exercise clause of the Constitution.

We have been living under this for 36 years. The only way that we are going to be able to fix this is with the religious freedom amendment, to straighten out the courts, by saying that the things they have said are somehow wrong are indeed, as the American people believe, right.

I said I wanted to focus on a particular case. That was the case in 1992 of Lee v. Weisman. What I would like to do, Mr. Speaker, is in different evenings during these special orders in talking about the Religious Freedom Amendment, I think it is important to dissect and to help Members of this body as well as the general public to understand what the courts said so that we can understand the necessity of correcting it with the Religious Freedom Amendment. After all, that has been the method that we have used to correct Supreme Court decisions ever since the 1800s in America, including, for example, Supreme Court decisions such as the Dred Scott decision that were trying to uphold the practice of slavery. We made sure that it was outlawed.

Mr. Speaker, looking at the Lee v. Weisman case, and I would note, it is a 5–4 decision of the U.S. Supreme Court. Had one justice, just one of the nine justices of the U.S. Supreme Court gone the other way, we would not have this same problem when it comes to being able to have a prayer at a school graduation. Yet because one justice would not go the other way, we have to get two-thirds of the House of Representatives, two-thirds of the Senate to approve a constitutional amendment, and of course then it has to be ratified by the legislatures in three-fourths of the States, all because by a margin of 5–4 the Supreme Court made this ruling.

This was a very strange ruling, Mr. Speaker, because the Supreme Court rested the whole decision on the notion that to expect someone during a prayer is psychological coercion that the majority of the Supreme Court equated with the same as using compulsion on someone to have a particular religion just because at this graduation the students were expected to be respectful, not only respectful of the prayer offered by the rabbi but respectful of the other speakers, respectful of the people as they came in as a group, as part of this graduation, respectful of the other people in attendance. But, oh, if it was respect for the rabbi's prayer, oh, there the Supreme Court said, "Well, you can't expect people to be respectful of religion. After all, they may disagree." Okay. I disagree with many of the things said on the floor of this House. That does not mean that I have a right to silence and to censor the people who may say it. It is common in everyday life. In all sorts of settings, we hear things with which we disagree. That does not give us the right to censor and silence people. But this notion of political correctness which has been extended into schools is saying, "Oh, but my goodness, if somebody doesn't like it, let's see if we can find an excuse to silence them," and they twist and distort the First Amendment to make it anti-religious instead of positive toward religion and use that as an excuse to silence people. Let us look at this decision. The decision came down from the U.S. Supreme Court June 24, 1992. The justices who said that this prayer at a school graduation was unconstitutional were Justices Kennedy, Blackmun, Stevens, O'Connor and Souder. Dissenting and, boy, did they dissent in very clear terms, dissenting were Justices Scalia, Rehnquist, the Chief Justice, White, and Thomas.

I am looking at the Supreme Court decision and for people that look up these things and want to look up the reference, which is called the citation, it is cited as 505 U.S. 577. That is 505 United States Reports, page 577. As the Court wrote, and Justice Kennedy wrote the opinion for the majority and a lot of organizations got involved in this, and I am glad to say, Mr. Speaker, by the way, that most of those who were arguing in favor of the graduation prayer are also supporters of the religious freedom amendment. The prayer actually happened in 1989. The Supreme Court took 3 years to make its decision. But it was a public school, Nathan Bishop Middle School in Providence, Rhode Island. There was a 14-year-old girl who was one of the graduates of middle school, her name was Deborah Weisman. At the time she was about 14 years old. Now, it was the policy in the schools and the superintendent to permit principals to invite members of the clergy to give invocations and benedictions. Often, it was not always but often they chose to make these part of the graduation ceremonies.

□ 2230

The objector in this case was Deborah Weisman and her father Daniel Weisman. The school principal invited a Jewish rabbi to offer the prayer. The rabbi's name was Leslie Gutterman, and he was from the Temple Beth El in Providence, Rhode Island.

Now these were the two prayers that he offered Mr. Speaker, which the Supreme Court held were unconstitutional, and I think people can decide for themselves if they think there is something offensive here. The invocation offered by Rabbi Gutterman was as follows:

> God of the free, hope of the brave, for the legacy of America where diversity is celebrated and the rights of minorities are protected, we thank You. May these young men and women grow up to enrich it. For the liberty of America, we thank You. May these new graduates grow up to guard it. For the political process of America in which all its citizens may participate, for its court system where all may seek justice, we thank You. May those we honor this morning always turn to it in trust. For the destiny of America, we thank You. May the graduates of Nathan Bishop Middle School so live that they might help to share it. May our aspirations for our country and for these young people who are our hope for the future be richly fulfilled. Amen.

So the invocation by Rabbi Gutterman even praised the very courts which later said that he violated the Constitution in doing so.

Then there is the benediction that the rabbi offered at the close of the graduation. These were the words that he pronounced:

> O God, we are grateful to You for having endowed us with a capacity for learning which we have celebrated on this joyous commencement. Happy families give thanks

for seeing their children achieve an important milestone. Send Your blessings upon the teachers and administrators who helped prepare them. The graduates now need strength and guidance for the future. Help them to understand that we are not complete with academic knowledge alone. We must each strive to fulfill what You require of us all, to do justly, to love mercy, to walk humbly. We give thanks to You, Lord, for keeping us alive, sustaining us and allowing us to reach this special happy occasion. Amen.

That was the benediction offered by Rabbi Gutterman which again the U.S. Supreme Court, because someone chose to find it offensive, the U.S. Supreme Court ruled it unconstitutional.

Now in this, Mr. Speaker, do you notice the case was brought by and on behalf of one student?

Now the Court does not tell us clearly just how big the class was. It was evidently, from other comments you know, a good-size graduating class from this middle school.

No one else joined in the court case to say I also object, just one student, and that is part of the problem with the standard, the erroneous standard that has been created by the Supreme Court. If one person objects, everyone else is censored. In fact, they have even said even if nobody does object, the possibility that somebody could object is enough to make us say that you should not have prayers at school graduations or prayers at the start of the school day.

Since when, Mr. Speaker, does something have to be unanimous before we can say it under free speech in the USA? And why should we restrict religious speech?

But let me get back to what Justice Kennedy wrote for this five—four-Court majority. He mentioned

> * * * the parties stipulate attendance at these graduations is voluntary, and they also note the students stood for the Pledge of Allegiance, and then they remained standing for the rabbi's prayers,

and the court wrote that they assume that there was a respectful moment of silence just before and just after the prayers, but despite that, the rabbi's two prayers probably did not last much beyond a minute each, if even that much.

Now the school board, and by the way the United States of America through the Solicitor General's Office, sided with the school board. The Solicitor General filed a brief on behalf of the school. The school board argued that the short prayers and others like it are of profound meaning to many students and parents throughout the country. As Justice Kennedy noted, they consider that

> * * * due respect and acknowledgment for divine guidance and for the deepest spiritual aspirations of our people ought to be expressed at an event as important in life as graduation.

Now first the plaintiffs, the Weismans, asked for a court injunction to stop the prayer from taking place. The court said we do not have time before the graduation, did not grant the injunction. They maintained the suit after the prayers were given, the court made the decision, oh, it should not have happened, it was unconstitutional, and they held, of course, a violation of the first amendment. They issued a permanent injunction against the school system there in Providence, Rhode Island, saying you are permanently enjoined, do not do this again, do not have one of these horrible prayers at school graduation.

Of course, I do not think it is horrible, I think it is normal. But the court held that it was unconstitutional, and on appeal the U.S. Court of Appeals agreed with the district court, as ultimately the U.S. Supreme Court did.

Now Justice Kennedy wrote, well, even though attendance is voluntary at graduation it is really kind of obligatory because you expect students to want to be at their graduation. And they found a lot of criticism with the fact that the actual invitation to the rabbi, rather than coming maybe from a student body officer or something like that, the fact that the invitation was extended by the principal of the school, the Supreme Court thought that was very significant. Now I do not know how that affected necessarily the nature of the prayer that the rabbi gave, but the rabbi was given a copy of different guidelines for civic occasions. And that was the name of the document, Guidelines for Civic Occasions, that the principal gave him and said, I hope your prayers are going to be nonsectarian. And, as the Court said, well, that was a State effort to control the prayer.

Now imagine that. They say we hope that you will offer a prayer that will be as acceptable as possible to people, and the Court says that is the same as controlling the content.

And then the Court went on to say that it is unconstitutional for the government to try to suggest that a prayer seek common ground. Really, they really said that. This is what Justice Kennedy wrote, these are his words:

> If common ground can be defined which permits one's conflicting faiths to express the shared conviction that there is an ethic and morality which transcends human invention, the sense of community and purpose sought by all decent societies might be advanced. But though the First Amendment does not allow the government to stifle prayers which aspire to these ends, neither does it permit the government to undertake that task for itself.

I find it very interesting, Mr. Speaker, that Justice Kennedy says the first amendment does not allow the government to stifle prayers, and yet that is what the Supreme Court did in this very case. They stifled the prayers. They said that it may have happened that time but do not let us catch you doing it again.

Then Justice Kennedy said, "Let's look at the position of the students, both those who desired the prayer and she who did not."

Now that is interesting, it is in the plural. Those who desired the prayer, that is plural; and "she," one person who did not want the prayer to occur.

Justice Kennedy wrote:

> To endure the speech of false ideas or offensive content and then to counter it is part of learning how to live in a pluralistic society, a society which insists upon open discourse towards the ends of a tolerant citizenry. Against this background, students may consider it an odd measure of justice to be subjected during the course of their education to ideas deemed offensive and irreligious, but to be denied a brief formal prayer ceremony that the school offers in return.

Now, I am glad he noticed that. It does seem strange, Mr. Speaker, all the things that happen in schools, all the things that are advanced as part of school curriculums that so many people find distasteful and objectionable, whether it be things that relate to evolution, some people find offensive same-sex marriages, rainbow curriculums, a lot of the things that are done in public schools today that offend a great many people. But we are told we have to learn to live in a pluralistic society except when it comes to a situation such as a prayer, and then we are told, oh no, tolerance does not go that far, tolerance does not dictate that we listen to or respect religious expression on public property.

Here was the linchpin of what Justice Kennedy wrote. He went on to say:

> The undeniable fact is that the school district's supervision and control of a high school graduation ceremony places public pressure as well as peer pressure on attending students to stand as a group or at least maintain respectful silence during the invocation and benediction. This pressure, though subtle and indirect, can be as real as any overt compulsion.
>
> Of course, in our culture, standing or remaining silent can signify adherence to a view or simple respect for views of others, and no doubt some persons who have no desire to join a prayer have little objection to standing as a sign of respect for those who do. But for the dissenter of high school age who has a reasonable perception that she is being forced by the State to pray in a manner her conscience will not allow, the injury is no less real. What matters is that, given our social conventions, a reasonable dissenter in this milieu could believe that the group exercise signified her own participation or approval of it.

Notice what Justice Kennedy said. People, by standing, do not indicate that they are agreeing with the prayer. People, by being quiet and respectful, that does not necessarily mean that they are joining in the prayer, becoming participants in it. But because one individual might think that that is the same as participating in a prayer in which they did not want to join, therefore you cannot have it.

You can teach people, you can teach our children at school, and I sure hope

they do, Mr. Speaker. You can teach them to be tolerant and respectful and courteous about other things, but not to be respectful of religion or of prayer.

Justice Kennedy wrote further:

It is, we concede, a brief exercise during which the individual can concentrate on joining its message, meditate on her own religion, or let her mind wander. But the embarrassment and the intrusion of the religious exercise cannot be refuted by arguing that these prayers are of de minimis character. To do so would be an affront to the rabbi who offered them.

Can you understand that, Mr. Speaker? The Supreme Court ruled that we cannot say that it was just a minimal intrusion, because otherwise it would be insulting the rabbi, so instead of insulting the rabbi by saying that maybe there is somebody in the audience that did not want to hear the prayer, the Supreme Court says let us insult the rabbi by just saying you violated the Constitution.

□ 2245

What a remedy. They say that they knocked out the prayer to avoid insulting the rabbi who offered the prayer.

It is really hard for me, Mr. Speaker, to follow this psychological coercion test that Justice Kennedy and the majority of the Supreme Court wrote about in this decision. I think it is much more fruitful to look at what the four Justices wrote when they dissented, that being Justices Scalia, Chief Justice Rehnquist, Justice White, and Justice Thomas.

This is what they wrote countering what the Supreme Court had done. I would like to advise you, Mr. Speaker, that it is the philosophy that was voiced by four Justices of the U.S. Supreme Court in this dissent; it is that philosophy which is embodied in the Religious Freedom Amendment. In fact, in other cases impinging upon religious freedom, there were dissents filed by other Justices of the Supreme Court.

We have taken to heart what they said, and what they believe is the proper interpretation of the Constitution and I think what the American people believe is the proper interpretation. We have sought to incorporate that in the religious freedom amendment upon which we will soon be voting.

So let us look then at what these four Justices wrote through Justice Scalia. Talking about the majority ruling, they wrote:

As its instrument of destruction, the bulldozer of social engineering, the Court invents a boundless and boundlessly manipulable test of psychological coercion; lays waste a tradition that is as old as public school graduations themselves, and that is a component of an even more long-standing American tradition.

Today's opinion shows more forcibly than volumes of argumentation why our Nation's protection, that fortress which is our Constitution, cannot possibly rest upon the changeable, philosophical predilections of the Justices of this Court, but must have deep foundations in the historic practices of our people.

They went on to discuss, Mr. Speaker, some of the historic practices of prayer in public settings. As they wrote,

* * * the history and tradition of our Nation are replete with public ceremonies featuring prayers of thanksgiving and petition.

In his first inaugural address, after swearing his oath of office on a Bible, George Washington deliberately made a prayer part of his first official act as President. Such supplication has been a characteristic feature of inaugural addresses ever since.

Thomas Jefferson, for example, prayed in his first inaugural address. In his second inaugural address, Jefferson acknowledged his need for divine guidance and invited his audience to join his prayer.

Reading further from the Court dissent,

* * * similarly, James Madison, in his first inaugural address, placed his confidence in the guardianship and guidance of that Almighty Being whose power regulates the destiny of nations.

Most recently, President Bush, continuing the tradition established by President Washington, asked those attending his inauguration to bow their heads and made a prayer his first official act as President.

Reading further from Justice Scalia,

* * * the day after the First Amendment was proposed, Congress urged President Washington to proclaim a day of public thanksgiving and prayer to be observed by acknowledging with grateful hearts the many and signal favors of Almighty God. President Washington responded by declaring Thanksgiving for November 26, 1789.

Reading further from the dissent in the Lee v. Weisman case,

* * * the other two branches of the Federal Government also have a long-established practice of prayer at public events. As we detailed in Marsh v. Chambers, congressional sessions have opened with a chaplain's prayer ever since the first Congress. And this Court's own sessions have opened with the invocation "God save the United States and this Honorable Court" since the days of Chief Justice Marshall.

In addition to this general tradition of prayer at public ceremonies, there exists a more specific tradition of invocations and benedictions at public school graduation exercises.

By one account, the first public high school graduation ceremony took place in Connecticut in July 1868, the very month, as it happens, that the Fourteenth Amendment was ratified, when 15 seniors from the Norwich Free Academy marched in their best Sunday suits and dresses into a church hall and waited through majestic music and long prayers.

As the Court acknowledges in describing the customary features of high school graduations, the invocation and benediction have long been recognized to be as traditional as any other parts of the school graduation program and are widely established.

Yet, Mr. Speaker, despite what 4 dissenting Justices were telling them in the words which I am reading to you, Mr. Speaker, despite that, just by a margin of 5 to 4, the Supreme Court said you should not have prayer at school graduations.

Now, these dissenting 4 Justices, Mr. Speaker, they turned their attention then to the argument, this psychological coercion argument that had been made by Justice Kennedy on behalf of the majority. Let me read you what they wrote about this.

According to the Court, students in graduation who want to avoid the fact or appearance of participation in the invocation and benediction are psychologically obligated by public pressure as well as peer pressure to stand as a group or at least maintain respectful silence during those prayers.

This assertion, the very linchpin of the Court's opinion, is almost as intriguing for what it is does not say as for what it says. It does not say, for example, that students are psychologically coerced to bow their heads, to place their hands in a prayerful position, to pay attention to the prayers, to utter amen, or in fact to pray.

It claims only that the psychological coercion consists of being coerced to stand or at least maintain respectful silence. That is all anybody was coerced to do. Nobody was required to join in a prayer. They were just expected to be respectful.

Mr. Speaker, it is a sad day when students in public schools are not taught to be respectful even, and perhaps especially, when somebody is saying or doing something with which they disagree.

The 4 dissenting Justices called the arguments of their 5 brethren "ludicrous." That is their word for it, ludicrous. But they wrote further,

* * * let us assume the very worst, that the nonparticipating graduate is suddenly coerced to stand. Even that does not remotely establish a participation or an appearance of participation in a religious exercise.

The Court acknowledges that in our culture, standing can signify adherence to a view or simple respect for the views of others. But if it is a permissible inference that one who is standing is doing so simply out of respect for the prayers of others, then how can it possibly be said that a reasonable dissenter could believe that the group exercise signifies her own participation or approval.

The opinion manifests that the Court itself has not given careful consideration to its test of psychological coercion. For if it had, how could it observe with no hint of concern or disapproval that the student stood for the pledge of allegiance which immediately preceded Rabbi Gutterman's invocation?

Does that not ring a bell, Mr. Speaker? Is that now how we open our sessions of this Congress? We stand together, and we say the Pledge of Allegiance to the flag that is draped behind you, Mr. Speaker, and a prayer is offered. The Supreme Court said that that simple pattern was unconstitutional in a public school setting.

Now, about this requirement of standing, which is the only thing that any student was asked, not compelled, but they said, well, it was coercion. It was coercion to expect him to stand, even though they were not forced to.

As Justice Scalia wrote in the dissent,

* * * if students were psychologically coerced to remain standing during the invocation, they must also have been psychologically coerced moments before to stand

for, and thereby, in the Court's view, to take part in or appear to take part in the Pledge of Allegiance. Must the Pledge, therefore, be barred from the public schools?

I mention that, Mr. Speaker, because there is another U.S. Supreme Court decision, it is 50 years old now, 50 years old this year, relating to the Pledge of Allegiance in public schools. I think, Mr. Speaker, that it incorporates the proper standard, whether you are talking about at the graduation or the classroom setting, the proper standard.

Because in that case, which came out of West Virginia, West Virginia versus Barnette, the U.S. Supreme Court said no child can be compelled to say the Pledge of Allegiance. That is fine with me, Mr. Speaker. I do not want to compel someone to say the Pledge of Allegiance if they do not wish to say it. But what the Court did not do was to say that, because one child objects or might object, therefore, they can stop the other children from saying the Pledge of Allegiance.

That ought to be the standard that applies to prayer, to voluntary prayer at public schools or at a school graduation. No one is compelled to participate. The Religious Freedom Amendment makes that explicit. You cannot require any person to join in prayer or other religious activity, but that does not give you the right to censor and silence those who do.

And as Justice Scalia noted here, does this mean that under this test that the Supreme Court applied to graduation prayer, now we are going to have to go back and ban the Pledge of Allegiance from our public schools? Because it is the same coercion to be respectful for that.

Mr. Speaker, it is long overdue that we correct decisions like this that have come from the U.S. Supreme Court, decisions that have used the First Amendment not as a shield of protection for religious freedom of the U.S.A., but as a weapon to stifle simple prayers, simple expressions of faith, whether it be at a school graduation or in a classroom.

Let me read some of the last words that were written by the 4 Justices who stood strong for our values and our traditions and dissented from this decision in Lee versus Weisman. Here is what they wrote in closing their decision or their dissent:

> The reader has been told much in this case about the personal interest of Mr. Weisman and his daughter and very little about the personal interests on the other side. They are not inconsequential. Church and State would not be such a difficult subject if religion were, as the Court apparently thinks it to be, some purely personal avocation that can be indulged entirely in secret, like pornography in the privacy of one's room. For most believers, it is not that and has never been.
>
> Religious men and women of almost all denominations have felt it necessary to acknowledge and beseech the blessing of God as a people and not just as individuals, because they believe in the protection of Divine Providence, as the Declaration of Independence put it, not just for individuals, but for societies.
>
> One can believe in the effectiveness of such public worship or one can deprecate and deride it, but the long-standing American tradition of prayer at official ceremonies displays with unmistakable clarity that the establishment clause does not forbid the government to accommodate it.
>
> Nothing, absolutely nothing * * *

the closing words of Justice Scalia,

> Nothing, absolutely nothing is so inclined to foster among religious believers of various faiths a toleration, no, an affection for one another than voluntarily joining in prayer together. No one should be compelled to do that, but it is a shame to deprive our public culture of the opportunity and, indeed, the encouragement for people to do it voluntarily.
>
> The Baptist or Catholic who heard and joined in the simple and inspiring prayers of Rabbi Gutterman on this official and patriotic occasion was inoculated from religious bigotry and prejudice in a manner that cannot be replicated.
>
> To deprive our society of that important unifying mechanism in order to spare the nonbeliever what seems to me the minimal inconvenience of standing or even sitting in respectful nonparticipation is as senseless in policy as it is unsupported in law.

□ 2300

We have had a lot of senseless decisions from the U.S. Supreme Court when it comes to prayer in public schools, at graduation, the ability to have the Ten Commandments displayed in public places, or a nativity scene, a menorah, or it might be an emblem of some other religious holiday at an appropriate time of celebration. But, Mr. Speaker, to strip away the history, the culture, the tradition, the beliefs, the faith and the heritage of the people of the United States of America, not by a joint decision of the people of this country, but by bare majorities or even a 9-to-0 decision of the U.S. Supreme Court, to tromp upon the beliefs and convictions of the people of this country is not justified by the First Amendment.

Mr. Speaker, I do not want to change the Constitution to fix this, but there is no other way, because the Supreme Court has already distorted our First Amendment, using it as a weapon against public expression of faith; using it to censor and to silence simple prayers of hope and faith by children in our schools.

The Religious Freedom Amendment, Mr. Speaker, addresses this, and we will be addressing it in the next few weeks. It has been approved by the Subcommittee on the Constitution; it has been approved by the House Committee on the Judiciary; it will be coming to this floor for a vote, to correct decisions such as this one and others of the U.S. Supreme Court.

I repeat, Mr. Speaker, a simple text, the Religious Freedom Amendment:

> To secure the people's right to acknowledge God according to the dictates of conscience. Neither the United States nor any State shall establish any official religion, but the people's right to pray and to recognize the religious beliefs, heritage or traditions on public property, including schools, shall not be infringed. Neither the United States nor any State shall require any person to join in prayer or other religious activity, proscribe school prayers, discriminate against religion, or deny equal access to a benefit on account of religion.

Religion is something that is good in this country. It has had a positive influence ever since it motivated the pilgrims to come to America and to found this Nation, because they sought religious freedom; they sought the protections that the Supreme Court would deny people today.

Mr. Speaker, I urge my colleagues to support the Religious Freedom Amendment. To those who have not joined the more than 150 cosponsors, I invite them to join and put their name on this amendment and join with us today in that. I hope that their constituents will call their offices and tell them they need to be supporting the Religious Freedom Amendment, they need to put their name on it. They need to be helping Congressman Istook and the others who are supporting this.

Mr. Speaker, this is something that is so vital because our cherished first freedom is being undercut by the Supreme Court that is supposed to be its guardian, and the Constitution sets up a system where if something goes wrong with interpretation of the Constitution, we offer an amendment, because we, Mr. Speaker, are charged to be the protectors of what the Founding Fathers intended, and the Religious Freedom Amendment helps us to provide that protection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. COBLE (at the request of Mr. ARMEY) for today and March 31 until 1 p.m., on account of official business.

Mr. CANNON (at the request of Mr. ARMEY) for today and the balance of the week, on account of the birth of his child.

Mr. BEREUTER (at the request of Mr. ARMEY) for today, on account of official business.

Mr. SOLOMON (at the request of Mr. ARMEY) for today, on account of official business.

Mr. BLILEY (at the request of Mr. ARMEY) for today, on account of official business.

Mr. YATES (at the request of Mr. GEPHARDT) for today, on account of physical reasons.

Mr. CARDIN (at the request of Mr. GEPHARDT) for today, on account of a death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. FOLEY) to revise and extend their remarks and include extraneous material:)

Mr. GIBBONS, for 5 minutes, today.

Mr. HUTCHINSON, for 5 minutes, today.

Mr. EWING, for 5 minutes each day, today and on March 31 and April 1.

Mr. KINGSTON, for 5 minutes each day, today and on March 31.

Mr. SMITH of Michigan, for 5 minutes each day, on March 31 and April 1.

(The following Members (at the request of Ms. JACKSON-LEE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. KLINK, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. FARR of California, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Ms. JACKSON-LEE of Texas) and to include extraneous matter:)

Mr. KIND.

Mr. MORAN of Virginia.

Mr. SKELTON.

Mr. KUCINICH.

Ms. LOFGREN.

Ms. DELAURO.

Mr. CLYBURN.

Mr. HINOJOSA.

Mr. TOWNS.

Mr. LEVIN.

Mr. FORD.

Mr. ANDREWS.

Mr. HALL of Ohio.

Mr. DINGELL.

Ms. SANCHEZ.

Ms. BROWN of Florida.

Mr. FROST.

Ms. EDDIE BERNICE JOHNSON of Texas.

(The following Members (at the request of Mr. FOLEY) and to include extraneous matter:)

Mr. HAYWORTH.

Mr. FAWELL.

Mr. BILBRAY.

Mr. FRANKS of New Jersey.

Mr. GILMAN.

Mr. ENSIGN.

Mr. FORBES.

Mr. EVERETT.

Mr. WOLF.

Mr. SOLOMON.

Mr. BALLENGER.

Mr. CASTLE.

Mr. HORN.

(The following Members (at the request of Mr. FARR of California) and to include extraneous matter:)

Ms. BROWN of Florida.

Mr. BECERRA.

ADJOURNMENT

Mr. GOSS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 50 minutes a.m.), under its previous order, the House adjourned until today, Tuesday, March 31, 1998, at 9:30 a.m. for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

8288. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Brucellosis in Cattle; State and Area Classifications; Florida [Docket No. 98-014-1] received March 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8289. A letter from the General Sales Manager and Vice President of Commodity Credit Corporation, Foreign Agricultural Service, transmitting the Service's final rule—Foreign Donation of Agricultural Commodities (RIN: 0551-0035) received March 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8290. A letter from the Director, Administration and Management, Department of Defense, transmitting the Department's final rule—Department of Defense Grant and Agreement Regulations (RIN: 0790-AG28) received March 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

8291. A letter from the Comptroller, Department of Defense, transmitting the Department of the Navy's plans to initiate a multiyear procurement for the AV-8B Harrier aircraft beginning in fiscal year 1998 and continuing through fiscal year 2001; to the Committee on National Security.

8292. A letter from the Assistant to the Board, Federal Reserve System, transmitting the System's final rule—Bank Holding Companies and Change in Bank Control; Clarification to the Board's Section 20 Orders [Regulation Y; Docket No. R-1010] received March 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

8293. A letter from the Administrator of National Banks, Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, transmitting the Office's final rule—Lending Limits [Docket No. 98-04] (RIN: 1557-AB55) received March 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

8294. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's final rule—Notice of a Final Funding Priority for Fiscal Years 1998-1999 for a Rehabilitation Engineering Research Center—received March 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8295. A letter from the Assistant Secretary for Children and Families, Department of Health and Human Services, transmitting the Department's final rule—Head Start Program (RIN: 0970-AB53) received March 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8296. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the semi-annual report for the period April 1, 1998 to September 30, 1998 listing Voluntary Contributions made by the United States Government to International Organizations, pursuant to 22 U.S.C. 2226(b)(1); to the Committee on International Relations.

8297. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Removal of Solvent Free Basis Calculation Requirement and Trace Quantity Exemption [Docket No. 980219044-8044-01] (RIN: 0694-AB66) received March 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

8298. A letter from the Chairman, Federal Reserve System, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1997, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform and Oversight.

8299. A letter from the Chairman, Merit Systems Protection Board, transmitting the Board's report entitled "The Changing Federal Workplace: Employee Perspectives," pursuant to 5 U.S.C. 1204(a)(3); to the Committee on Government Reform and Oversight.

8300. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Prevailing Rate Systems; Survey Order Month Change for Jefferson, New York, Nonappropriated Fund Wage Area (RIN: 3206-AI01) received March 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

8301. A letter from the Acting Assistant Secretary for Employment and Training, Department of Labor, transmitting the Department's final rule—Labor Certification Process for the Permanent Employment of Aliens; Researchers Employed by Colleges and Universities, College and University Operated Federally Funded Research and Development Centers, and Certain Federal Agencies (RIN: 1205-AB11) received March 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

8302. A letter from the Commissioner, Immigration and Naturalization Service, transmitting the Service's final rule—Fingerprinting Applicants and Petitioners for Immigration Benefits; Establishing a Fee for Fingerprinting by the Service; Requiring Completion of Criminal Background Checks Before Final Adjudication of Naturalization Applications (RIN: 11150-AF03) received March 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

8303. A letter from the Administrator, Foreign Agricultural Service, transmitting the Service's final rule—Modification of the Tariff-Rate Import Quota Licensing for Certain Cheeses From Hungary [7 CFR Part 6] received March 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8304. A letter from the Assistant Secretary for Import Administration, International Trade Administration, transmitting the Administration's final rule—Procedures for Conducting Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders [Docket No. 980313063-8063-01] (RIN: 0625-AA51) received March 19, 1998, pursuant

to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8305. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to provide the Secretary of Agriculture with the authority to pay employees of the Food Safety and Inspection Service working in establishments subject to the Federal Meat Inspection Act and the Poultry Products Inspection Act for overtime and holiday work perfomed by such employees at rates the Secretary deems appropriate; jointly to the Committees on Agriculture and Government Reform and Oversight.

8306. A letter from the Acting Assistant Secretary for Environmental Management, Department of Energy, transmitting the Savannah River Site Nuclear Material Stablization Activities report for fiscal year 1998, as requested in the Conference Report 105–27; jointly to the Committees on Commerce and Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Alaska: Committee on Resources. H.R. 2574. A bill to consolidate certain mineral interests in the National Grasslands in Billings County, North Dakota, through the exchange of Federal and private mineral interests to enhance land management capabilities and environmental and wildlife protection, and for other purposes (Rept. 105–471). Referred to the Committee of the Whole House on the State of the Union.

Mr. LEACH: Committee on Banking and Financial Services. H.R. 1151. A bill to amend the Federal Credit Union Act to clarify existing law and ratify the longstanding policy of the National Credit Union Administration Board with regard to field of membership of Federal credit unions; with an amendment (Rept. 105–472). Referred to the Committee of the Whole House on the State of the Union.

Mr. GOSS: Committee on Rules. House Resolution 402. Resolution providing for consideration of the bill (H.R. 3579) making emergency supplemental appropriations for the fiscal year ending September 30, 1998, and for other purposes (Rept. 105–473). Referred to the House Calendar.

Mr. SOLOMON: Committee on Rules. House Resolution 403. Resolution providing for consideration of the bill (H.R. 10) to enhance competition in the financial services industry by providing a prudential framework for the affiliation of banks, securities firms, and other financial service providers, and for other purposes (Rept. 105–474). Referred to the House Calendar.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 1778. Referral to the Committees on Commerce, Government Reform and Oversight, and Transportation and Infrastructure extended for period ending not later than March 31, 1998.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of Rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. THOMAS (for himself, Mr. CASTLE, Mr. HORN, and Mr. UPTON):

H.R. 3581. A bill to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for election for Federal office, and for other purposes; to the Committee on House Oversight.

By Mr. WHITE (for himself, Mr. THOMAS, Mr. GOODLATTE, Mr. PAXON, Mr. FRANKS of New Jersey, and Mrs. LINDA SMITH of Washington):

H.R. 3582. A bill to amend the Federal Election Campaign Act of 1971 to expedite the reporting of information to the Federal Election Commission, to expand the type of information required to be reported to the Commission, to promote the effective enforcement of campaign laws by the Commission, and for other purposes; to the Committee on House Oversight.

By Mr. WOLF:

H.R. 3583. A bill to amend the Internal Revenue Code of 1986 to increase the child tax credit to $1,000 for children under the age of 5 and to allow such credit against the alternative minimum tax; to the Committee on Ways and Means.

By Mr. BOSWELL:

H.R. 3584. A bill to delay the effective date of the final rule promulgated by the Secretary of Health and Human Services regarding the Organ Procurement and Transplantation Network; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CASTLE:

H.R. 3585. A bill to suspend temporarily the duty on Pigment Red 177; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 3586. A bill to suspend temporarily the duty on diclofop-methyl; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 3587. A bill to suspend temporarily the duty on piperonyl butoxide; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 3588. A bill to suspend temporarily the duty on tralomethrin; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 3589. A bill to suspend temporarily the duty on deltamethrin; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 3590. A bill to suspend temporarily the duty on thidiazuron; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 3591. A bill to suspend temporarily the duty on Triflusulfuron Methyl; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 3592. A bill to suspend temporarily the duty on resmethrin; to the Committee on Ways and Means.

By Mr. ENSIGN (for himself and Mr. GIBBONS):

H.R. 3593. A bill to improve the ability of small businesses, Federal agencies, industry, and universities to work with Department of Energy contractor-operated facilities, and for other purposes; to the Committee on Commerce.

By Mr. HILL:

H.R. 3594. A bill to provide for the permanent extension of income averaging for farmers; to the Committee on Ways and Means.

By Mr. MANTON (for himself, Mr. DINGELL, Mr. SPRATT, Mr. HALL of Texas, Mr. BOUCHER, Mr. KLINK, Mr. STUPAK, Mr. GORDON, Mr. RUSH, Mr. SAWYER, Ms. MCCARTHY of Missouri, Mr. STRICKLAND, Mr. BROWN of Ohio, Mr. DEUTSCH, Ms. ESHOO, Ms. FURSE, Mr. WAXMAN, Mr. MARKEY, Mr. WYNN, Mr. GREEN, Ms. DEGETTE, Mr. TOWNS, Mr. ENGEL, Mr. HINCHEY, Mrs. LOWEY, Mr. MEEKS of New York, Mrs. MCCARTHY of New York, and Mr. ACKERMAN):

H.R. 3595. A bill to reauthorize the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; to the Committee on Commerce, and in addition to the Committees on Ways and Means, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MEEK of Florida (for herself and Mrs. NORTHUP):

H.R. 3596. A bill to authorize the Secretary of Education to make grants to institutions of higher education for demonstration projects to ensure equal educational opportunity in post-secondary education for individuals with learning disabilities; to the Committee on Education and the Workforce.

By Mrs. MEEK of Florida (for herself, Mr. FRANK of Massachusetts, and Mr. WATT of North Carolina):

H.R. 3597. A bill to amend the Immigration and Nationality Act to prohibit discrimination in the issuance of nonimmigrant visas, and for other purposes; to the Committee on the Judiciary.

By Mr. REYES:

H.R. 3598. A bill to designate the Federal building located at 700 East San Antonio Street in El Paso, Texas, as the "Richard C. White Federal Building"; to the Committee on Transportation and Infrastructure.

By Mr. SAXTON (for himself, Mr. WATTS of Oklahoma, and Mr. SANFORD):

H.R. 3599. A bill to ban the provision of Federal funds to the International Monetary Fund until Iraq is expelled from the International Monetary Fund; to the Committee on Banking and Financial Services.

By Mr. SAXTON:

H.R. 3600. A bill to amend the Internal Revenue Code of 1986 to allow penalty-free withdrawals from retirement plans to provide medical care for relatives who are 55 years old or older; to the Committee on Ways and Means.

By Mr. SHADEGG (for himself, Mr. CLEMENT, Mrs. MYRICK, Mr. TIAHRT, Mr. CALVERT, Mr. MARTINEZ, Mr. FILNER, Mr. COBURN, Mr. HOSTETTLER, Mr. HOEKSTRA, Mr. ENGEL, Mr. ACKERMAN, Mr. HAYWORTH, and Mr. SOLOMON):

H.R. 3601. A bill to amend chapter 47 of title 18, United States Code, relating to identity fraud, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRANKS of New Jersey (for himself, Mr. DIAZ-BALART, and Ms. ROS-LEHTINEN):

H. Con. Res. 254. Concurrent resolution calling on the Government of Cuba to extradite to the United States convicted felon Joanne Chesimard and all other individuals

who have fled the United States to avoid prosecution or confinement for criminal offenses and who are currently living freely in Cuba; to the Committee on International Relations.

By Mr. HOYER (for himself, Mrs. MORELLA, Mr. WYNN, Ms. NORTON, Mr. WOLF, Mr. MORAN of Virginia, and Mr. DAVIS of Virginia):

H. Con. Res. 255. Concurrent resolution authorizing the use of the Capitol grounds for the Greater Washington Soap Box Derby; to the Committee on Transportation and Infrastructure.

By Mr. MARTINEZ (for himself and Mr. RIGGS):

H. Res. 401. A resolution expressing the sense of the House of Representatives that social promotion in America's schools should be ended and can be ended through the use of high-quality, proven programs and practices; to the Committee on Education and the Workforce.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

265. The SPEAKER presented a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 112 memorializing the Congress of the United States to overturn the ruling of the United States Labor Department that subjects workfare/welfare recipients to the provisions of the Fair Labor Standards Act and other regulations as the ruling pertains to certain recipients; to the Committee on Education and the Workforce.

266. Also, a memorial of the Legislature of the State of Washington, relative to House Joint Memorial No. 4030 praying that the President submit and Congress quickly pass legislation that grants states extensive flexibility in the use of Medicaid funding for acute and long-term care services; to the Committee on Commerce.

267. Also, a memorial of the Senate of the State of Texas, relative to Senate Concurrent Resolution No. 34 memorializing the improvement of patient access to quality health care by facilitating the rapid review and approval of new drugs, biological products and medical devices; to the Committee on Commerce.

268. Also, a memorial of the Senate of the State of California, relative to Senate Joint Resolution No. 33 expressing its complete support for full inclusion of the Republic of Poland, the Republic of Hungary, and the Czech Republic into the North Atlantic Treaty Organization; to the Committee on International Relations.

269. Also, a memorial of the Legislature of the State of Washington, relative to House Joint Memorial No. 4032 praying that the United States Government immediately resolve the United States-Canada fishing dispute, enforce the two hundred-mile limit and the ban on high seas drift net fishing, and provide funding for salmon recovery efforts which mitigate the loss of habitat caused by the construction of hydroelectric dams on the Columbia River; to the Committee on Resources.

270. Also, a memorial of the Legislature of the State of Washington, relative to House Joint Memorial No. 4035 praying that the United States Government promptly complete the proposed Interstate 90 land exchange, thus securing the greatest possible environmental, recreational, and land-management benefits at the earliest possible time; to the Committee on Resources.

271. Also, a memorial of the Senate of the State of New Jersey, relative to Senate Resolution No. 16 urging the reauthorization of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) at a level of funding for highway and mass transportation purposes that is no less than ISTEA authorization levels; to the Committee on Transportation and Infrastructure.

272. Also, a memorial of the Senate of the State Legislature of Alaska, relative to Senate Resolve 1 memorializing the Senate's gratitude to the members of the Swiss government and banking officials who have cooperated thus far in allowing investigations to be carried out because, without their assistance, these investigations would not be possible and none of the assets in question would be recoverable by their rightful owners or their heirs; jointly to the Committees on International Relations and Banking and Financial Services.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. SCOTT, Mr. LAFALCE, Mrs. MINK of Hawaii, and Mr. NEAL of Massachusetts.

H.R. 614: Mr. PASCRELL.

H.R. 619: Mr. DELAHUNT and Mrs. JOHNSON of Connecticut.

H.R. 860: Mr. FORBES.

H.R. 872: Mr. PAPPAS.

H.R. 979: Mr. PAYNE and Mr. YATES.

H.R. 981: Mr. CLEMENT, Mr. BROWN of Ohio, Mr. MENENDEZ, and Mr. STOKES.

H.R. 1041: Mr. STUPAK.

H.R. 1126: Mr. GREENWOOD, MR. WEXLER, Ms. HOOLEY of Oregon, Mr. ROTHMAN, and Mr. BROWN of California.

H.R. 1151: Mr. MINGE.

H.R. 1176: Mr. PASTOR.

H.R. 1283: Mrs. FOWLER, Mr. CHAMBLISS, and Mr. MILLER of Florida.

H.R. 1315: Mr. TORRES.

H.R. 1605: Mr. WAXMAN.

H.R. 1737: Mr. COOK.

H.R. 2004: Ms. KAPTUR.

H.R. 2397: Mr. FILNER.

H.R. 2427: Mr. FROST, Mr. LEWIS of Georgia, and Mr. KUCINICH.

H.R. 2606: Mr. KUCINICH and Mr. MEEKS of New York.

H.R. 2671: Mr. UNDERWOOD.

H.R. 2788: Mr. MATSUI.

H.R. 2792: Mr. MANZULLO.

H.R. 2821: Mr. ENGEL and Ms. MILLENDER-MCDONALD.

H.R. 2931: Ms. SANCHEZ.

H.R. 3010: Mr. FILNER.

H.R. 3029: Mr. ENGLISH of Pennsylvania.

H.R. 3048: Mr. ETHERIDGE.

H.R. 3049: Mr. SMITH of New Jersey.

H.R. 3086: Ms. CARSON, Mr. BOUCHER, Mr. POMEROY, Mr. FRANK of Massachusetts, and Mr. RODRIGUEZ.

H.R. 3107: Mr. MORAN of Virginia and Mr. SPENCE.

H.R. 3131: Mr. DOYLE.

H.R. 3149: Mr. SESSIONS.

H.R. 3151: Mr. SESSIONS.

H.R. 3156: Mr. TIERNEY, Mr. ALLEN, Mr. RAMSTAD, Mr. OBEY, Mr. KENNEDY of Rhode Island, Mr. KUCINICH, Mr. OXLEY, Mr. MALONEY of Connecticut, Ms. ROYBAL-ALLARD, Mr. DREIER, Mr. PICKETT, Ms. HOOLEY of Oregon, and Mr. BOSWELL.

H.R. 3181: Mr. FILNER.

H.R. 3216: Mr. ENGEL and Mr. ENGLISH of Pennsylvania.

H.R. 3242: Mr. WATTS of Oklahoma.

H.R. 3247: Mr. WISE, Mr. GOODE, Ms. PRYCE of Ohio, Mr. STRICKLAND, Mr. HINCHEY, Mr. PORTMAN, Mrs. NORTHUP, Mr. RAMSTAD, Mr. BOUCHER, Mr. RAHALL, and Ms. KAPTUR.

H.R. 3331: Mr. SUNUNU and Ms. DANNER.

H.R. 3447: Mr. PAUL and Mr. FROST.

H.R. 3448: Mr. PAUL and Mr. FROST.

H.R. 3449: Mr. PAUL and Mr. FROST.

H.R. 3510: Mr. DEUTSCH and Mr. JEFFERSON.

H.R. 3557: Mr. STUMP.

H.R. 3567: Mr. SANDERS and Ms. KAPTUR.

H. Con. Res. 55: Ms. KILPATRICK.

H. Con. Res. 247: Mr. HILLIARD, Ms. HARMAN, Mr. HINCHEY, Mr. DOOLEY of California, Mrs. KENNELLY of Connecticut, Mr. FARR of California, Mr. GREEN, Mr. OLVER, Mr. STOKES, Mr. KENNEDY of Massachusetts, and Mr. WEXLER.

H. Res. 313: Mr. BARRETT of Wisconsin, Mr. HILLIARD, and Mr. ABERCROMBIE.

H. Res. 340: Mr. BOYD.

H. Res. 399: Mr. FAWELL and Mr. UPTON.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3060: Mr. WATTS of Oklahoma.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 3579

OFFERED BY: MR. FAZIO OF CALIFORNIA

AMENDMENT NO. 1: At the end of chapter 1 of title I (relating to Department of Agriculture), insert the following:

GENERAL PROVISIONS

SEC. 101. Notwithstanding the area loss requirements of section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) and the regulations promulgated under such section, agricultural producers in areas declared a disaster pursuant to a Presidential declaration that suffered an agricultural loss due to a natural disaster that occurred between January 1, 1998, and the date of the enactment of this section, shall be eligible for Noninsured Crop Assistance Program payments calculated pursuant to such section 196.