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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, February 24, 1998, at 12:30 p.m.

Senate

MONDAY, FEBRUARY 23, 1998

The Senate met at 12 noon and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Yesterday was George Washington's birthday. It is appropriate to open the Senate this morning with the prayer that he prayed for our Nation exactly as it is reproduced on the wall of the chapel at Valley Forge.

Let us pray.

''Almighty God: We make our earnest prayer that Thou wilt keep the United States in Thy holy protection; that Thou wilt incline the hearts of the citizens to cultivate a spirit of subordination and obedience to the government and entertain a brotherly affection and love for one another and for their fellow citizens of the United States at large. And, finally, that Thou wilt most graciously be pleased to dispose us all to do justice, to love mercy, and to demean ourselves with that charity, humility, and pacific temper of mind which were the characteristics of the Divine Author of our blessed religion and, without a humble imitation of whose example in these things, we can never hope to be a happy Nation. Grant our supplication, we beseech Thee, through Jesus Christ our Lord.''

Amen.

RESERVATION OF LEADER TIME

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

READING OF WASHINGTON'S FAREWELL ADDRESS

The PRESIDENT pro tempore. Under the previous order, the Senator from Louisiana, Ms. LANDRIEU, will now read Washington's Farewell Address.

Ms. LANDRIEU. Thank you, Mr. President.

Ms. LANDRIEU, at the rostrum, read the Farewell Address, as follows:

To the people of the United States.

FRIENDS AND FELLOW CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those, out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured, that this resolution has not been taken, without strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest; no deficiency of grateful respect for your past kindness; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust, were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government, the best exertions of which a very fallible judgment was capable. Not unconscious in the outset, of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and, every day,

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

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the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is to terminate the career of my political life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country, for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead amidst appearances sometimes dubious, vicissitudes of fortune often discouraging—in situations in which not unfrequently, want of success has countenanced the spirit of criticism,—the constancy of your support was the essential prop of the efforts, and a guarantee of the plans, by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual—that the free constitution, which is the work of your hands, may be sacredly maintained—that its administration in every department may be stamped with wisdom and virtue—that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation, and so prudent a use of this blessing, as will acquire to them the glory of recommending it to the applause, the affection and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people, is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence; the support of your tranquility at home: your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But, as it is easy to foresee that, from different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed; it is of infinite movement, that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth, or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism, more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together; the independence and liberty you possess, are the work of joint counsels, and joint efforts, of common dangers, sufferings and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest.—Here, every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The *north*, in an unrestrained intercourse with the *south*, protected by the equal laws of a common government, finds in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry.—The *south*, in the same intercourse, benefiting by the same agency of the *north*, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the *north*, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The *east*, in a like intercourse with the *west*, already finds, and in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The *west* derives from the *east* supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the *secure* enjoyment of indispensable *outlets* for its own productions, to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as *one nation*. Any other tenure by which the *west* can hold this essential advantage, whether derived from its own separate strength; or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts, greater strength, greater resource proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from union, an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries not tied together by the same government; which their own rivalship alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues, would stimulate and embitter.—Hence likewise, they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford

a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who, in any quarter, may endeavor to weaken its hands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by *geographical* discriminations,—*northern* and *southern—Atlantic* and *western*; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourself too much against the jealousies and heart burnings which spring from these misrepresentations: they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head: they have seen, in the negotiation by the executive, and in the unanimous ratification by the senate of the treaty with Spain, and in the universal satisfaction at the event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states, unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the union by which they were procured? will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances, in all times, have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a constitution of government, better calculated than your former, for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government.—But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power, and the right of the people to establish government, presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency.—They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the nation the will of party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils, and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men, will be enable to subvert the power of the people, and to usurp for themselves the reigns of government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the forms of the constitution, alterations which will impair the energy of the system; and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments, as of other human institutions:—that experience is the surest standard by which to test the real tendency of the existing constitution of a country:—that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change from the endless variety of hypothesis and opinion: and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of fraction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular references to the founding them on geographical discrimination. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind.—It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism.—But this leads at length to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and, sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind, (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit of party are sufficient to make it in the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarms; kindles the animosity of one part against another; forments occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a

monarchial cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent it bursting into a flame, lest instead of warming, it should consume.

It is important likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominate in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions of the others, has been evinced by experiments ancient and modern: some of them in our country and under our own eyes.—To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the constitution designates.—But let there be no change by usurpation; for through this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil, any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, where is the security for property, for reputation, for life, if the sense of religious obligation *desert* the oaths which are the instruments of investigation in courts of justice? and let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect, that national morality can prevail in exclusion of religious principle.

It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering, also, that timely disbursements, to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions, in time of peace, to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should co-operate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper object (which is always a choice of difficulties), ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it; can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachment for others, should be excluded; and that, in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity, or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another, disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the nation's subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions, to the favorite nation, or privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained, and by exciting jealously, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted or deluded citizens who devote themselves to the favorite nation, facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding with the appearances of virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils!—Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence, (I conjure you to believe me fellow citizens,) the jealousy of a free people ought to be *constantly* awake; since history and experience prove, that foreign influence is one of the most baneful foes of republican government. But that jealously, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little *political* connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith:—Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another; that is must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations, but if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have, at least, believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of congress, the spirit of that measure has continually governed me, uninfuenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound, in duty and interest, to take a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without any thing more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength, and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty-five years of my life dedicated to its service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views in it the native soil of himself and his progenitors for several generations; I anticipate with pleasing expectation that in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow citizens, the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

UNITED STATES,
17th September, 1796.

Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER (Mr. SMITH of New Hampshire). The Senator from South Carolina, Mr. THURMOND, is recognized.

COMMENDING SENATOR LANDRIEU

Mr. THURMOND. Mr. President, I wish to commend the able Senator from Louisiana, MARY LANDRIEU, for the excellent manner in which she rendered on this day, February 23, 1998, George Washington's Farewell Address to the people of the United States.

Incidentally, Washington did not publicly deliver this address. It is dated September 17, 1796, and it first appeared 4 days later in the Philadelphia Daily American Advertiser and then in papers around the country.

SCHEDULE

Mr. THURMOND. Mr. President, this morning, the Senate will be in a period of morning business until 3 p.m. by previous consent. At 3 p.m. the Senate will begin debate on the campaign reform bill. As previously announced, no rollcall votes will occur during today's session of the Senate. However, Members should be prepared for votes during Tuesday's session of the Senate. Also, by previous consent, on Wednesday, February 25, at 11:30 a.m., the Senate will proceed to the consideration of the veto message to accompany H.R. 2631, the military construction appropriations bill, with 2 hours of debate in order and a vote occurring on the veto message upon the expiration or yielding back of that time. However, our former colleague, Senator Ribicoff, passed away, and it is my understanding that a few of our colleagues intend to attend his funeral on Wednesday morning in New York. Therefore, I now anticipate the vote with respect to the veto message to occur at approximately 3 p.m. We will notify all Members as to the votes on Wednesday, February 25, after consultation with the minority leader.

As Members are now aware, there are a number of important issues that we hope the Senate will be able to address prior to the Easter recess. Therefore, all Members' cooperation is appreciated on the scheduling of votes and floor action.

UNANIMOUS CONSENT AGREEMENT

Mr. THURMOND. Mr. President, I now ask unanimous consent, notwithstanding the agreement of October 3, 1997, that no amendments be in order prior to the motion to table the McCain amendment.

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business until the hour of 3 p.m., with Senators permitted to speak therein for not to exceed 10 minutes.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

THE HIGHWAY BILL

Mr. BYRD. Mr. President, I have come to the floor today to reiterate the pressing need for early Senate action on S.1173, the highway bill, commonly referred to as ISTEA II. The federal-aid highway program expired on September 30, last year. In November, Congress passed a short-term extension of the program, but we included in that stop-gap measure a deadline for enacting a new highway bill this year. And I remind my colleagues, the deadline of May 1 is fast approaching. The clock is ticking; the calendar is running. After May 1, 1998, no state will be able to obligate any federal highway funds unless a new highway bill has been signed into law by that time.

So, Mr. President, at this point, there are exactly 40 session-days remaining—including today—until the clock strikes midnight on May 1 and every state's ability to obligate federal highway funds is suddenly and indefinitely cut off. The longer the Senate waits to take up the legislation, the more likely it is that the federal-aid highway program will lapse and road work in many states will slow to a trickle or come to an abrupt halt. Unlike past delays in reauthorizing the highway program, the obligation of highway funds will not go forward after that date, if there is not new authorizing legislation enacted by Congress in the meantime. Mr. President, that means that unlike those past reauthorizations of the highway program, this year it will come at the height of the construction season. As a result, construction workers are likely to be laid off, at a time of the year that many of them depend upon their largest paychecks to come in to help them and their families.

And these lay-offs will not be mere statistics, Mr. President. We are talking about the loss of real jobs for real people who have real families. There are thousands of road construction workers around the country whose jobs are in greater and greater risk each day that we delay action on the highway bill. We in the Congress have an obligation to those workers and their families, our constituents, to beat the May 1 deadline and prevent those lay-offs and work stoppages from occurring.

Let me describe just how important this highway legislation is for the construction industry. According to the most recent biennial report of the U.S. Department of Transportation on the condition and performance of the nation's highways, federal, state, and local governments combined invest approximately $39 billion annually in capital improvements to our roads and bridges. That is a lot of money. That is $39 for every minute since Jesus Christ was born. Federal funds account for 44% of that investment. That means, in little more than two months, almost half of all the funds spent on road construction in this country will dry up—disappear—and the results will be unfortunate for many who work in road construction and related industries. Construction laborers and employers, those who supply construction materials and equipment, thousands employed at engineering and design companies—these people and their families face an uncertain future because of the Congress' failure to act promptly on this very important highway bill.

Even now, the approaching May 1 deadline is having a disruptive impact on road construction in some states, and the disruptions will grow exponentially if the deadline comes and passes without enactment of a new highway bill. For instance, the state of Missouri has announced it will stop bid-lettings in April, Illinois and Ohio will follow suit on May 1, and the Tennessee Department of Transportation has told contractors that the state will delay all federally-funded highway projects beginning in March, when they will run out of available intrastate maintenance money. They will run out of resources from other Federal programs soon thereafter.

So the State of Missouri will let its last Federal contract in March. As I have already indicated, the State of Ohio will stop bid-letting on or around May 1, and the State of Illinois has reported that in the April-to-June timeframe it will be required to defer over one-quarter of a billion dollars in planned Federal projects.

As states announce delays in project bid-lettings, contractors know they will have more difficulty in finding work for their employees and making payments on their machinery and facilities. If Congress has not enacted a new highway bill by May 1, contractors across the country will have to begin laying off their employees as projects are completed. According to officials at the Associated General Contractors, most companies will not begin rehiring construction workers until at least a month after new legislation is enacted. Furthermore, companies will stop using their concrete, pipe, steel, cement, asphalt and guardrail suppliers and won't use them again until 45–60 days after new legislation becomes law.

In addition, if the federal highway program is left unfunded for a number of months, the employees of the construction companies will attempt to find employment elsewhere, I should think. They have to continue to put bread on that table for a wife and for children. If they are successful in gaining other employment, the construction companies will have to hire new employees, often requiring expensive and time-consuming job training.

If new federal highway funds are not available after May 1, much of the summer construction season will be gone. If there is no new highway bill until September, the entire fall construction season will be lost, and since winter road construction is nearly impossible in many of our northern tier states, construction and related industries in those states may be out of

work until spring, 1999. How many companies will survive the loss of income for that lengthy period of time, Mr. President? What effect will it have on the families of construction workers left unemployed because of our inaction, our delay on the highway bill?

Remember, construction does not operate like an assembly line that can be stopped and started again on short notice. The design and construction of highway projects are carefully planned months in advance. Projects to be constructed in September generally must be planned early on and funded by May.

And if our inaction on the highway bill cripples the construction industry, what effect will it have on the national economy?

Mr. President, the last Census of the Construction Industry tallied 572,851 construction companies with a total employment of 4.6 million persons. The industry's annual estimated payroll is $118 billion, and construction companies work on projects valued at approximately $528 billion a year in the United States. Clearly, crippling the construction industry will have a ripple effect on our overall economy.

The U.S. Department of Transportation has estimated that every one billion dollars invested in highway construction creates 42,100 jobs. Passing the highway legislation by May 1 will release to the states billions of federal highway dollars, creating and preserving hundreds of thousands of jobs across the country. But the clock, Mr. President, is ticking, and those jobs are put at greater risk with each passing day.

Already, uncertainty about future highway funding is affecting the economy. I am told by people in the construction industry that contractors are putting off hiring and purchasing decisions until they have a clearer idea of how much federal highway funding there will be and when it will become available. And if highway contractors aren't hiring or buying, other firms aren't selling. Therefore, jobs are threatened in construction-related industries, too.

With so much at stake, the Senate should delay no longer. I implore the leadership to call up the highway bill now. The deadline is looming and a lot of work lies ahead before we can send a bill to the President's desk for his consideration and signature. We should be debating the bill today while the Senate is not preoccupied with other matters. With only 40 session-days remaining, every day counts for those thousands of Americans whose livelihood depends on the uninterrupted flow of federal highway funds.

Let us fulfill our responsibilities, and our obligation to those working Americans, without further delay. We should begin debating ISTEA now.

Mr. President, I thank the Chair.

I yield the floor.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I applaud the Senator from West Virginia for his comments on ISTEA. I note—he may have noted this before I came on the floor—that the Washington Post today had an article by Eric Pianin speaking of the problems specifically, in the State of Vermont in getting this ISTEA money through. In our State—this also occurs in Maine and, obviously, in parts of the beautiful State of West Virginia—we have a very early fall and extremely late spring and heavy snows in between. We have a fairly short construction season.

I hope that the majority leadership of both bodies will get this bill up, get it voted on, take the amendments up, vote them up, and vote them down to get it over with so that States—whether it is West Virginia, or North Dakota, or Vermont, or Arizona, or any other State represented by Senators now on the floor—could get on with this.

I hate to think of the amount of money that would be wasted if this is delayed much longer, and then we have to scramble to get the contracts out. It is taxpayer dollars that get wasted where interests are not taken care of.

The Senator from West Virginia has been on the floor several times already on this. He has certainly been diligent in meetings with other Senators off the floor. And I commend him for doing this. He is doing a service to the country.

Mr. BYRD. Mr. President, if the Senator will yield.

Mr. LEAHY. Certainly.

Mr. BYRD. Mr. President, I thank the very distinguished senior Senator from Vermont for his remarks. They are both timely and appropriate. I deeply appreciate his contribution to this colloquy.

Vermont, like West Virginia—and like many other States, as he has pointed out—has a short construction seasons, especially when we think of winter, and spring, fall, and winter again.

So the time is now. And I feel greatly emboldened and encouraged by the comments of the distinguished Senator from Vermont. He is a stalwart supporter of all things that benefit his State, and the other States of the country.

I thank him very much.

Mr. LEAHY. Mr. President, I thank my good friend from West Virginia. I have had the privilege of serving with him for nearly a quarter of a century. He, of course, has served much longer than I. I appreciate it.

Mr. President, I ask unanimous consent that I be allowed to use my full morning business time normally allotted.

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

IRAQ AND THE INDEPENDENT COUNSEL LAW

Mr. LEAHY. Mr. President, dueling for the lead on the front page of every newspaper in this country over the past month have been two stories: Whether the United States will send American soldiers into battle with Iraq, whether people will die in Iraq on both sides, or whether the President of the United States had an affair months ago with a former White House intern. Fueled by what have been titillating leaks and innuendo, the story of the alleged affair and Special Prosecutor Kenneth Starr's investigation has, more often than not, stolen the lead.

I have spoken before about the high volume of information that apparently originates from prosecutor Starr's office. The press has cited as sources ''several Federal investigators,'' ''one official involved in the discussions,'' or ''sources close to independent counsel Kenneth Starr,'' and ''government officials.'' Whether or not the material concerns matters before the grand jury may be relevant to whether a criminal violation occurred, but the distinction is of no relevance as a matter of prosecutorial ethics. It is prosecutorial ethics that I am concerned about.

The distinguished senior Senator from Pennsylvania, Senator SPECTER, who shares with me a former career as a prosecutor—a career both of us are proud of—knows that a prosecutor's case should be tried in court and not the press. When I spoke about Mr. Starr earlier, Senator SPECTER came to the floor on January 27 to repeat Mr. Starr's ''emphatic denial'' that his office was in any way responsible for these stories, as Senator SPECTER had a perfect right to do. But less than 2 weeks after that denial—the denial made by Mr. Starr—Mr. Starr acknowledged, on February 5, his ''regret that there have been instances, so it would appear, when that [grand jury secrecy] rule has not been abided by,'' and announced that he was initiating an internal investigation to determine whether his office was responsible for the leaks. Perhaps his ''emphatic denial'' was too hastily put.

We will see if Mr. Starr pursues that internal investigation of his own office with anything even approaching his zealous pursuit of the President and the First Lady.

One of the most disturbing spectacles we have seen from Mr. Starr's inquest is that of a mother being hauled before a grand jury to reveal her intimate conversations with her own daughter. And she is, of course, not the only one. According to press accounts, Monica Lewinsky's close friends have had to fly in from California to testify, at whatever expense that might be, to hiring lawyers, and so forth. Bystanders—people who just happened to be standing there—at White House events where both the President and the former intern were both present have also been given grand jury subpoenas, as have those who used to supervise her work or work alongside the former intern. In this investigation, even the possibility of gossip based upon gossip, hearsay based upon hearsay, is enough

to bring you into the chambers of Kenneth Starr. For witnesses, this may be a matter of having to spend all the money you have saved for a college education, your children's education, or anything else, to pay for lawyers, if there is even a possibility that you might have been somewhere in the area and might have known something—even though you are not alleged to have done anything wrong, even though nothing wrong was alleged to have happened while you were standing there.

But, as a father, no tactic was more shocking than the treatment that Mr. Starr gave the mother of the former White House intern at the center of this controversy. Every single parent wants to be able to provide comfort and advice to a son or a daughter who is in trouble or in need of solace. No attorney, no doctor, no clergymen, no psychotherapist, no spouse would, in most States, be faced with the awful choice of the mother caught in the machinations of Mr. Starr's expanding investigation. Her choice, as I understand it, was refuse to testify—refuse to say what confidence she had shared with her own daughter—and, if she did refuse, be faced with contempt proceedings, including possible jail time. She would either go to jail or betray her child's confidences.

This is the United States of America. This is not the Star Chamber of hundreds of years ago. This is not the Spanish Inquisition. No child, no matter what their age, expects his or her conversations with a parent to be disclosed to prosecuting attorneys, compelling a parent to betray his or her child's confidence is repugnant to fundamental notions of family, fidelity, and privacy. Indeed, I can think of nothing more destructive of the family and family values, nor more undermining of frank communications between parent and child, than the example of a zealous prosecutor who decides to take advantage of close-knit ties between mother and daughter, of a prosecutor who said, if a mother loves a daughter and a daughter will go to a mother to talk to that mother, then we are going to grab the mother. Great family values, Mr. President. Great family values, Mr. Starr.

As one law professor said, ''I want my child to be able to come to me and share anything in the world. Neither of us should be fearful in the back of our minds, that if I'm hauled in front of a grand jury, I'll either have to hurt my child or put myself in legal jeopardy.'' If my child were in trouble and chose, as I hope that child would, to come to me, I would be loathe to have to refer my child to an attorney or priest or psychiatrist, because they have a privilege, and say, ''You can't talk to your own father or your own mother.'' Family bonds of blood, affection, loyalty and tradition deserve as much protection as the professional relationships of trust that are already protected by legal privileges.

Frankly, I can tell you right now if a child of mine confided in me, no grand jury, no prosecutor, no runaway special counsel would get me to talk about my child. I would tell that special prosecutor, ''Have you no shame? Have you no shame?'' I would go to jail before I would ever disclose one word that a child of mine said to me. That is the feeling this Vermonter has. And that is the feeling of the shame of a prosecutor who would force a mother—a mother—to talk about what her daughter may have told her. It is awful.

Four States already have adopted or recognized some variant of the parent-child privilege. One Federal circuit to consider whether a parent-child privilege should be recognized in Federal proceedings, refused to recognize this privilege stating:

> The legislature, not the judiciary, is institutionally better equipped to perform the balancing of the competing policy issues required in deciding whether the recognition of a parent-child privilege is in the best interests of society. Congress, through its legislative mechanisms, is also better suited for the task of defining the scope of any prospective privilege. . . . In short, if a new privilege is deemed worthy of recognition, the wiser course in our opinion is to leave the adoption of such a privilege to Congress. *In re Grand Jury Proceedings*, 103 F.3d 1140 (3d Cir. 1996).

The third circuit is right to let Congress consider this important issue. We in Congress should take up this challenge since we apparently cannot trust the sound judgment of certain prosecutors. I am going to have a bill which will be a start.

We have to assume the reason we have not had legislation on this before is that prosecutors showed some discretion. A prosecutor is the most powerful position, usually, in government. He or she can decide not only when to bring a prosecution but when to withhold, whether to initiate an investigation or whether to withhold. Prosecutors generally do not think of bringing parents in and browbeating them. But I am going to ask for a study to see what legislation we might have to prevent abuses in this area.

Perhaps we should also confirm in legislation that there is a Secret Service privilege. On this issue I am glad the Justice Department has apparently concluded there is such a privilege. Presidential security and privacy demand such a privilege. Imagine if there were no such privilege. The challenge to this privilege could result in changing the way our President and other officials, including foreign dignitaries, are able to be protected. To avoid being witness to private conduct, will security details be forced to change where they stand, where officers are placed, how many officers are assigned, and so on? Without a privilege, will officers on security detail be forced to carry litigation insurance to pay for attorneys when they are called upon to testify as to what they observed? We should not be forcing officers to change the way they carry out their duties simply to avoid being called upon to testify by investigators of unprecedented zealotry.

Mr. President, I ask unanimous consent I might have 5 more minutes.

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

Mr. LEAHY. Mr. President, what is troubling to me, I have been approached by law enforcement officers within our FBI who speak about being concerned that they may be assigned to the special prosecutor's office because they are going to be asked to look into things they normally never would have looked into as law enforcement officers; that there is a reputation that this special prosecutor's office has of an overconcentration on private sexual conduct of people—and not just the President but others as well—that they are going to be asked to look at things that as trained professional law enforcement people they usually do not look at.

I have also been approached by Secret Service agents who talked to me about the fact that they have been called upon to protect foreign dignitaries and others and now ask, are they going to be in a situation where they don't dare come close because they may overhear something of personal conduct and may then be called upon to testify to it? Do they have to worry that in carrying out their own duties they may find themselves bankrupted paying lawyer fees later on? This is a matter of some concern. I hope the feelings of these people are not widespread, but they may well be.

I have supported the independent counsel statute in the past, but never before have I been so disturbed by the tactics, judgment, and, at minimum, the appearance of partisanship by an independent counsel as I have by those of Mr. Starr and his staff. At a time when we need an independent counsel with the confidence of the American people, we do not have one.

For example, although a highly respected independent counsel, Robert Fiske, had concluded that Vincent Foster's death was a result of suicide, Mr. Starr, prodded by Richard Mellon Scaife and other right-wing activists, reopened that investigation. He spent years doing it. He spent millions of dollars of taxpayers' money doing it. He dragged the Foster family and friends through that experience again. He made people again have to hire lawyers. Then what happens? He reaches exactly the same conclusion that Mr. Fiske did before, but doing the bidding of someone else.

Mr. Starr publicly justifies his rush to secretly tape Monica Lewinsky to expand his Whitewater land deal investigation because a close friend of the President helped her find a job. If the source of job offers can prove influence, then Kenneth Starr is in deep trouble and probably he should consider resigning. Just 1 year ago, Mr. Starr accepted a job offer for a teaching position funded largely by Mr. Scaife, the same well-

known conservative publisher and financier who thought that the Foster case should be reopened, who has helped publicize allegations of wrongdoing by the President. Who knows what the status of that job offer is now?

In order for people to have confidence in the results of an investigation, that investigation must be nonpartisan and perceived to be nonpartisan. That is not the case when it comes to Mr. Starr. My friend from Pennsylvania, Senator SPECTER, as a former prosecutor, fully appreciates that principle as well. I understand he, too, has questioned the wisdom of having Mr. Starr head an investigation into the alleged affair since his activities have raised such an appearance of partisanship. I again urge Mr. Starr to do what is in the interests of the country and to consider whether his judgment has been so affected, whether he is now so driven to achieve a result, that he should reconsider his own role in the process.

The Senator from Vermont must conclude that Prosecutor Starr has not used his power responsibly and has failed his duty. Kenneth Starr is not the impartial, neutral and independent prosecutor the American people need now and the President, as would any American, deserves.

I predicted that his investigation may mark the death knell of the independent counsel statute. Before it is reauthorized, we ought to take a hard look at safeguards and accountability here. To have a nation on the brink of war preoccupied with affairs of the bedroom rather than of state is an abomination. More time has been spent on weekend talk shows talking about a White House intern than on the President's decision whether to use force against Iraq.

The good news is that while the rest of the country may be distracted by whom Mr. Starr will next drag before his grand jury, the President and his administration are properly focused on speaking to the American people about the circumstances that brought us to the brink of battle. The administration's preparations for battle surely helped bring about the proposed agreement the United Nation's Secretary General Kofi Annan has reached with Iraqi officials, and I remain hopeful that diplomacy, backed by the commitment to use force, will result in a peaceful resolution of this standoff. I look forward to reviewing the details of that agreement.

Mr. President, I thank my colleagues for their forbearance, and I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

THE HIGHWAY BILL

Mr. DORGAN. Mr. President, I listened with interest to the presentation by Senator BYRD, the distinguished Senator from West Virginia, on the subject of the highway bill and his desire, and the desire of so many others in this Chamber, to see that the piece of legislation that authorizes spending on highways and roads, the building and repairing of our country's infrastructure, be brought to the floor of the Senate, be debated and go to conference so that we can get this bill done and tell the Governors and the other people in this country who are waiting for this Congress to do its work that we have finally finished the job. This is not some idle piece of legislation that either may or may not be enacted into law. The Congress has a responsibility to deal with the issues of this country's infrastructure, especially bridges and roads and safety on our highways, and all of those issues are in the body of this legislation.

This legislation was supposed to have been enacted by this Congress last year. Now we are told by some that last year's business must wait until we have considered next year's budget. That is preposterous. We should bring that bill to the floor now. We were told it would be the first item of business on the Senate calendar when we reconvened in January. It was not. Today we will take up campaign finance reform. I am pleased that we are going to do that. But we should take up, expeditiously, the highway bill, debate it and pass it and get it to conference.

The highway bill, investing in our country's infrastructure, is about jobs, economic expansion, retaining and creating a first-class transportation system. For a first-class economy to exist, it must have a first-class transportation system, and that is what this issue is about. Every day, people pull up to the gas pumps and put some gasoline in their automobiles. When they do so, they pay money, through a tax on every gallon of that gasoline, that goes into a trust fund that is to be used in the highway bill that we are required to authorize. The taxes are already paid. The question is, will we use that money to invest in this country's bridges and roads? Those who are driving around this country know there is plenty yet to do. There is a big job ahead of us, and the quicker we get this legislation out of the Congress the better for this country.

So, I appreciate the Senator from West Virginia, the Senator from Montana, the Senator from Texas, Senator GRAMM, and others who have repeatedly come to the floor of the Senate saying this is not a partisan issue, this is not about parties; this is about investment in our country and that we finish the work we didn't get done last year and bring this important piece of legislation to the floor and pass it as soon as possible.

CAMPAIGN FINANCE REFORM

Mr. DORGAN. Mr. President, I would like to turn just for a moment to the issue of campaign finance reform which we will take up this afternoon at 3 p.m. This is an issue, also, that was discussed some last year and, by agreement, is to be brought to the floor of the Senate this afternoon. Since our last discussion on this issue, I want to call my colleagues' attention to two pieces of information in the newspaper dealing with the two special elections to the Congress that have been held in the interim period. One was in New York, a special election to fill a vacancy in New York. It says:

> RNC [Republicans National Committee] Invests Heavily in ''Issue'' Attack Ads; $800,000 spent in New York House race.

It's not hard to figure out who won this race. Mr. President, $800,000 of outside money called ''issue ads,'' unregulated by the current rules on campaign finance—corporate money, unlimited quantities of money from any given source stuck into a big pot and then sent into a district by a political party. And it is declared, under current circumstances and with current court decisions, that this is not a part of the investment in those races. This nearly $1 million, with other funds included, was brought into the system in the form of issue ads—sham ads that were clearly direct 30-second advertisements expressly waged for one purpose, and that was to attack and destroy a candidate of the other party. This was done, by the way, with a legal form of cheating made possible by today's campaign finance law and current court decisions permitting issue ads, not so thinly disguised, to be waged in unlimited quantity using unlimited corporate money, unlimited individual money and undisclosed so that no one, no one in this country, will discover where the money came from. That is what is wrong with this current system.

We just had more recently a race in California. Same result; different amounts. Two different groups, large amounts of money coming into so-called issue advertising. Do they have a right to do this? Yes, they do. But do they have a right to wage advertisements in political campaigns with money that can come in huge blocks donated by corporations or very wealthy people to the tune of $50,000, $100,000 or $500,000 and then go into a State and use it in a political race in a Federal election and never have to disclose where the money came from? I don't think that's fair.

If anybody on the floor of the Senate, given what we have seen in the recent races in this country, can stand and say, ''Gee, campaign finance reform, there's nothing wrong here, things are just fine,'' if anybody can honestly stand on the floor of the U.S. Senate and say things are just fine, we have no problems with campaign finance reform, I submit that they have not watched what is happening around the country.

We passed a piece of campaign finance reform legislation in 1974, and the rules since 1974 have been bent and twisted and people have gone under them and over them, and the result now, not only because of what has happened with those rules but also because

of some court decisions, is that we have a campaign finance system in total chaos.

I come to the floor today to support the McCain-Feingold bill which will be voted on this week by the U.S. Senate. We have some Members of the Senate who have stood and said, ''We intend to filibuster; we don't think that anything should be passed by the Congress; we believe anything that Congress does limits someone else's speech.'' And, in effect, I guess they are saying there ought not be any rules.

We are told somehow that money is speech in politics: The more money you have, the more speech you have, the more you are able to speak. Some of us believe that there ought to be in politics campaign finance reform that begins to set some reasonable limits on what kind of money is spent in political campaigns. We think that the current regime of campaign finance is just completely spiraling out of control, and we think the McCain-Feingold bill, while not perfect, is a good piece of legislation for this Congress to enact.

Mr. President, I also intend to offer, if I am allowed in the context of these debates, one additional piece of legislation I would like to mention just for a moment. Federal law currently provides that all television stations must offer candidates for Federal office the lowest rate on their advertising rate card for commercials for a certain amount of time preceding the election. To repeat, under current law, we say candidates are entitled to the lowest rate on the rate card for political advertising for a certain period prior to the election.

Everyone has a right to put on the air what they wish to put on the air about their opponent. In politics, unlike most other forms of competition, the normal discourse is to say, ''There's my opponent. Look at what an awful person that opponent is. Let me tell you 18 awful things about my opponent.'' Is that the way you see airlines advertise? ''Look at my competing airline over here. Let me tell you about how awful they are, how awful their maintenance record is.'' I don't think so. Is that the way automobile companies advertise? No. It is the way people in politics advertise because it has worked.

My point is this. I am going to offer an amendment that says we will change the Federal law that requires the lowest rate on the rate card for the 60 days prior to elections. We will say that the television stations are required to offer that lowest rate only to television commercials that are 1 minute in length and only in circumstances where the candidate appears on the commercial 75 percent of the time.

Why do I do that? Because I would like candidates to start taking some ownership of their commercials instead of the 30-second slash-and-burn commercial that the candidate never appears on. Oh, everybody has a right to continue to run those. However, we are not required, in my judgment, to tell television studios they must offer the lowest rate for these kinds of ads.

Air pollution in this country is a problem. We have been concerned about air pollution for some long while. One form of air pollution in this country is the kind of political commercial that has been very successful. I don't deign to suggest now we can ban it. We can't. Free speech in this country and free political speech allows anybody to do anything they want in their campaigns in a 30- or 60-second ad.

But I believe we ought to give an incentive for those who put commercials on the air during political campaigns that say to the American people, ''Here's what I stand for, here's what I believe, here's what I want to fight for as we debate the future of this country,'' in which the candidate himself or herself asserts positions that they think ought to be a part of public discourse and public debate. It seems to me we ought to try to provide incentives for that by saying the lowest rate card in campaigns, the lowest rate on the bottom of the card, will go to commercials that are at least 1 minute in length and on which the candidate appears 75 percent of the time.

I don't know if we are going to get to that. I intend to offer it as an amendment.

First and foremost, I rise to say I support the McCain-Feingold bill. I think Senator MCCAIN and Senator FEINGOLD have done a good job. Is it perfect? No. It is an awfully good start to try to bring some order and establish some thoughtful rules to a campaign finance system that is now a mess.

I want to be involved in the debate in the coming hours, when I hear people stand on the floor of the Senate and say, ''Gee, we think the campaign finance system is wonderful,'' because I want to ask them what they have been reading, what they have been watching. Not the campaigns that I have seen, not the reports that I have seen about campaign finance awash in soft money, awash in issue ads financed by soft money flying all over the country to pollute the air waves, that never allow the American people to understand who was the donor, who put in half a million dollars to go after this or that candidate. That has become a perversion of fair rules and fair standards in campaign finance reform, and I hope when we pass McCain-Feingold we will finally begin to make some order and some thoughtful response to campaign finance reform.

I thank the President, and I yield the floor.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

SENATOR RIBICOFF

Mr. WELLSTONE. Mr. President, let me say to my colleague from Connecticut, I imagine he came to the floor to speak about Senator Ribicoff. I will not be long. I will say, although I did not have a chance to know Senator Ribicoff, I know so much about him. He was a great Senator. I pass on my sympathy and love to the State of Connecticut and his family.

ISTEA

Mr. WELLSTONE. Mr. President, let me also thank my colleagues from West Virginia and North Dakota for talking about ISTEA, the transportation bill, which is all about investment in infrastructure, which is all about investment in our economies. And Minnesota is another State that awaits anxiously for us to take up this piece of legislation and pass it.

SECRETARY GENERAL KOFI ANNAN

Mr. WELLSTONE. Mr. President, I want to talk about 2 issues, and I want to talk about them briefly.

First of all, I would like to talk about this past weekend. I feel as if I speak on the floor of the Senate with a sense of history. Secretary General Kofi Annan, Secretary General of the United Nations, said when he went to Iraq that he considered this to be a sacred mission. I think he was right. I think it was very important and is very important for our country and the international community to have resolve with Saddam Hussein and to make it clear that it is extremely important that there be unhindered inspection so that we, in fact, know what exactly is going on in Iraq and, for that matter, for other countries, I wish it would be the same in terms of development of weapons of mass destruction.

Mr. President, I have to say this from the floor of the U.S. Senate. I believe as a Senator that war is always the last option. When you can talk instead of fight and when you can work out a peaceful solution and when diplomacy works and where there is a nonviolent resolution to a conflict, the world is better off for it. We should have no illusions, though sometimes people come to the floor of the Senate and people talk to each other and we get all pumped up and we talk about going to war and how awful Saddam Hussein is. I certainly agree he is a very cruel—very cruel—man. But, Mr. President, there is no question that if military action was to be necessary, a lot of innocent people would die. One child, one mother, one civilian in Iraq is one too many. One of our soldiers is one too many.

I am prayerfully thankful that Saddam Hussein seems to have understood the importance of these demands and, most important of all, because of the strong position that our country has

taken and also because of the very, very skillful diplomacy—very skillful diplomacy—of the Secretary General, I would like to thank the Secretary General for his effort.

We haven't dotted all the i's and crossed all the t's, and we have not seen the specifics, but I believe as a United States Senator that his mission was a sacred mission. I am very hopeful that we will have a political settlement. I am very hopeful that diplomacy will have worked, and I think the world will be better for that. Whenever we can avoid loss of life, let's first do that.

So we all wait to see. From what I have read, from what I have heard, and the Secretary General is a man who is very careful with his words, when he says he believes this will be acceptable to the United Nations, to the Security Council, I don't think he would have said that unless there is good cause for it.

So I am very hopeful that this will be acceptable to the Security Council, and we will have a resolution to this conflict without having to go to war, without having to take military action.

CAMPAIGN FINANCE REFORM

Mr. WELLSTONE. Mr. President, let me briefly talk about this campaign finance reform bill that is coming to the floor. By the way, this, I think, will be the business of the Senate this week. This is a core issue. This is the core problem, and this is going to be a real important debate for our country. I think it should be very clear to everybody in the country where all of us stand.

I know we have differences. Probably the Chair and I have differences on this issue. But I can't help but believe that we can't get some good things done together, because I can't but believe that any of us who have been through these campaigns just hate this system. It is just crazy.

I remember when I ran in 1990 in Minnesota the first time around. It was as if the only thing that mattered was how much money you had in terms of who gets to run, in terms of whether you have a viable campaign, in terms of who wins, in terms of what issues get discussed, in terms of who the people are who have access to the Congress all too often, as opposed to so many of the people who don't.

This is a core issue, and if you believe that each person should count as one and no more than one in a representative democracy, all the ways in which big money have come to dominate politics severely undercut our democracy. As a matter of fact, I think it is part of what has led to this serious decline of participation of our citizens which really can only lead to decline of our democracy.

So there are many concerns that people have, and they care about a lot of issues that are important to themselves and their families. But the problem is, they don't believe that their concerns are of much concern in the Halls of the Congress or, for that matter, the White House, because they believe that the political process in Washington, DC, has become so dominated by big money and special interests.

How important it is that we at least take some steps toward eliminating some of this corrupting influence of this big money and try to begin to make these campaigns sane, try to begin to make these campaigns at least a little bit more of a level playing field.

The Washington Post had an editorial today:

> McCain-Feingold is already a limited bill.

I agree. I wish we had the clean money-clean election option passed by Maine and Vermont, but McCain-Feingold is a very important step forward.

> For lack of votes, the original proposals meant to clean out the stables of congressional campaign finance almost all have been dropped. Congress's indignation with regard to financing of presidential United States campaigns somehow does not extend to the financing of its own.

Well, I would just ask people in Minnesota and people in the country: Please be vigilant. Please keep an eye out on our work. Do not let the U.S. Senate block reform. And do not let the U.S. Senate pass some piece of legislation that has that made-for-Congress look with a great acronym which pretends to do so much and ends up doing so little.

That is the worst of all cases. I'd just as soon we not do anything as opposed to passing something which we claim will make an enormous difference but really does not and will just add to the disillusionment of people in our country.

So I just say, this will be an important week. This is going to be an important debate. I hope we will get some things done.

For my own part, if the majority leader will let us, I will have a set of amendments that will apply to the Congress. I will have a set of amendments that will apply to our campaigns which will be an effort to begin to go after some of the influence of big money in congressional campaigns along with some of the other things that we will be talking about, like soft money.

If I cannot bring those amendments to the floor in this debate, I will bring these amendments to the floor in the next bill that comes up or the following bill that comes up, because I do not think there is any more important issue that is facing this country.

So to Minnesotans and to people in the country: Please hold all of us accountable. Do not let people get away with blocking reform. Do not let any of us get away with passing some piece of legislation which has no teeth and makes really no difference at all. Make sure that we take some steps in this U.S. Senate that will at least get some of this big money out of politics and at least move us a little bit more toward elections as opposed to auctions going to the highest bidder.

Mr. President, I think that I have about run out of my time. I yield the floor to my colleagues from Connecticut.

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

TRIBUTE TO SENATOR ABRAHAM RIBICOFF

Mr. DODD. Mr. President, I rise to commemorate an extraordinary life. We in the U.S. Senate have lost a former colleague and a leading light of the U.S. Senate—Abraham Ribicoff.

Abe Ribicoff, Mr. President, was born and raised in New Britain, CT. He was the son of poor Polish immigrants. Yet this humble son of Connecticut rose to become one of our State's and our country's most distinguished public servants. He served in this body for 18 years—beginning in January of 1963 and retiring in 1981.

One of the highest honors I have had in public life, Mr. President, was to succeed Abe Ribicoff in the U.S. Senate, and I take great pride in the fact that in 1981 Abe Ribicoff placed my name in nomination for this office.

Abe Ribicoff believed fervently that the highest calling one can have in American life is public service. He obeyed that calling as few Americans ever have. He is the only person in our Nation's history to have served as a State legislator, a municipal judge, a U.S. Representative, a Governor, a Presidential Cabinet Secretary, and a U.S. Senator.

But to appreciate Abe Ribicoff, it is important to understand that he did more than occupy an impressive collection of public offices. What distinguished Abe Ribicoff from his peers, from his predecessors, and from those who have come after him is not the number of offices he held, but the manner in which he held them. Abe Ribicoff brought to his life's work integrity, candor, high principle, an unshakeable faith in America's Government, and a deeply held belief in the goodness and decency of our people.

Abe Ribicoff had the rarest and most important of all qualities we seek in public leaders—courage in the public arena. Time and again, in ways large and small, he demonstrated a commitment to principle even in the face of fierce opposition. He was willing to fight for what he believed to be right. And he fought hard, though always—always—in a decent and honorable manner.

In Abe Ribicoff's politics, there was no place for meanness, no place for personal attacks. He understood the importance of public opinion, but he never relied on polls to shape his political decisions. He was guided not by emotion, not by numbers, but by judgment, by reason, and by principle.

One of the defining moments in his public life took place in 1968 at the Democratic National Convention. Here was a man, Mr. President, a first-term Senator, not unaware that he was confronting the entire national leadership of his party, willing to take a stand and make a very, very public display and call for civility in our society.

In doing so on that day, he appealed, in my view, to what is best about our Nation and ourselves—our capacity for tolerance and understanding; our belief that in a truly civilized society we live by the rule of law, not by the rule of force; that in fact it is right that makes might.

In this moment, the world learned what we in Connecticut had long known, that Abe Ribicoff was a national gift.

His entire career stood above all for the belief that America is a land of limitless opportunity and equal justice.

He abhorred discrimination in all its forms, and he knew it in his own life. During his campaign for Governor in 1954, an ugly whispering campaign questioned whether Connecticut was ready for a Jewish Governor. Abe Ribicoff answered from the heart. In a famous address in Connecticut, Abe Ribicoff said:

> In this great country of ours, anybody, even a poor kid from immigrant parents in New Britain, could achieve any office he sought, or any position in private or public life, irrespective of race, color, creed, or religion.

The voters of Connecticut, Mr. President, answered that they agreed with their Governor-elect.

Even when he himself was not touched by the sting of discrimination, he acted to do what was right. In 1956, a young Senator from Massachusetts was mentioned as a possible Vice Presidential candidate. Ironically, many Catholics, mindful of the discrimination that still existed against them, questioned whether America was ready for an Irish Catholic in the White House after what had occurred to Alfred Smith in 1928.

Abe Ribicoff, speaking to the Irish Catholic leadership of the Democratic Party, took exception.

> I never thought [he said] I'd see the day when a man of the Jewish faith had to plead before a group of Irish Catholics about allowing another Irish Catholic to be nominated for the position [of Vice President].

In no small measure, Mr. President, it was Abe Ribicoff's faith—faith in his country and faith in a candidate that propelled John Kennedy to the Presidency just a few years later.

Once again, Mr. President, in 1976, questions were raised about whether a southern Governor and a born-again Baptist believer could serve as President of the United States. Without a moment's hesitation, this Connecticut Yankee said yes. Judge the man, judge his ideas, but do not judge his personal faith.

Abe Ribicoff lived most of his professional life at the highest, most austere and auspicious levels. He knew his share of Governors, of Senators, of Presidents. But lest we forget, Mr. President, he also knew struggle. He knew hardship growing up among the shops and mills of New Britain, CT. And he knew discrimination and he knew defeat, having lost his first campaign in the Senate by a slim margin.

But even as he rose to the very top of public life, he never forgot about those that he served. He knew that all principles are in the end empty letters and hollow rhetoric if they are not connected to people's lives. The instrument of Government, the laws of the land mean little if they do not help ordinary citizens surmount obstacles and obtain their noblest aspirations.

At a time when Medicare was described as ''socialism,'' Abe Ribicoff knew that it embodied the obligation of a compassionate society to care for its elderly. When some called civil rights laws an affront to ''States rights,'' he knew that they could make the promise of equal justice a reality for millions of Americans. When others said that a Governor and a Senator should not spend his time fussing about highway safety, he knew that a tough approach to speeding and drunk driving would save lives and spare families immeasurable grief and sorrow.

We have spoken of Abraham Ribicoff as a public servant, but he was much more than that. He was also a husband and a father. To his wife Casey and to his family we convey our deepest sorrow.

He was also a teacher. I consider myself extremely—extremely—fortunate to have been able to call on him many, many, many times since he left office in 1981 for his advice and counsel and guidance and just good old political conversation. No one—no one—in this world of political life could have had a better mentor than I did in Abe Ribicoff.

Mr. President, I want to close with a reading from Hebrew text. It captures, I believe, the essence of this man whose passing we all mourn today. Let me quote it:

> A good name is to be chosen above wealth, and character rather than silver and gold.
> Blessed is the one who bequeaths a good name to his descendants.
> There are three crowns: the crown of Torah, the crown of priesthood, and the crown of royalty,
> But the crown of a good name excels them all.
> Even a long life ends too soon, but a good name endures forever.
> Blessed is he whose noble deeds remain his memorial after his life on Earth is ended.

Mr. President, I yield to my good friend and colleague, Senator LIEBERMAN.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. LIEBERMAN. I thank the Chair and thank my friend and senior colleague from Connecticut. I thank him for his eloquent and moving tribute to Senator Abraham A. Ribicoff whose passing yesterday we mourn on the floor of the Senate today. I would like to just add a few words to my colleague's extraordinary statement.

Mr. President, as Senator DODD has referred to that critical moment in the 1954 campaign of Senator Ribicoff for Governor of Connecticut, when there were expressions of bigotry, of anti-Semitism, and Senator Ribicoff at a turning point in his own career rose to challenge those whispers directly in the eloquent words that Senator DODD has spoken in what has become known in Connecticut political lore as Abe Ribicoff's ''American Dream Speech.'' In the bottom line of it was Senator Ribicoff saying, ''Abe Ribicoff believes in the American dream.'' And indeed he did. The extraordinary life that he led that ended yesterday, after 87 years, is a testament to the vitality of the American dream.

Mr. President, there are many other great civilizations and democracies in the world, but I must say the more that I have the opportunity to visit them the more I come back home appreciating how unique this great country of ours is, how we have created here an ethic of mutual respect, of a fairness of opportunity that has allowed people who are capable, who are willing to work hard to rise to the highest levels in our society, whether it is in the public sector, the private sector, in the arts, sports, whatever.

In that moment of crisis, in a campaign that, if he had lost, probably his public career would have ended, Abe Ribicoff stood up and directly confronted and challenged those who did not believe in the American dream, who were prepared to stimulate an effort against him because of his religion, to say that he believed in the American dream and had confidence that the people of Connecticut did. Also, of course, they vindicated that confidence on election day.

His father was an immigrant from Poland—Polish, Jewish—came to New Britain, CT, worked at first as a peddler, then as a factory worker, and raised a son and other distinguished members of the family who rose to extraordinary and proud heights.

Abe Ribicoff worked for everything he achieved. He had—if I may borrow from a phrase that my colleague mentioned earlier—he had a regal quality to him. It is a remarkable thing to say, when you think of the humble origins from where he came, but it was within himself, his dignity, his intelligence, his civility, his honor and integrity that those qualities remarkably in the hurly-burly of the political life that we lead remained intact.

He worked his way forward, ultimately graduating from the University of Chicago Law School. He came back to Connecticut and began to practice law. And very soon he went into public life.

As Senator DODD said, he has a record that as far as we know is unequaled in America because of the extraordinary range of offices he held—State legislator, judge, member of the U.S. House of Representatives, Governor, Secretary of Health, Education and Welfare in the Kennedy Cabinet, and then the capstone to his career, 18 extraordinarily distinguished and productive years as a U.S. Senator.

I want to comment on a few of those periods of his life and end with a personal word. When Abe Ribicoff became Governor of the State of Connecticut, he led an administration that constituted a turning point in the history of our State and, in many ways, pointed the direction for the future of the Democratic Party. As I have been thinking over the last 24 hours of some of the accomplishments that characterized Abe Ribicoff's career, it seems to me he was a ''new Democrat'' before anybody thought of the term.

In Connecticut, where the party had most of its strength in the cities, Abe Ribicoff and others—including my colleague's distinguished and beloved father, Senator Tom DODD—reached out from the cities to the suburbs, to the smaller towns, and broadened the reach of the Democratic Party in our State. In doing so, he not only achieved personal success and paved the way for partisan success in the future throughout the State but served with the public and the public interest in Connecticut mightily.

Abe Ribicoff as Governor was a fiscal conservative. He believed in balancing the budget. He believed in governmental reform. He focused on public safety questions such as highway safety. He never hesitated to work across party lines. During his 6 years as Governor, there were times when the Republican Party controlled one or, I believe, both Houses of the State legislature. He had a guiding principle that he adopted and articulated that carried him very well, right through the Senate years. It is what he described as the integrity of compromise. He said, in this business of politics there is nothing dishonorable and certainly not dishonest about compromising your initial position to get something done. What is the value, he would say, of holding to that initial position as strongly as you originally felt if just moving a little bit—as long as it is not against your conscience and your principles—allowed you to do something for the people.

He had a distinguished, very popular career as Governor, winning a very close victory in 1954, then going on to win an enormous landslide in 1958. As Senator DODD has said, he played a pivotal role, along with our State Democratic chairman, John Bailey, in the election of JFK as President, there, again, as my senior colleague has said, giving another testament to Abe Ribicoff's belief in the American dream.

President Kennedy asked Senator Ribicoff to become a member of the Cabinet, Secretary of Health, Education, and Welfare. He served there with distinction. He did some of the early work that led to the Medicare Program, which today is so critical to so many millions of Americans to provide decent health and is itself one of the reasons the average lifespan of the American people is longer today than it was before Medicare started.

The truth is, as he said to those of us who were privileged to know him and as he said after his retirement from public life, that the year and a half as a member of the Cabinet were not the happiest years of his career. In fact, they were probably the least satisfying. He was very honest about it. He said, ''I'm used to being my own man. I was Governor, I was a Member of Congress. I'm used to being my own man, instead of having to support positions that are someone else's that I really didn't support or having to oppose other positions that I really did support.''

He served with distinction but not with pleasure and took the opportunity to run for the U.S. Senate in 1962. That, I think, was the most productive and the most satisfying time of his remarkable career. He was again ahead of his time here. He worked on subjects like environmental protection before the great burst of activity in that area occurred in the 1970s. He had a hearing and invited the mother of the environmental movement, Rachel Carson, after she published her book ''Silent Spring,'' to testify before his committee. From that testimony, he worked on pesticides and other threats to the environment and public health. He continued the work that he started at HEW and played a leading role in the passage of the Medicare Program, serving as a member of the Finance Committee. He continued the work he had done in Connecticut on highway safety and did some very important legislative work to raise the standards for automotive safety of the American people. He was a great believer in free and fair trade and a strong supporter of the kind of governmental stimulus to the private sector that creates economic growth. He was very much in that sense a person of the Senate.

He worked very easily and comfortably across party lines. Again, remembering the integrity of compromise in a body of 100 people with a lot of strong opinions, you need people who are bridge builders, and Senator Abe Ribicoff built some extraordinary bridges that have so dramatically improved the quality of American life.

Mr. President, if I may end on a personal note, Senator Ribicoff was for me a hero, an inspiration, and a mentor. In 1954, when he first ran for Governor, I was a kid in Stanford, CT, beginning to develop an interest in politics. I was taken by his strength, by his independence, by the way he carried himself. Because he and I shared the same religion—both members of a minority religion—I wondered how he would fare. In some sense, he tested in a most public way the faith that my own dear parents gave me that this is a great country, this is a country of opportunity; people will judge you not by how you worship but by how you work, how you conduct yourself, what you propose to do.

Of course, in that election in 1954, the people of Connecticut vindicated Abe Ribicoff's faith, my parents' faith and in that sense gave me that faith at a critical time in my own life.

In the 1960s, as a college student, I had the great opportunity to work for Senator Ribicoff for two summers. This is sometimes what happens to Senate interns. We end up in the field of our dreams, as it were, here in the U.S. Senate, first in 1962 on his committee, his Campaign Finance Committee, working in the State, and then in the summer of 1963 as one of his first summer interns. We developed, I don't even want to at that stage call it a friendship, but he was a mentor, he was a teacher. I learned an enormous amount from him and will forever be grateful that when a few years later, in 1970, I decided to tackle public office as a State senator, he was gutsy enough and supportive enough to endorse me. It happened to be a Democratic primary against an incumbent, so it was quite a boost for a youngster, running without previous officeholding experience, to receive the support of the distinguished U.S. Senator whom I have talked about in terms of compromise and the integrity of compromise.

While it was true he was a moderate man in many ways, and that helped him to build the coalitions that made things happen for his constituents and for the American people, Abe Ribicoff's moderation was not a mushy vacuum moderation. It was full of principle; it was full of substance. As those of us who knew and loved him also can tell you, he was capable of leaving that moderation to go to periods of white heat when he felt strongly about something and was prepared to step out on those occasions, regardless of what the political conventions would have told him to do. The most dramatic, well-known example is the remarkable, courageous speech at the 1968 Democratic National Convention that Senator DODD referred to.

Abe Ribicoff was a towering figure who served with honor and great result. It is a source of great personal pride and no small amount of humility that I have the opportunity to stand here as a U.S. Senator today to express my own sadness at his passing and my own pride at the great career that he had and, finally, to offer my condolences to his beloved wife Casey, to his children Peter and Jane, to his stepson Peter, and to his six grandchildren. Your father, your grandfather, served America with great distinction and served in a way that should give hope to the millions of others out there who may be, as he did long ago, forming their own American dream.

I yield the floor.

The PRESIDING OFFICER (Mr. ROBERTS). The Senator from Connecticut.

Mr. DODD. I commend my colleague for his eloquent statement and his remembrances of Abe Ribicoff.

On behalf of both of us, Mr. President, I ask unanimous consent to have printed some very fine comments from today's editions of the Hartford Courant and the New Britain Herald, his hometown newspaper. They did excellent jobs in capturing the career and the essence of Abe Ribicoff.

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

[From the Hartford Courant, Feb. 23, 1998]

ABRAHAM RIBICOFF DIES AT 87

WAS CONGRESSMAN, GOVERNOR, CABINET MEMBER AND U.S. SENATOR IN 4 DECADES OF PUBLIC SERVICE

(By Charles F.J. Morse—Special to The Courant and David Lightman—Washington Bureau Chief)

Abraham A. Ribicoff, a storybook politician whose rare mix of talent, timing and luck took him from a boyhood dream in New Britain to a distinguished third term in the United States Senate, died of heart failure Sunday at the Hebrew Home in Riverdale, N.Y.

He was 87.

One of the state's most accomplished Democrats, Mr. Ribicoff was Connecticut's first and only Jewish governor and one of its longest-serving senators. And he became known nationally as President Kennedy's first secretary of health, education and welfare and later as the man who stood up to Chicago Mayor Richard J. Daley during the tumultuous 1968 Democratic National Convention.

''Abe Ribicoff served Connecticut and our nation with great distinction, style and elegance. He is truly one of the great leaders of the 20th century,'' U.S. Sen. Christopher J. Dodd, D-Conn., said Sunday. ''He displayed courage and conviction throughout his life, and he was a symbol for what public service can and should be. He will be sorely missed.''

Mr. Ribicoff left Washington in 1981, declining to run for a fourth Senate term. He went to New York to practice law, ''the generalist in a firm of 400 specialists,'' he would jest.

In a 1992 interview, he explained why he returned to his Cornwall Bridge home and sometimes took on the two-hour commute to midtown Manhattan instead of staying in Washington to enjoy elder-statesman status.

''I always felt that once a person no longer has power, he should get out,'' Mr. Ribicoff said from his Park Avenue office, ''Nothing is as sad as seeing a person who used to have power have none.''

STRONG-WILLED GENTLEMAN

Mr. Ribicoff always had a keen sense of timing. He was a craftsman of the political surprise.

On the eve of his election as governor in 1954, feeling the closeness of his challenge to incumbent Republican Gov. John Davis Lodge, and hearing some anti-Semitic undercurrents, Mr. Ribicoff went on television and winged it from the heart, telling of his American dream:

''In this great country of ours, anybody, even a poor kid from immigrant parents in New Britain, could achieve any office he sought, or any position in private or public life, irrespective of race, color, creed or religion.''

No one can measure the impact of that 11th-hour emotional candor, but he won the election by a slim 3,200 votes.

''He was a true leader and a leader in many ways that were first,'' former Gov. William A. O'Neill said Sunday.

O'Neill recalled Mr. Ribicoff as an old-fashioned gentleman who nonetheless had strong will and fought for what he believed in.

''He was a very strong man, a firm man, yet a very compassionate person who looked out for those who could not look out for themselves,'' O'Neill said. ''As far as political courage, he had all you needed of that.''

Mr. Ribicoff was born in New Britain on April 9, 1910, son of Samuel and Rose Sable Ribicoff.

He put himself through New York University and married Ruth Siegel of Hartford before attending the University of Chicago Law School. The couple had two children, Peter Ribicoff of New York City and Jane Bishop of Del Mar, Calif.

Ruth Ribicoff died on April 12, 1972. He married Lois ''Casey'' Mathes of Florida the following August.

AN EARLY CRUSADE

Mr. Ribicoff's public career spanned 42 years. He lost an election only once.

His first elective office, won in 1938, was a seat from Hartford in the state House of Representatives. From there he moved on to a Hartford Police Court judgeship. He was elected to Congress, from the 1st District, in 1948 and as governor in 1954.

After winning the state's highest office by a hair, Mr. Ribicoff later issued an executive order mandating 30-day license suspensions for drivers convicted of speeding. Thousands lost their licenses.

During 1956, the first year of its enforcement, 10,346 licenses were suspended for speeding, as compared to only 372 suspensions in the same period during 1955. In the same year, traffic deaths were reduced by 38 from the 1955 total.

The anti-speeding crusade could have cost the gutsy young governor dearly. ''Unless public officials have the guts to see it through, nothing will work,'' he responded to his political critics. ''We need tough, hard measures if we are to save lives.''

Connecticut's highway deaths continued to drop, and Mr. Ribicoff's stature soared. It rose even higher with his handling of the catastrophic floods that hit the state in August 1955. Four years later, he was re-elected by a landslide.

During that period, his timing served him well again. He was one of the first to urge John F. Kennedy, a Roman Catholic, to run for president. He always considered his support of Kennedy one of the most important moments of his political career.

''Kennedy said time and time again the first man who thought he could be president was Abe Ribicoff,'' Mr. Ribicoff recalled in a 1979 interview. ''In 1950, I said that Kennedy would be the first Catholic president of the United States. In Worcester, at the Massachusetts Democratic Convention of 1956, I proposed Jack for vice president. I nominated him in Chicago.''

U.S. Sen. Edward M. Kennedy, D-Mass., said Sunday, ''The Kennedy family has lost a good and trusted friend.''

The late Jack Zaiman, The Courant's political writer for most of Mr. Ribicoff's career, recalled ''a charmed political life. It seemed that whatever he did, and however he did it, it turned out right.''

The people knew him instantly. He became the best-known political name in Connecticut, until Ella T. Grasso.

In a 1985 remembrance piece, Zaiman wrote that Mr. Ribicoff formed an ideal political relationship with John M. Bailey, the late state and national Democratic chairman. The two had met by chance, as young Hartford lawyers who happened to have rented offices in the same building at 750 Main St.

''Ribicoff always made it appear as if he were above politics,'' Zaiman wrote. ''He was, so he wanted the world to know, a grand independent. No politician would run him or tell him what to do. But, underneath, he worked with Bailey and the professional Democratic politicians. He used them; they used him. He got what he wanted. He gave them, in the main, what they wanted. It was the best of all worlds for Ribicoff.''

Perhaps no other political figure in the state influenced so many historical changes:

The first and only Jewish governor of his state.

The transformation of Connecticut from a Republican to a Democratic state.

The end of county government.

The first successful state constitutional convention, which changed the structure of the General Assembly in 1965.

The joint Ribicoff-Bailey sponsorship of Kennedy, the first Roman Catholic elected president.

HIS ONLY REGRET

The Kennedy victory was Mr. Ribicoff's springboard to Washington. He was mentioned for U.S. attorney general but was named secretary of health, education and welfare, resigning as governor on Jan. 21, 1961.

His resignation as governor was his only regret. He acknowledged the excitement of the times; being asked to become part of the new Kennedy administration was too hard to resist, but in retrospect, he said, in 1992, ''I always felt badly about it; felt I didn't fulfill my agreement with the people . . . I still do.''

In 1962, he was elected to the Senate, succeeding retired U.S. Sen. Prescott Bush, father of President Bush. Ironically, he succeeded the only man who ever beat him at the polls. Mr. Ribicoff had vainly challenged Prescott Bush in 1952 at the tail end of his second term as congressman.

Mr. Ribicoff's best-remembered national moment came not in the Senate, but in Chicago, live on national television, from the podium of the 1968 Democratic National Convention. He had been expected to simply step up and nominate U.S. Sen. George S. McGovern of South Dakota for president.

That he did. Then he threw away the script and said, ''If George McGovern were president, we wouldn't have to have gestapo tactics in the streets of Chicago tonight.''

As he spoke, he looked directly down at the city's legendary Mayor Richard J. Daley, whose police were gassing and mauling young anti-war protesters in full view of the network cameras.

Daley shouted back from his seat on the floor. No microphone picked up his words, but the cameras caught his red faced anger and some of the more obvious profane insults formed by his lips as he glowered at Mr. Ribicoff on the rostrum.

When the uproar died down, Mr. Ribicoff's gaze returned to Daley and he added: ''How hard it is . . . how hard it is to accept the truth.''

GREATEST MOMENTS

Of all that he did or said during his career, Mr. Ribicoff used to talk of that Chicago moment as the one with the greatest impact. Film of it still is often included as part of retrospectives of the '60s.

''I really didn't know what I was going to say. I was just appalled at what we were seeing on television. I felt that what was going on out there was the real issue facing the party and the country,'' he recalled.

McGovern later offered Mr. Ribicoff the vice presidential spot on his ticket. Mr. Ribicoff declined.

''I didn't lust for that type of office, I didn't want to run all over the country doing

the chicken circuit and making political speeches, and I liked the Senate,'' he said.

In 1976, Charles Kirbo of Atlanta, President Carter's personal friend and adviser, felt out Mr. Ribicoff about running for vice president. The answer was no, again.

In the Senate, he listed his major accomplishments as joining John Stennis, a conservative southern Democrat, to insist on equal enforcement of new school desegregation regulations in the North and South; the creation of a Department of Education and the revision of foreign trade regulations.

Perhaps his greatest test came in 1978, when President Carter proposed the sale of advanced American warplanes to Egypt and Saudi Arabia, over strong objections by Israel, the American Jewish lobby and American Jews.

In an unusual secret Senate session Mr. Ribicoff supported the sale, warning his colleagues that the Soviet Union was threatening the entire Middle East and its oil supply, and that America had to have friends there in addition to Israel.

He saw lifelong friends turn on him as the pressure mounted.

But he led Carter's supporters to the controversial victory and said he felt completely vindicated by subsequent events in the area, including the Camp David accords.

During a Democratic fund-raiser in Hartford on Oct. 28, 1978, Carter acknowledged it.

''Our commitment to Israel, our allegiance to Israel, is unshakable,'' Carter said. ''Sometimes there are nuances or complications or facts that can't be revealed at the time. But over a period of weeks, I think you have always seen that when Abe Ribicoff votes in Congress for a controversial issue, like for instance, the sale of F–15s to Egypt, it seems to some that he may have made a mistake or I have made a mistake in advocating it.

''But we would never have induced President Sadat to come to Camp David had it not been for that vote,'' Carter said.

KNOWING WHEN TO QUIT

On May 3, 1979, Mr. Ribicoff summoned the press to his Washington office for what was expected to be a routine announcement that he was seeking re-election.

''As [former Senate Majority Leader] Mike Mansfield said,'' Mr. Ribicoff told the gathering, '''There is a time to stay and a time to go.'

''I've watched them come and go and I have admiration for the men who know how to go out at the top of their careers. A person who's been in power a long time should know how to step aside and open up the political process.''

He had ended it—once again unexpectedly—at the top of his form. His announcement stunned his party and his colleagues.

''Most people stay one term too long,'' he said later, convinced his timing had been right.

''There is no such thing as a unreplaceable person. . . . Everyone is replaceable,'' he said.

When Mr. Ribicoff retired from the Senate in 1981, he jointed the New York law firm of Kaye, Scholer, Fierman, Hays & Handler. But he continued to advise presidents, governors and Congress.

In the 1990s, he would discuss how his brand of politics seemed worn. Civility was no longer an important character trait; nastiness was. When Democrats returned to Chicago for their convention in 1996, Mr. Ribicoff wanted nothing to do with it. Ironically, the man best remembered for engaging in harsh intraparty warfare had found today's politics too harsh.

''Everybody in politics today plays dirty,'' Mr. Ribicoff said in a 1996 interview. ''Everybody wants to say bad things about everything.''

What he did in 1968 was spontaneous and heartfelt, not calculated to win political points. Today's politicians use their tempers as weapons to win poll points, and Mr. Ribicoff wanted none of that.

''I'm not a politician anymore,'' he said.

Mr. Ribicoff would continue working in New York, though he contracted Alzheimer's disease in later years.

When Mr. Ribicoff retired from the Senate, Sen. Edward M. Kennedy, his longtime friend and ally, and former Senate Minority Leader Howard H. Baker Jr., R-Tenn., led the Senate tributes.

Kennedy said Mr. Ribicoff would be remembered ''by all of us as a colleague who was both loved and listened to as a skillful leader on all the sensitive issues of foreign and domestic policy we face together.''

Baker said Mr. Ribicoff had been ''a giant of the U.S. Senate.''

His Connecticut colleagues at the time, Republican U.S. Sen. Lowell P. Weicker Jr., praised him as a ''great friend and a valued mentor.

''A government already comprised of too few Ribicoffs honestly can't stand the loss of Connecticut's senior senator,'' Weicker said.

Looking back over his life, during a 1986 interview, Mr. Ribicoff said it was not a piece of legislation but people who made the greatest impact on him—the people of Connecticut during the floods of 1955.

''I saw the grandeur of the whole state in the faces of the average citizen, their leaders and how they acted,'' he said, ''Everyone pitched in, Connecticut came together. That's a memory I will always treasure.''

Besides his wife and two children, he leaves a stepson, Peter Mathes, and six grandchildren.

The funeral will be at 11 a.m. Wednesday at Temple Emanu-El, 1 E. 65th St., at Park Avenue, in New York City.

[From the New Britain Herald, Feb. 23, 1998]

ABE RIBICOFF, NB NATIVE, DEAD AT 87

NEW YORK (AP).—Abraham A. Ribicoff, a former U.S. Senator and governor of Connecticut who served as secretary of Health, Education and Welfare in the Kennedy administration, died Sunday. He was 87.

Ribicoff, who suffered from Alzheimer's disease, died at a nursing home in Riverdale, N.Y., said ABC's Barbara Walters, a family friend.

Ribicoff, a Democrat, had a public service career that spanned more than four decades.

''Connecticut and the nation have lost a patriot,'' Connecticut Gov. John G. Rowland said in a statement Sunday. ''Abraham Ribicoff was one of the greatest leaders in Connecticut history. Beyond having served in all three branches of government, he stood for what was right regardless of the personal consequences.''

Ribicoff began his career as a state legislator in the Connecticut General Assembly and went on to serve as a municipal judge, a congressman, governor of Connecticut, a member of Kennedy's Cabinet, a member of the United States delegation to the United Nations and, for the last 18 years of his career, a U.S. senator.

As a senator, Ribicoff gained national prominence at the 1968 Democratic National Convention, when he made a blistering speech criticizing Chicago Mayor Richard J. Daley for the strong-arm tactics used to control protesters.

''I don't think anyone involved in politics will forget his speech out in Chicago,'' Connecticut Democratic Party Chairman Ed Marcus said Sunday. ''He certainly left his mark on the political landscape of this country.''

* * * * *

Former Connecticut Gov. Lowell P. Weicker Jr., a Republican turned independent, who served with Ribicoff in the Senate, lauded Ribicoff as a man of courage who was never afraid to go out on a limb for what he believed.

''Abe Ribicoff did what he thought was right and the devil take the consequences,'' Weicker said.

Ribicoff was known as a perfectionist and as one who got along with those in both parties.

His years as governor were marked by reforms of the state's judiciary system, the elimination of county governments and education improvements. He helped win national acclaim for Connecticut when he instituted a program to suspend the driver's licenses of speeders. The program helped decrease highway fatalities.

Ribicoff retired from the Senate in 1981 to join the New York law firm of Kaye, Scholer, Fierman, Hays & Handler, but he didn't stay out of politics entirely and remained a popular adviser to presidents, governors and congressional committees. He chaired a Reagan administration commission on military base closings and testified before a panel on political campaign reform.

Ribicoff clearly enjoyed his status as an elder statesman.

''I've been around the track a lot,'' he said in a May 1993 interview. ''I had the best of the years (in politics) and I don't want a single year back.''

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. GRAMS. Mr. President, I ask unanimous consent I be allowed to speak up to 12 minutes.

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

PUBLIC SERVICE CONTRIBUTIONS OF MINNESOTA BROADCASTERS

Mr. GRAMS. Mr. President, I rise today to recognize the public interest contributions of the radio and television broadcasters in my home state of Minnesota. As a former broadcaster, I appreciate their efforts in our communities, and their accomplishments should not be overlooked.

Last month, I reflected upon how radio has become an influential medium in the lives of many Americans throughout its 78 years of operation in the United States. As my colleagues know, January was recognized as ''National Radio Month.'' Today, I wanted to highlight in broader terms, the extraordinary influence and unselfish nature of both radio and television broadcasts.

Broadcasts over the 12,200 radio stations in the U.S. serve a variety of purposes. Radio communicates with listeners during time of emergency, informs them of noteworthy community events such as fundraising drives, educates them about developing stories and current events, and entertains during long drives across our states. Americans listen to the radio an average of three hours and twelve minutes on weekdays, and four hours and 42 minutes on weekends.

Similar to the listening power of radio, television has also become a vital part of our daily lives. Since the

first television broadcast test in the U.S. took place during the 1920s, this medium has evolved and grown from approximately 36 broadcast television stations in 1948 to more than 1,550 stations across the country today. According to the National Association of Broadcasters, 98 percent of U.S. households currently own television receivers. And television is the main news source for 70 percent of the American public.

Mr. President, many of our country's radio and television stations have participated in public service to their communities, not only out of statutory obligation for the licenses they receive, but because they have become part of their communities' way of life. I am proud of a recent Minnesota Broadcasters Association survey of station executives in which all 16 commercial television stations and 50 percent of the 242 radio stations responded. As impressive as these findings are, I am sure they represent only a microcosm of the public interest contributions of our nation's broadcasters.

I was pleased to learn that radio and television stations across Minnesota raised more than $19.4 million for charities between June 1996 and June 1997, including $65 million in donated air time for Public Service Announcements. The hundreds of public service announcements broadcast each week highlighted such issues as AIDS awareness, disaster relief, safety campaigns, drunk driving, and drug and crime education programs.

Additionally, of those stations surveyed, 100 percent of television stations and 95 percent of radio stations have helped charitable causes or needy individuals through fund-raising and other types of support.

I know my constituents who suffered through the midwest floods of 1997 are grateful to those stations in Minnesota who were involved in local news broadcasts, public service announcements, public affairs programming, and off-air campaigns to aid disaster victims.

A typical example of the Minnesota broadcasters' efforts during last year's spring floods is how Minnesota radio and television stations worked together with their listeners to raise $1.6 million to help and assist the flood victims. These stations also produced a video titled ''Beyond the Flood,'' donating the profits to the hundreds of thousands of Minnesotans who had their lives disrupted by the floods.

Mr. President, the statistics I have cited do not tell the whole story. There have been hundreds of examples of how Minnesota's broadcasters have provided extraordinary local public service to communities around Minnesota.

Additional past noteworthy accomplishments that come to mind include efforts by WJON–AM and its two sister stations in St. Cloud to raise money to buy bulletproof vests for the police departments. Its goal was $50,000, but ultimately raised $75,000. And stations 92 KQRS–FM and 93.7 KEGE–FM in Minneapolis have worked with Minnesota Job Services to set up a free interactive telephone hotline to connect employers with qualified applicants. Amazingly, this service registers 10,000 calls each month.

Finally, some of my colleagues in the Senate have advocated that Congress or the Federal Communications Commission mandate ''free'' or further discounted air time for political candidates. While I share the concern of many of my colleagues over the decreasing level of voter participation over the last few years, I believe proponents of this idea should more closely examine the level to which broadcasters are already raising the political awareness of the electorate through news coverage and free debate time. In 1996, two-thirds of Minnesota radio stations and four in ten television stations offered free air time to political candidates, with many of those stations actually holding the events.

Many more stations aired a local political affairs program or segment dealing with the local elections, and special segments profiling candidates and their positions on the issues. And nearly all of the stations surveyed appealed to their audiences to vote, whether through public service announcements, public affairs programming or the news. These efforts by Minnesota's broadcasters have helped to restore the people's faith and participation in our democracy.

Through disaster relief efforts, holiday safety initiatives, fund-raising drives, school announcements, public affairs programming, and weather emergency information, Minnesota broadcasters have demonstrated their commitment and dedication to public service.

I am proud to say that in some instances, these efforts have been recognized by the Minnesota Broadcasters Association through their ''Media Best Awards'' and by the National Association of Broadcasters annual ''Crystal Radio Awards.''

I applaud the leadership shown by all of Minnesota's stations, and am pleased to have shared their accomplishments with the Senate.

OMB'S STUDY OF THE NORTHEAST DAIRY COMPACT

Mr. GRAMS. Mr. President, I rise today to express concern at the continued efforts of some Members of Congress to use dairy farmers and consumers as vehicles for political manipulation.

Late in the day on Friday, February 12, the Office of Management and Budget released a study requested by Congress which is reported to be an analysis of the economic effects of the Northeast Interstate Dairy Compact. Unfortunately, it appears only to be a masterful work of political manipulation that skillfully avoids answering the core question of what actually is the impact of the Northeast Dairy Compact. As a watered-down compromise, the report sheds little light on the plight of dairy farmers both inside the Compact region and around the nation. Meanwhile, the New England milk tax continues to take its toll on the most vulnerable consumers.

Senator FEINGOLD and I were the authors of the amendment which directed OMB to undertake an unbiased, independent study of the direct and indirect economic effects of the Northeast Interstate Dairy Compact. Did we receive an unbiased study? Hardly. I was informed that Compact supporters had plenty of input. Lacking the same political clout, opponents did not. What the American people have received is a sanitized product of regional politics. It's one more example of this administration's failed dairy policy.

The OMB has made it painfully clear that they had neither the time, data, nor resources to produce a meaningful analysis. This is not a legitimate excuse for producing a report with exorbitant levels of ''statistical uncertainty.'' We attempted to work with OMB in addressing the issue of the inadequate time frame for conducting a meaningful study. At the beginning of the year, OMB asked for my assistance in requesting a time-extension before the release of the report. I worked with them to obtain the short extension they requested, in the interest of not rushing through the project. This was the only time an extension was requested even though I made it clear I would work with them in obtaining further extensions as necessary.

So, why did OMB wait until the week before the initially scheduled release of the study to inform us that not enough time had passed to produce a significant, decisive report? If OMB could see there still was a problem with insufficient data due to the limited time the Compact has been in effect, they should have made a formal request for an extension.

There was no attempt to seek an extension to allow a meaningful study, only a veiled attempt to get this request off their plate—even if it resulted in an inferior product compromising the integrity of OMB. Aren't the best economists in the government at OMB? This study questions that presumption.

The attitude in a staff briefing conducted by OMB three weeks ago was that it did not want this task, and sought to get rid of it as soon as possible. We expect OMB to conduct professional and unbiased studies. Apparently, that is not possible.

Even without a decent report, we all know the Compact hurts consumers. Milk prices have increased an average of 17 cents a gallon throughout New England. Those most adversely impacted include low-income families, children, and elderly residents on fixed incomes.

Over the past year, a number of newspaper articles have appeared in the New England region that have questioned the legitimacy of the Compact. I ask unanimous consent that a

sampling of these be printed in the RECORD.

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

[From the Legislative Gazette, Nov. 3, 1997]

GROUP CONCERNED ABOUT RAISING MILK PRICES

(By Elysia Nest)

Cookies will just have to go without it. And morning coffee just won't be the same.

If Gov. George E. Pataki's newly appointed dairy task force agrees to artificially raise the price of milk to aid the state's ailing dairy farmers this week, low-income families will be hit the hardest, according to John Schnittker, senior economist for Public Voice for Food and Health Policy. Schnittker warned that boosting the price dairy farmers receive for milk will cost the state's consumers $91 million over the next 12 months. That's an increase of 21 cents a gallon.

Also, the organization opposes the possibility of New York joining in the Northeast Interstate Dairy Compact for fear that it would raise prices for consumers without enhancing the long-term viability of small dairy farmers.

The revenue would continue to flow to the largest producers, who would in turn produce more milk, further shutting out the smaller farms. The Compact allows New England to receive a price for milk that is about the price set by the federal dairy program. This price is currently $16.94 per 100 pounds of milk.

Farmers are getting less for their milk. People are paying more. Schnittker sees danger signs ahead.

''The governor's dairy task force should reject attempts to get a quick fix to these problems,'' he said. ''A price increase will harm the pocketbooks and the health of New York. The low-income consumer will be hit the hardest. It robs families of purchasing power. Dollars that are needed for groceries will be spent on milk.''

But Rick Zimmerman of the New York Farms Bureau said Public Voice is a front group for dairy farmers. ''They are farmer advocates,'' he said, ''not consumer advocates.'' Zimmerman, however, said there is a short-term answer to the problem.

''This is an opportunity for the governor to institute an emergency price increase for fluid milk that could prove of some assistance.'' While the length of time that an artificial price increase may be implemented is dictated by state law at 90 days, Zimmerman said it may be just what the state needs to get the dairy farms back on track.

Peter Gregg, spokesman for the Department of Agriculture and Markets, said he has complete faith that the dairy task force will do what needs to be done.

Still, Michele Mitola, director for New York Citizens for a Sound Economy, said an artificial price increase would barely help farmers at all. It would just be another consumer tax increase.

''It is bad enough that the federal government has set prices for milk; to allow the state to artificially raise the price higher amounts to nothing but a tax increase for the state's consumers,'' she said. ''As with any consumption tax, the burden will be greatest on those at the lowest end of the income scale. The governor is trying to sustain an industry on the backs of the state's consumers. This is the equivalent of corporate welfare, and consumers should not be forced by the government to pay above-market process to sustain any industry.''

In addition to the financial strain higher prices would cause, Public Voice estimates the loss in purchasing power to New York food stamp recipients under the plan to exceed $11 million over 12 months, Also, New York taxpayers will pay $5 million more for school meal programs.

The assistance plans would also hit the New York metropolitan area hard, since it has a large urban population. Over the next 12 months, the analysis found, downstate residents can expect to pay $49 million in higher milk costs under the plans.

The New York State Public Research Group (NYPIRG) is also concerned. It opposes ''over-order'' pricing, regardless of whether it is accomplished through administrative action by the Department of Agriculture and Markets or through participation in the Northeast Interstate Dairy Compact.

''There is little reason to believe that an increase in dairy support will provide help to the small family farms that truly in need,'' said Russ Haven, legislative director for NYPIRG. ''If anything, non-targeted assistance in the form of dairy price support will widen the disparity between large and small milk producers.

So while ''milk may do a body good,'' unless the dairy task force can come up with a fair compromise between farmers and consumers, many consumers will just have to go without it.

''If the governor truly wanted to help family farmers without hurting consumers, he would focus more on further lowering their tax burden and removing unnecessary constraints that increase the cost of doing business in the state,'' said Mitola.

The 14-member dairy task force is expected to meet this week.

[From the Record, Nov. 31, 1992]

CONSUMER GROUPS: LET MARKET SET MILK PRICES

(By Kenneth Lovett)

ALBANY.—If the government sets higher milk prices for farmers, consumers are likely to pay more at the grocery store but New York's small dairies aren't likely to be any better off, two consumer advocacy groups charged yesterday.

''It would be nothing more than a milk tax on consumers,'' said John M. Schnittker, a senior economist with Public Voice for Food and Health Policy, a Washington, D.C.-based think tank.

Public Voice and New York Citizens for a Sound Economy, a Westchester-based advocacy group, said the industry and consumers would be better off letting the free market set the price of milk.

If really interested in helping small dairies survive, the state should continue to lower the cost of doing business in New York, offer property tax relief for farmers and other direct incentives, they said.

''Sixty years of federal intervention into milk pricing has done nothing but accelerate the trend of fewer farms and smaller farms that have been replaced by larger ones,'' Schnittker said.

Though declining, agriculture is still New York's and the Mid-Hudson's No. 1 industry.

Dairy farmers have long complained that the federally-set milk prices are too low to offset the steadily increasing cost of running their operations. The wholesale price of milk is about $12 per 100 pounds for New York farmers or $4.50 less than a year ago.

Gov. George Pataki last week formed a task force to develop recommendations to help farmers without hurting consumers.

Among the options being explored is whether the state should temporarily raise milk prices paid to farmers above the federally set rate. By law, New York's agriculture and markets commissioner can increase the rate if petitioned by 35 percent of the state's milk producers.

Another option supported by many farmers is to have New York join the six New England states in the Northeast Interstate Dairy Compact, which would allow them to charge more for their milk. The states now in the compact are receiving $1.31 more per hundred pounds for their milk than New York farmers.

Consumer groups are urging both options be rejected. The study that Public Voice released yesterday predicted raising the price paid to farmers would translate to about 21 cents a gallon more for milk. The average upstate milk price per gallon is now $2.24.

But it's not just consumers who would suffer, he said. The higher prices would encourage larger farms to up production, thus allowing them to benefit significantly more than smaller farmers. According to the study, 53 percent of the revenue taken in from the increase in prices would go to only 18 percent of the producers. For the largest 400 dairies that would mean annual subsidies averaging $45,000 per farm.

But farming interests say the consumer groups are only working to scare people. They say increased milk prices will be one way to make it easier for small farmers to compete.

They also argue that costs to consumers won't necessarily increase just because farmers are paid more.

Rick Zimmerman, New York Farm Bureau director of governmental relations, noted that the price of milk over the past year has not dipped as much as the price paid to farmers.

''It is unfortunate that the general public is being scared by a group that pretends to exist for the best interest of New York consumers,'' Zimmerman said. ''The facts are clear. Public Voice is—merely a front for milk processors who find it in their best interest to keep the farmers milk price as low as possible.''

[From the Boston Globe, Dec. 2, 1997]

N.E. MILK TAX HITS NEEDY HARD

(By Kevin G. Honan)

In the last several months consumers throughout New England have seen their milk prices increase an average of 17 cents a gallon. The reason for the increase is the Northeast Interstate Dairy Compact, which sets a minimum price that dairies must pay farmers. The minimum is currently $1.46 a gallon, or 13 percent above the federally set national minimum.

Because of this surcharge on milk prices. New England consumers have paid an extra $16 million for milk since July. Massachusetts consumers were hit hardest, paying $7.4 million of the increase. According to a study by a Washington agricultural policy group, the compact's milk tax will add $32 million to Massachusetts consumers' grocery bills by September 1998.

The compact is designed to protect New England dairy farmers, yet the benefits to the state are minimal, because Massachusetts has only about 350 dairy farmers, less than one-tenth of the New England total. Additionally, Massachusetts consumers will pay almost half of the entire New England milk tax, yet 88 percent of the state's $27 million in milk tax revenues will benefit out-of-state farmers. By next September, membership in the compact will cost Massachusetts consumers more than $90,000 in milk taxes per Massachusetts dairy farmer.

There must be a better way to help farmers in need than a milk tax that places financial stress and unfair burden on hundreds of thousands of working people, especially lower-income families, children, and elderly

residents on fixed incomes, who need milk at affordable prices.

At a time when many low-income families are being hurt by severe cuts in food stamp benefits, the compact's milk price increases are especially distressing. The purchase power for food stamp recipients decreased by more than a half-million dollars in the first three months after the compact's decision. Over the coming year, the compact will cost the state's poorest residents more than $1 million in lost purchasing power.

Government programs that provide food benefits for children are also particularly vulnerable. National statistics show that children are the biggest milk consumers. In fact, while children constitute only 29 percent of the U.S. population, they drink 49 percent of all milk sold. In Massachusetts, over the first three months alone, the increased expense for school lunch programs, which provide many children with the one nutritious meal they have each day, was $400,000. By September 1998, the compact will cost school lunch programs statewide almost $2 million.

Massachusetts Commissioner of Agriculture Jay Healy, a member of the Compact Commission, recently proposed an amendment to exempt school lunch programs from the milk tax, but that attempt was rejected by other commission members.

I recognize that the compact's goal is to help subsidize New England dairy farmers, but penalizing the low-income, elderly, and children is not the best method. Increased training and tax relief programs are among the options we should consider. Alternatives to the compact are necessary and could involve initiating lending programs with banks for preferential interest rates to small farmers, or creating tax-relief initiatives on land transfers, so families are not penalized when farms are transferred from one generation to the next.

It is now in the hands of the five Massachusetts members of the Northeast Dairy Compact Commission. At the December compact meeting, the Massachusetts delegation should offer a motion to rescind their previous vote in favor of the milk tax. Low-income families, children, and senior citizens cannot afford to bear this burden.

Mr. GRAMS. Opposition to the Compact is growing among state legislators from the New England area. One state may even be attempting to pull out of the Compact. Those regions with the most to lose are densely populated and have fewer dairy farmers relative to other regions. The result is an effective subsidization by urban consumers.

A milk tax that burdens financially stressed working families—especially those of lower-income, who rely on reasonable and affordable milk—is wrong. It is high time we put an end to partisan, regional politics which block real, long-term, assistance for dairy farmers.

I intend to continue my efforts to oppose the Northeast Dairy Compact. This will include fighting to obtain a comprehensive, informative study on its effects and consequences.

Mr. CLELAND addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia [Mr. CLELAND] is recognized.

Mr. CLELAND. Mr. President, I ask unanimous consent to speak for 12 minutes.

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

(The remarks of Mr. CLELAND pertaining to the introduction of S. 1664 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business Friday, February 20, 1998, the Federal debt stood at $5,518,340,599,802.18 (Five trillion, five hundred eighteen billion, three hundred forty million, five hundred ninety-nine thousand, eight hundred two dollars and eighteen cents).

One year ago, February 20, 1997, the Federal debt stood at $5,340,668,000,000 (Five trillion, three hundred forty billion, six hundred sixty-eight million).

Twenty-five years ago, February 20, 1973, the Federal debt stood at $452,362,000,000 (Four hundred fifty-two billion, three hundred sixty-two million) which reflects a debt increase of more than $5 trillion—$5,065,978,599,802.18 (Five trillion, sixty-five billion, nine hundred seventy-eight million, five hundred ninety-nine thousand, eight hundred two dollars and eighteen cents) during the past 25 years.

MEDICAL AID TO ETHIOPIA

Mr. ASHCROFT. Mr. President, I rise today to acknowledge and honor the achievement of Assist International, World Serv, the Hewlett Packard Foundation, and the Erie Area Chamber of Commerce in delivering medical aid to the people of Ethiopia. This group of organizations has worked to provide medical equipment to Ethiopia that can save hundreds of lives. This generous gift, valued at over one million dollars, will bring hope and health to many in Ethiopia.

These organizations and the concerned Americans associated with them have demonstrated the true spirit of charity. The group cooperatively has donated a state-of-the-art cardiac heart monitoring unit to the Black Lion Hospital—Ethiopia's leading teaching medical facility. In addition to the cardiac unit, beds, mattresses, and other system support equipment will be provided.

World Serv and Assist International have a strong history of providing humanitarian aid to relieve human suffering in needy countries. Assist International donated medical equipment to a site in Mongolia which was then approved by the World Health Organization to perform open heart surgery. The Hewlett Packard Foundation donated the medical equipment in the Black Lion Project in its goal to ease human suffering internationally. Finally, the Chamber of Commerce of Erie, Pennsylvania, has joined together with the other organizations and has raised the funding for transportation, installation, and training costs of this project. Specifically, I commend the Erie Area Chamber of Commerce for this cooperative effort and for holding the third annual ''Aid to Africa'' banquet to raise funds for humanitarian projects.

The Black Lion project is an example of the compassion and generosity that other countries appreciate and admire in the United States. It gives me great pleasure as the chairman of the Senate Foreign Relations Africa Subcommittee to know that Americans are finding ways within the private sector to aid other countries in Africa. It is my pleasure to ask the members of the Senate to join me in recognizing and honoring the work of the members and staff of Assist International, World Serv, the Hewlett Packard Foundation, and the Erie Area Chamber of Commerce.

JOSEPH CHESHIRE WEBB (1915–1998)

Mr. HELMS. Mr. President, as I speak, the countless friends of Joe Webb have been sadly saying farewell to him at services today in Raleigh and at Saint Matthews Church cemetery in Hillsborough, Joe's final resting place.

Joseph Cheshire Webb, 83, died this past Friday afternoon after a distinguished career as trust officer for Wachovia Bank and Trust Company in Raleigh—which he had served for decades as head of that bank's trust department.

But it was not merely Joe's able service as a highly respected banker that earned for him the wide circle of friends who were saddened by the news of his passing.

Joe was thoughtful and caring without fail—and his sense of humor made him welcome everywhere he went.

In other words, he was a genuinely good guy, a sincere and honorable friend. His service in the Navy during World War II, his participation in the civic and business life of Raleigh and the State of North Carolina, and the sincerity of his friendly personality earned for him the respect and affection of all who knew him.

To all of us who knew Joe Webb well, he was what the late Senator Dick Russell of Georgia so often referred to as ''one of Nature's Noblemen.''

I am proud to have been his friend, Mr. President, and to have him as mine. I shall miss him.

ROGER STEVENS—A GIANT FOR THE PERFORMING ARTS

Mr. KENNEDY. Mr. President, with the death of Roger Stevens earlier this month, the nation lost one of its greatest leaders in the arts. Roger Stevens was the Founding Chairman and unstoppable visionary for the John F. Kennedy Center for the Performing Arts. Just inside the entrance of the Center is a bust of Roger Stevens with those words inscribed to him.

Roger Stevens was a real estate magnate who loved the excitement, energy and creativity of American theater. During his lifetime, he produced hundreds of plays and musicals, including

many of the nation's all-time favorites such as ''West Side Story,'' ''Les Miserables,'' and ''Annie.''

It was Roger Stevens whose efforts and extraordinary ability created Washington's national cultural center which was later named for my brother, President Kennedy. The Kennedy Center today is truly the house that Roger built, and it is a wonderful living memorial to my brother. It presents the finest in the performing arts on its stages, and it is an extraordinary success. Washingtonians and an estimated million visitors to Washington each year enjoy its performances and educational programs.

In St. Paul's Cathedral in London, there is a tribute to its great architect, Christopher Wren. It says, ''If you would see his monument, look around you.'' The Kennedy Center is a monument to Roger Stevens' too.

I know that my brother would be very proud of the Center which bears his name. All of us who value achievement in the arts treasure the Center's continued pursuit of Roger's dream—that Washington will be a great center for the performing arts and that the Kennedy Center will present the best in plays, symphonies, ballets and operas from across the country and around the world. Roger Stevens made it possible for all of us to share in that dream—and the nation owes him a tremendous debt.

I ask unanimous consent that the tributes to Roger Stevens at a memorial service on February 4 at Oak Street Cemetery Chapel in Georgetown be printed in the RECORD.

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

TRIBUTE BY MARTA ISTOMIN

I came to the Kennedy Center in January 1980 and worked closely with Roger Stevens some 10 years and our friendship lasted 'til the end. It was much more than friendship from my part—it was admiration, affection and respect, and the realization of the privilege of being near such an extraordinary personality—from whom I learned so much.

Many have spoken and written about Roger's lifetime achievements. I can only speak first hand about those later years when he was involved in the development of the artistic dream of making the Kennedy Center a genuine National Cultural Center—raising the awareness of what true Art means—as compared to just anything that carries the label of Performing Arts—and we need to know the difference! A Center that would be a place where the best expression and excellence of American Arts would be appreciated and encouraged—while presenting the best from around the world.

At the Kennedy Center—the house that Roger built—there was an incandescent spirit within those walls—not only on the stages but before the performances were ever on stage. The ideas, the preparation, the challenges, the excitement! It was Roger that instilled that spirit. He was a passionate believer and supporter of many projects—not only for the Theater—but for all forms of arts. One of his extraordinary gifts was for recognizing creative talent and for bringing together the best artists. As an example, when he served as first chairman of the National Council on the Arts, he assembled such council members as: Agnes De Mille, Ralph Ellison, John Steinbeck, George Stevens, Sr., Gregory Peck, Oliver Smith, Leonard Bernstein, Isaac Stern, William Pereira, Minoru Yamasaki, David Smith, and Philip Hanes.

This tells us the all encompassing vision he had for culture in America.

I can tell you what working with him was like.

If he believed in you—he gave you full reign to pursue your goals, and, while observing their development one could feel supported and understood. When there was a project that he might not be completely familiar with, he would listen—look at the budget and finally ask: ''Do you believe in it? Is it worthwhile for this Center? . . . then, go for it.'' If there was something that did not succeed, there would be no blame. Let's learn from it and go to the next project.

It was a very personal kind of leadership. He inspired others by his dedication and his intuitive genius in recognizing excellence. Unless he was traveling for fund-raising or scouting for new projects all over the world, he was day and night at the Center—hardly ever missing a performance. His curiosity and thirst for knowledge were constantly fed by extensive reading.

He loved to attend rehearsals. He would drop into every office—asked questions. His memory was prodigious, especially for numbers and budgets. During his era there was no need for long memos, strategy meetings or management meetings. He simply led the way—without too many words. We understood, the work was done, and wonderful programs were given. Everything fell into place. He elicited the best in each of us.

In moments of détente, he would enjoy good laughs, conversation, a glass of good wine, reports on artistic ventures and gossip about artists. He loved to talk to artists, staff, stagehands and volunteers—he would be informed about everything.

Roger radiated a quality that was powerful but benign. The power to make things happen through the humble, plain and complete dedication for his cause.

His generosity was as his commitment—enormous.

My husband Eugene would make him laugh when he mimicked his way of approaching big donors. He would say ''Look it.'' ''There is this great project. I'm giving X thousand dollars towards this play-opera. This is important for our Cultural Center, to work for everybody's sake. Will you join me?'' And so they did. But it was Roger who gave first, and usually the most, and they followed.

I recall that a beautiful Monet painting, one of the Nymphea Series hung in the living room of the Stevens' home. One day it disappeared. ''Where's the Monet?'' ''I sold it. We needed the money at the Center,'' without even a sign of regret. That was Roger! That was his extraordinary leadership.

But there is another side of Roger which was perhaps less evident to the public. The personal shining star of his life—Christine. One day I was waiting for him at his office looking at a beautiful picture of Christine that he always had on his desk. I said, ''She is truly a beautiful woman.'' He said, ''Oh . . . so beautiful outside and inside,'' and his eyes filled up as he spoke. Both he and Christine have been missionaries. He was a leading champion for the Arts in America. Christine's mission has been first and foremost the companionship and care of Roger over a whole lifetime and their daughter Christabel. She also embraced humanitarian and humane causes for which she works tirelessly. Because of their example, many have been made aware of how determined dedication can affect our world. They celebrated their wedding anniversaries on New Year's Day and at the celebrations on New Year's Eve at the Kennedy Center, and later on in our home. Christine would always wear a white orchid given to her by Roger. Theirs was a true love story for 60 years.

Roger you will remain in our minds and hearts.

You remain as a shining inspiration for generations to come.

Your life achievements will always be cause for celebration.

And, we loved you!

TRIBUTE BY WILLIAM MCCORMICK BLAIR

I knew Roger for forty-six years. He was a warm and wonderful friend and one of the most decent and honorable people I've ever known.

He is gone now but his long and luminous life has left us with indelible memories.

I had the enormous privilege of working closely with Roger during the Adlai Stevenson years when he was one of our most effective fund-raisers. He didn't change over the years—back then the same unassuming and modest nature, completely without pretense.

Roger used to say to me that if I could block off a luncheon he would produce five or six people, each of whom would contribute $50,000 to the campaign—a significant sum in those days—and produce he did. I remember standing with him in the fields outside Adlai's house in Libertyville and watching the private planes circling like angels before landing to disgorge the contributors. And in New York, when on occasion the networks would refuse to put Adlai on national TV until the money was in hand, we went to Roger, who would invariably say, ''Don't worry, I'll take care of it.''

The ''Don't worry, I'll take care of it'' approach carried over to the turbulent years during which the Kennedy Center was constructed. There were difficult times and innumerable provocations, frustrations with architects, contractors, performers, playwrights, etc., to say nothing of endless trips to the Hill seeking funds, but Roger was unfailingly generous, considerate, good humored, and kind—and he made it all work.

I remember his first heart attack—he called me from New York at six or seven in the morning telling me that he knew he had had a heart attack in his apartment, had gotten dressed and walked over to Lenox Hill Hospital, from where he was calling. He asked me to reschedule or take over some meetings, but admonished me not to call Christine, saying it was too early to bother her and that he would call her in an hour. So typically considerate, as always.

Dear Christine, together with your independent spirit, you combined over the years a thoughtfulness, enthusiasm and warmth of friendship which you brought to everyone, and a devotion to Roger so tender, so thoughtful, so full of consideration and kindness that it would be hard to suggest an equal.

Horace Greeley once said, ''Fame is a vapor, popularity an accident, riches take wind, and those who cheer today will curse tomorrow. Only one thing endures—character.''

And it was his character that was Roger's ultimate strength.

So with unmeasured gratitude we remember the impeccable dignity and integrity that were the hallmarks of his life. For all of us, and particularly for Christine and Christobel, there are those wonderful memories. It is also for the little things we remember as well as the ones the obituaries have been listing, that we send our love back to Roger.

Robert Ingersoll could have had Roger in mind when he said of a friend, ''He added to

the sum of human joy, and were everyone to whom he did some loving service to bring a blossom to his grave, he would sleep tonight beneath a wilderness of flowers.''

TRIBUTE BY SENATOR EDWARD M. KENNEDY

There's a famous saying that all men are dust, but some are gold dust. And that's how we thought of Roger—a golden friend, one of the finest friends our family ever had.

Roger was an easy friend to love. He was a quiet, modest man; but his low-key manner disguised energy, passion and ability of the highest order. These three priceless qualities earned him enormous success in his brilliant career. But even more important, they earned him the enduring respect and genuine affection of the countless people whose lives he touched.

He was well-known for saying very little, and equally well-known for mumbling—a lot. But if you paid close attention, you realized he was talking about ''West Side Story'' or a thousand other creations that his mind's eye could so clearly see, and the rest of us would come to see in due course as well.

He was pre-eminent in real estate by profession, especially for his legendary purchase and sale of the Empire State Building—Roger never did anything small. But as we all know, his heart and soul were with the theater.

So it was inevitable that Jack and Jackie and Roger would find each other. Frankly, they came together like a magnet. From his first days in public service, Jack had been deeply committed to a leading role for the arts in the nation's life. As my brother said near the end of the 1960 campaign, ''There is a connection, hard to explain logically but easy to feel, between achievement in public life and progress in the arts. The Age of Pericles was also the age of Phidias. The Age of Lorenzo de Medici was also the Age of Leonardo da Vinci. the Age of Elizabeth was also the Age of Shakespeare. And the New Frontier for which I campaign in public life can also be a New Frontier for American art.''

So it was natural and inevitable that Jack would give Roger the assignment of establishing a national performing arts center here in Washington. Roger was a man after Jack's heart—the difficult you do immediately, the impossible takes a little longer.

Roger simply said, as he always did. ''I'll take care of it.'' And the rest is history—the house that Roger built, a quarter mile from here—the beautiful living memorial to my brother.

In a sense, I inherited Roger from Jack. I often kidded Roger that he was a modern Robin Hood—robbing his friends to support the arts.

His special gift was not just constructing a building, or planning the endless series of hit plays and musicals that bore his special stamp. Roger enriched the entire nation by instilling a higher appreciation across America for the possibilities of artistic achievement. He had a remarkable eye for the best emerging playwrights and the best unknown actors. He gave them a chance and a stage, and he gave the nation a higher level of greatness.

Roger succeeded where others failed because he would never allow himself to be distracted by the mean-spirited. He had a determination that could overcome any obstacle or criticism. He was never burdened, some might add, by any sense of reality, which made him all the more endearing and successful, when many others would have failed.

Above all, it was Roger and Christine together—they brought a new era of grace to Washington and new sense of achievement that reflects the best of the human spirit. We miss you, Roger, and we always will.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

FUNDAMENTAL TAX REFORM

Mr. LOTT. Mr. President, I want to talk for just a few minutes about a long-term goal of many Senate Republicans, and I think most Americans. And that is fundamental tax reform.

Our Tax Code contains the accumulation of 85 years of various special interest provisions, and provisions that have just been added through one tax bill or another. And it has become more complicated, more difficult, and more unfair with every passing year.

Since the Federal Government first started taxing Americans' income, the tax beast has grown, and the power of the tax collector along with it. That is why we need IRS reform, and why we will have an IRS reform bill on the floor of the Senate by the end of March so that we can pass it before April 15th of this year. It certainly is overdue. But we have found a lot of the problems that we have suspected really do exist and in many ways are worse than the worst horror stories we have heard.

We now have a system in which the Federal Government takes one dollar out of every five dollars that you earn. And the IRS uses its coercive powers to pry into every aspect of financial life and personal life. It has gotten totally out of control.

The copy of the Tax Code that I have here contains thousands of pages in very small print, and weighs 6½ pounds. How could the average working small businessman, farmer, rancher, or individual be expected to cope with and understand all that is in these two very large volumes?

The IRS has an annual budget now of $7.7 billion. We spend five times more to pay tax auditors to harass hard-working citizens than we spend to clean up Superfund waste sites.

It really doesn't make sense.

It is important that we in Congress admit that we are part of the problem because every time we have good intentions we pass another tax bill that reduces taxes—hopefully, in most instances. But it doesn't make it simpler. In many ways it quite often makes it more complicated.

The Congress writes the tax law. And almost every time we pass a tax bill we make the code more complex, increase the burden on the taxpayer, and make it harder to enforce.

For all of these reasons, America needs fundamental tax reform.

Incremental tax cuts are good. And I hope we can have some this year. And I am glad we were able to take a small step toward reducing the taxpayers' burden last year in the very critical areas of capital gains, estate tax, and families with children.

To go where we really need to go, however, we must force the Congress to act.

To make fundamental tax reform happen, we need a ''forcing event,'' a deadline.

I firmly believe that Congress will never commit itself to replacing the Tax Code with something simpler, flatter, and growth-friendly, unless we create our own deadline.

For that reason, I want to announce today that I will ask Budget Committee Chairman DOMENICI to put a sense-of-the-Senate provision in this year's budget resolution that the current Tax Code should be terminated as of December 31, 2001.

I am also an original cosponsor of Senator HUTCHINSON's bill, S. 1520, The Tax Code Termination Act.

In addition to the sense-of-the-Senate provision in the budget resolution, we will vote on legislation like Senator HUTCHINSON's bill this year.

It creates the deadline to force Washington and the American people to make some hard choices but to make the right choices.

We will then be able to see who is serious about replacing our rat's nest Tax Code, and who wants to defend the current tax system.

I yield the floor, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MARKING THE SIXTY-SIXTH BIRTHDAY OF SENATOR EDWARD M. KENNEDY

Mr. BYRD. Mr. President, the Senate has been blessed with the presence of many fine men and women over the past two centuries. Many of the great figures in our country's history played their parts before a Senate backdrop. Names such as Daniel Webster, Henry Clay and John C. Calhoun leap to mind.

I should say, incidentally, that I have been unable to find any piece of legislation, certainly any major piece of legislation, that carries the name of Webster, Clay or Calhoun. They did not achieve their greatness by introducing legislation and by seeing it enacted, but they spoke to the great issues of the day and spoke with fervor and courageously and with great vision.

But there are speakers, thinkers and leaders in more recent times as well, and I think of Robert Taft of Ohio, renowned in his day for his integrity and intelligence; I think of Georgia's erudite, gentlemanly Richard Russell; and of the wise, capable Mike Mansfield

from Montana. To these names I would like to add, today, one of my most esteemed colleagues and best friends in the Senate family—EDWARD M. KENNEDY, who, on yesterday, celebrated his 66th birthday.

Oh, to be 66 again!

From my perspective, of course, turning 66 places one in the springtime of one's life. What is truly remarkable about Senator KENNEDY is that, despite his relative youth, he ranks third in seniority in the Senate. Indeed, having begun his senatorial career at the tender age of 30, there is no reason why Senator KENNEDY may not grace this chamber with his presence for another 35 years (although I assure my colleague that, while he may have the upper hand on me in years, I am in no rush to relinquish my seniority to him!).

But Senator KENNEDY's career is not adequately measured in years. Rather, if we are to fairly and truthfully evaluate the career of the senior Senator from Massachusetts, we must reckon with the hard work, the legislative skill, and the undiminished idealism that have been the hallmarks of his Senate tenure. I shall elaborate on each of these points in turn.

I begin with hard work. For, far from relaxing upon his well-deserved laurels, Senator KENNEDY continues to put many of his far younger colleagues to shame with his willingness to put in long hours. I for one have always found it doubly fitting that Senator KENNEDY is the ranking member (and former Chairman) of the Senate Labor Committee. For the Senator is not just a passionate advocate of the causes of working men and women; he is also one of the most industrious members of this body, and a man whose tireless labor continues to inspire others. Senator KENNEDY knows well that, as Thomas Edison pointed out several generations ago, ''there is no substitute for hard work,'' and his success as a legislator owes much to his energy and dedication.

This brings me to my second point: the remarkable legislative acumen of my dear friend from Massachusetts. Senator KENNEDY first ran for the Senate in 1962 under the slogan ''He can do more for Massachusetts,'' and he has certainly more than lived up to those words. Massachusetts and the rest of the country owe a debt of gratitude to Senator KENNEDY. I will not try to recite all of his legislative achievements. Though many may consider me an orator of the old school, I have no intention of delaying the business of this body for the many hours that such a recitation would require. Instead, let me just point out a few of his more recent achievements, such as AmeriCorps, the School-to-Work Opportunity Act, the Family and Medical Leave Act, and the Job Training Partnership Act (and subsequent amendments). Few Senators have been as successful and as skillful as Senator KENNEDY at passing bills. Never content simply to endorse the efforts of his colleagues or to introduce a bill for the sole purpose of providing fodder for a self-serving press release, Senator KENNEDY brings to each of his legislative endeavors the diligence, savvy, and bipartisanship that have made him a great lawmaker.

Finally, I wish to salute Senator KENNEDY's idealism. Throughout his career, Senator KENNEDY has fought for a simple premise: that our society's greatness lies in its ability and willingness to provide for its less fortunate members. Whether striving to increase the minimum wage, to ensure that all children have medical insurance, or to secure open access to higher education, Senator KENNEDY has shown time and time again that he cares deeply for those whose needs greatly exceed their political clout. Unbowed by personal setbacks or by the terrible sorrow that has been visited upon his family time and time again, his idealism burns forth as resolutely and indefatigably as the torch burning over the grave of his brother, President John F. Kennedy.

And so, Mr. President, it gives me great pleasure to wish my good friend and beloved colleague, TED KENNEDY, a happy, healthy 66th birthday.

I yield the floor.

PAYCHECK PROTECTION ACT

The PRESIDING OFFICER (Ms. COLLINS). Under the previous order, the hour of 3 p.m. having arrived, the Senate will now proceed to the campaign finance reform legislation. The clerk will report the bill.

The bill clerk read as follows:

A bill (S. 1663) to protect individuals from having their money involuntarily collected and used for politics by a corporation or labor organization.

The Senate proceeded to consider the bill.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. LOTT. Madam President, spring has come early to Washington this year, and the Senate's return to the subject of campaign finance will strengthen the impression that we have already entered the television rerun season. The evening news, I fear, for the next few nights will seem like a replay of events from last fall when two irreconcilable points of view met on the Senate floor and reached a stalemate.

We agreed to try again at some time before March 6, and so, pursuant to that agreement, I have laid down a bill that embodies the most important campaign finance reform of all: paycheck protection. The bill, S. 1663, is at the desk.

It is as simple as this: No one should be forced to make a political contribution. That is pretty elementary, and overwhelmingly Americans, including union members, agree with that. No one should be compelled by a union or a corporation or a Congress to give their hard-earned dollars to a candidate or a campaign. And yet, millions of our fellow Americans are held up like that, not at the point of a gun but through misuse of their union dues.

I am the son of a shipyard worker, a pipefitter, a pipefitter union member, and even, as I understand it, temporarily a union steward. I grew up in a blue-collar family. I grew up with my father going to work in a shipyard, and I am very sympathetic to how they work—the conditions they used to have to work in and the fact that those conditions are better now.

But I know my father would have objected strenuously to his union dues being taken and used for political purposes with which he did not agree. Diverting workers' earnings to campaign coffers of some favorite politicians in some other part of the country, that certainly is a legitimate concern. No matter who does it, we shouldn't be allowing that to happen.

If we are serious about reforming the Nation's campaign finance laws, this is the place to start, by protecting workers' paychecks.

This bill before us, which is largely the work of my colleague from Oklahoma, Senator NICKLES, is the gate through which campaign finance reform must proceed if it is to proceed at all. Whatever our respective views on other aspects of the campaign finance debate, support for paycheck protection is a litmus test of whether we are serious or whether we are credible.

Opponents of paycheck protection have created quite a stir about other problems they perceive with campaign finance reform. They remind me of the overly zealous policeman writing a ticket for a car parked just 3 inches too close to a fire hydrant while a brutal mugging takes place right behind his back. In fact, the workers of America are mugged every time they are forced to contribute to candidates and to causes they do not support.

The bills that have thus far been called ''campaign finance reform'' would not do a thing about that, but, golly, they would sure write parking tickets.

This Senate over the past 2 years has been able to reach consensus on a lot of difficult issues. It hasn't been easy. We have worked hard reaching consensus, agreeing to welfare reform and last year the budget agreement and tax reductions. It took weeks, it took months, it took sacrifice, it took give and take. That atmosphere has not developed with campaign finance reform. You would think we could reach a consensus, but the consensus is not there yet. Both sides have to want consensus, and a consensus would have to do five things:

First, respect the constitutional rights of every American to engage in the political process as those rights were enunciated by the Supreme Court in Buckley v. Valeo. We don't need less participation by Americans at all stages of life and in all avenues in elections; we need more participation. We shouldn't be trying to restrict their expression; we ought to be encouraging it to take advantage of every opportunity to express themselves and express their views on issues and, yes, on candidates, and not sometime far off removed from an election when people are not paying attention. As a matter of fact, I think one of the things we ought to do is shorten the length of campaigns and compact them if we can, but there is a little problem with that, too. That would be my desire, but how do you do it constitutionally?

Second, encourage greater participation by citizens in the political process.

Third, ensure that any and all contributions to a campaign are absolutely voluntary.

Fourth, restrict the power of Government officials to meddle in campaigns and to intimidate citizens who participate in them.

And fifth, and last, safeguard America's elections from foreign influence.

All of us should be able to rally around those very basic principles, I think. Unfortunately, though, many in this Chamber don't seem to want a consensus. What they want is an advantage, an unfair advantage for some candidates, some special interests, and some contributors, but not for all.

Sure, let's be real honest. Democrats would like to limit contributions from groups that support Republicans, but if you talk about any kind of fair restriction on their supporters, oh, no, that's not fair. They want to tilt the Nation's campaign laws and, in the process, discourage citizen involvement in Government. Their legislation would make it more difficult for Americans to hold accountable their elected officials. That is hardly the way to restore trust in government or respect for those who lead it.

More rules and regulations will not do the job. Our elections are already swamped with rules and regulations. They are so complicated that virtually every congressional campaign now needs a battery of election law attorneys to guard against inadvertent violations.

Every campaign now has to have a CPA to make sure you get all these filings done properly and that you get the addresses and the employment. You better have some good legal advice and you better take every possible precaution to make sure that you are dotting every ''i'' and crossing every ''t,'' because there are going to be some people who will be pawing through everything you do.

I have voted for some of the campaign finance laws in the past. I voted for the FEC, thinking maybe it would get better, and it has gotten worse. We have been limiting participation. We have been making it more difficult for candidates to be able to raise the money to get their message out, and there are a lot of people I figure who would like to really put elections in the control of the national news media, the national broadcasters, certain limited organizations.

I have said here before, if I were at the mercy of the major newspaper in my State and the biggest television station in my State, I would be trying lawsuits in Pascagoula, MS, and making a lot more money, but I was able to get out and get my message across in spite of the opposition of the establishment, the courthouse gangs, and the news media with their prejudices. I was able to go directly to the people. Would the proposal that we have heard—McCain-Feingold—help that? No. It would cut that off.

All the laws already on the books did not prevent, by the way, the most blatant, the most egregious, the most offensive disregard of the law in the last Presidential campaign. I mean, this idea of ''stop me before I do it again,'' I do not think should sell.

The first thing we should do with our campaigns in America is to comply with the laws on the books. That is where the problem was. The last election, you know, did not have problems because we had people who were doing things that we could stop with this bill; they were violating the law. That is what caused the problem.

Foreign contributions are illegal. Many of the problems that we saw in the last election were illegal. Now some people say, ''Well, we've got to stop the efforts of people to help the parties.'' I thought we were supposed to help the two-party system in America. We should encourage the two-party system. We should encourage parties to get voters to turn out to the polls. We should encourage groups to support candidates of their choice—not discourage it.

The outcome, of course, that we had from the last Presidential campaign was a morass involving everything from Vice Presidential phone calls and Native American casinos to illegal fundraising at religious institutions. All of those things were probably against the law anyway.

When key Democratic fundraisers flee the country to avoid questioning, it is no wonder their beneficiaries would like to change the subject away from the enforcement of current law. But enforcing current law is precisely the way that we should begin the debate on this campaign finance reform issue today.

If current law needs to be streamlined or clarified or simplified, let us do it. But let us do it while encouraging greater participation by more people in politics, and let us do it constitutionally.

The amendment that will be offered by Senator MCCAIN and Senator FEINGOLD will take us in the wrong direction, in my opinion, toward more controls, more restrictions, and less accountability. We should go the other way. We should try to replicate on a national scale the spirit of a town meeting in which every person is free to speak, free to complain, and free to hold accountable those in positions of power.

The bill I have presented advances that goal by protecting workers' paychecks against political abuse. Let us agree to do this today and then explore other possible accords. If we can take this one step, this modest step, it could be the one that would break the dam and allow us to do some of the other things that we probably could agree to. But, no, it is said that this is a poison pill—a poison pill—when the American people know it is the right thing to do, when union members support it overwhelmingly, when what we are really talking about is voluntarily agreeing to have your money used.

That is a very American thing we are trying to do, I think. We should stop the confiscation of workers' earnings for the benefit of politicians. Then we can finish campaign finance reform in a true sense and move on to other matters the American people want us to deal with.

Let me just say that we are going to have a full debate on this today, tomorrow, Wednesday; and there will be votes on it as we agreed to last year. But I want to remind my colleagues that after this, we have pending some really important issues, including issues involving education in America, highway construction in America, NATO enlargement, a budget resolution, supplemental appropriations to provide funds for the situations in Bosnia and Iraq, and to make a decision about how to deal with IMF.

We are talking about Internal Revenue Service reform, maybe even some tobacco settlement legislation. All of that, and it has to be done before the end of April. We have a lot of work to do. We have a lot of work to do on issues that people really care about. Education is a perfect example. A decent infrastructure is another example. In my own State of Mississippi, we have gotten an unfair share of the highway funds for 40 years. It is time we changed that.

We should give this debate fair time. And we can do that this week as we promised. But we have a lot of really important issues that we need to take up that will directly affect people's lives in America for years to come. I hope that after a reasonable time, unless we can find some broader consensus that I do not see that would include paycheck equity for workers, then we should move on to other very important issues.

Mr. MCCONNELL. Would the leader yield?

Mr. LOTT. I yield to the Senator from Kentucky.

Mr. MCCONNELL. I say to my good friend and leader how much I appreciate his leadership on this issue. Your

speech was, of course, right on point. We have many important things to accomplish for the people of the United States that they care about deeply. I think the leader was right on point when he made the observation that the last thing we want to do is to diminish the ability of Americans to participate in the political process. So I thank my good friend and leader for his outstanding work on this subject.

Mr. LOTT. I thank the Senator.

I yield the floor, Madam President.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Thank you, Madam President.

I thank the leader for kicking off this debate on campaign finance reform.

PRIVILEGE OF THE FLOOR

Madam President, I ask unanimous consent that the following members of my staff be granted floor privileges for the duration of our debate on campaign finance reform: Mary Murphy, Bob Schiff, Sumner Slichter, Kitty Loos, and Diane Welch.

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

Mr. FEINGOLD. Madam President, I and the senior Senator from Arizona, the senior Senator from Tennessee, and the Presiding Officer, and many of the rest of us have been looking forward to this moment for a number of months—the return of campaign finance reform to the floor of the U.S. Senate.

This is an important occasion because, when we left the issue last fall, we clearly were in somewhat of a stalemate. Some people wanted more than anything else to say that is it, the campaign finance reform debate of the 105th Congress is over and done with and we will not see it again. They wanted to call a halt to this debate and let us go to the 1998 elections changing absolutely nothing about the current system.

But others, including myself, thought that our consideration last fall of this issue had not been sufficient, that the American people deserved more from this Senate than parliamentary tricks and poison pills, that campaign finance reform is essential to the future of our democracy, and that we cannot afford to once again sweep this problem under the rug.

The sweeping has already begun anew. And it is vigorous sweeping. It is coming in the form, not this time of a poison pill amendment, but a poison pill bill. The underlying bill to which we will have the McCain-Feingold bill attached as an amendment is the same thing as the poison pill amendment. The majority leader made no pretense in this regard. It is simply the antiunion poison pill bill, as if that is the only issue that is involved in the question of campaign finance reform.

The idea that the entirety of campaign finance reform can be summarized in just the question of what happens to union dues is completely untenable. It is an untenable notion to any American that the whole problem with the campaign finance reform system is related only to labor unions.

Surely, that is part of the problem. But what about corporations? What about groups spending incredible amounts of money on ads that are not really issue ads at all; they are just phony campaign ads? What about multimillionaires buying Senate seats? What about all of these things?

I do not think anyone in America really believes that this whole topic is summarized and encapsulated in the mere question of what happens with union dues. It is also incorrect to suggest that the McCain-Feingold bill does not address that issue. It does in fact codify, put into statute, what the U.S. Supreme Court has said ought to be done and what is the law with regard to union dues, and it does so by codifying what is actually said in the so-called Beck decision.

So, Madam President, for all these months, after all this discussion of this issue for well over a year, all that the majority leader's bill does is say: We have to address this problem of union dues. I do not think anyone in America believes that.

We just learned a few hours ago, Madam President, that that was going to be the entire contents of the leader's bill. Over 4 months after we agreed that he would lay down the first bill in the debate and after an entire year of scandals and revelations and accusations and investigations, the entire bill that is before us at the moment consists of one narrow provision—one provision—the so-called Paycheck Protection Act. All this time the Republican leadership has not been able to come up with even one thing about this current campaign finance system that it wants to change other than that—not one—as if nothing else has occurred in the country that might trouble Americans a little bit about how much big money is awash in their system in Washington, DC.

The leader's bill does not even mention disclosure. It says nothing about fundraising on Federal property. It does not say a word about foreign money. It lets the soft money system off the hook entirely.

I guess, from the point of view of the majority leader, all is well in the campaign finance world except for that one question: What about those union dues? Of course, we in effect knew this was his position anyway. The majority leader calls our current system of unlimited contributions in the political parties by corporations and unions and wealthy individuals ''the American way.''

Frankly, Madam President, although I am not surprised at the proposal, I am disappointed. Although all the pundits have been saying for the past few months that the Republican opponents of McCain-Feingold were just going to try to bring about the same deadlock that we had before, I guess I hoped, without reason, that we might have a real debate here about two different bills, about two different visions, about two different real, comprehensive ideas about how our campaign financing system should work.

McCain-Feingold has been out there now for over 2 years. It has been analyzed and criticized and, of course, vilified in many ways, but at least it is out there. The so-called Snowe-Jeffords amendment has even been out there for the past week in draft form. Already some groups are attacking it. At least they have something to attack. At least the senior Senator from Arizona and I put our bill out there for people to review and consider. And at least Senators SNOWE and JEFFORDS are trying to reach a compromise and are willing to let people have a look at what they are proposing.

But, again, the leadership here has given us nothing new to look at all. Instead, all we get is merciless criticism of President Clinton's campaign fundraising for the last year and yet not a hint of a suggestion about how we could have changed that system that both Presidential campaigns abused. In fact, the very things that the leader was just describing as troubling about the President's campaign, in most cases, I think almost everyone would have to concede was legal. The raising of huge amounts of soft money is entirely legal. The leader's bill does not even mention the problem, as if nothing happened in 1996. Apparently the goal is, once again, just to tie this body in knots, not with a poison pill amendment, but now with a poison pill bill, the goal of which is to attack only one player in the system, the labor unions.

Madam President, I did note that one commentator this morning said that campaign finance reform is going to go down again in a prearranged standoff. I remember being told at the beginning of last year the bill would never come up, it was dead on arrival, it would never see the light of day, and certainly that it would never come back this year. But this notion of a prearranged standoff is something that I cannot accept from our point of view.

Well, there is no prearrangement on our side. We are ready to fight for reform, because that is what the American people want us to do. I think we have some reason to hope that we will have the votes to defeat the majority leader's attack on unions if he does in fact bring that up again for an up-or-down vote.

The majority leader is not going to be able to rely on his poison pill bill to defeat campaign finance reform this time. I hope that gives the American people some hope that we can finally achieve meaningful reform this year.

Madam President, a lot has happened in the world and in the country since we last debated this issue last October. Current events and breaking news are always unpredictable and sometimes distract us from the very important task we have at hand.

I want to agree with the leader that there are many other issues that require our earnest attention this year. But my first message today with regard to our priorities is that the allegations here in Washington with regard to certain personal issues and issues involving the White House are serious and they have to be taken seriously. But let us not let one potential scandal become an excuse to ignore an obvious and clear scandal. That clear and proven scandal is the record of the 1996 elections and the virtual destruction of the post-Watergate campaign finance reform. Today, Madam President, we are in grave danger of letting that happen.

Campaign finance reform is a difficult enough topic to get people interested in, anyway. It can be very arcane and this other alleged scandal which has piqued the public's interest could distract the public and the Senate and end up becoming one of the biggest gifts to the money-driven status quo that has ever occurred.

We have to recommit ourselves to the issue of cleaning up the political money system. That is why we are here today. I think there are two questions we have to answer. First, how is the American political system supposed to work? Whom is it supposed to serve? How one answers both of those questions depends on one's vision of American democracy. One vision, the one I share and I bet most of us share, that this is supposed to be a representative democracy. Our Government, our political process, and a good part of our common social and cultural heritage are all based on the premise that we are all to be treated equally under the law. It says so on the facade of the U.S. Supreme Court Building, ''Equal Justice Under Law.'' It is implied in our Nation's motto, e pluribus unum, ''out of many, one.'' It is clearly the driving principle behind our Constitution and behind this basic concept which has been summarized in the notion of one person, one vote, and the foundation of our whole electoral system.

Madam President, that vision of America and our democracy, a representative democracy, assumes that every American by his or her birthright has an equal role to play in this system. But there is another vision and that is a vision that does away with this notion of equality, ''one person, one vote,'' and replaces it with a system that I have come to see and refer to as ''corporate democracy.''

Now, what do I mean by that? I want to return again to a story from my younger days, as I mentioned before, because I think it illustrates the difference between representative democracy in one person, one vote, and the notion of a corporate democracy, which is what I think we are becoming. When I was 13, a relative of mine gave me one share of stock in our great Janesville, WI, company, the Parker Pen Company. My relative wanted me to learn something about how our economy worked, and more specifically about how the stock market worked. I think that share was worth about $13. My father told me in addition to owning a stock and getting the massive dividends that $13 share of stock would produce, I also owned a small piece of the company, and therefore, I was entitled to a vote at the company's stockholder meeting.

Now, already at age 13 I was interested in the political process and I sort of equated the idea of a shareholders meeting with voting at an election, so at that age I could hardly wait to get to the shareholders meeting and cast my ballot. I asked my father a follow-up question, ''When is the stockholders' meeting? When do I get to cast my vote?'' He laughed, and said ''I better tell you something, the number of votes you get depends on how many shares you have. It is not one person, one vote. It is how many bucks you have invested in the company.'' He said, ''You don't have the same vote and the same power as everyone else because it is a corporation. It is properly based—because it is a corporation—on how much money you are able to put into the corporation.'' He said, ''You can go to the stockholders meeting, Russ, but your vote won't count for very much.''

Needless to say, that dampened my excitement a little bit, but it helped me understand how a corporation works. The people with the largest stake in the business get the most say in how the business operates. That is how it should be. That is how it should be in a corporation. That is the basis of our system.

But that is not, Madam President, the way our democracy should work. We are all supposed to have the same opportunity in the democratic process. Now, some of us may have a larger interest in a particular policy or piece of legislation, but we are all supposed to be vested with an equal share of power in the process by which we appoint people to set policy and to vote on legislation.

Madam President, the current campaign finance system is fueling the transformation of our representative democracy into a corporate democracy, creating a political system that allots power in direct relation to the amount of money an individual or an interest group can contribute.

Let's not completely ignore those hearings that were held earlier last year by the senior Senator and chairman from Tennessee. Remember the testimony of Roger Tamraz who said not only that he had given $300,000 in soft money legally—remember the words of the majority leader, ''the problem is only what is illegal''—$300,000, legally to go to a coffee at the White House, but that next time he would do better. He would get into some serious money and contribute, instead, $600,000. He said he felt after his earlier experience that he needed to pay that kind of money to participate, to get access, and in his own words, ''to level the playing field'' with his competitors. He felt he needed to pay $600,000 so he could have equal share in the political process.

There is a question here of what that means not only for our political system but what does it mean for our free enterprise system? One of the great ironies for me in serving on both the Judiciary Committee where we work for the most part on domestic laws and then working on the Foreign Relations Committee is that we have an opportunity to look at the issue of international bribery.

Under American law, the Foreign Corrupt Practices Act, American business men and women are not allowed, under penalty of law and fines and imprisonment, to give bribes under that law to foreign companies and to foreign countries. But here in America, with a soft money system that is perfectly legal, these same business men and women have become the fall guys of the American political system who are called up and asked to give outrageous sums of soft money so they can enter a particular room to apparently be on a ''level playing field'' with others who have been pushed to do the same.

Madam President, there has got to be a different vision, a different vision than paying for nights in the Lincoln Bedroom or to have coffee with the President or going down to Florida to have lunch with a distinguished leader of the majority party for $50,000 and having him stand up and look out at the crowd and say this is the ''American way.''

In case anyone thinks that the motive of the people who give these kinds of soft money contributions is simply public spirited or perhaps that we could regard them as a bunch of people who are trying to buy influence that are constantly being swindled because they are getting nothing for it, you can rest assured that these contributions one way or another do affect public policy.

There have been a number of embarrassing examples. One is the case of the Federal Express Corporation. Another antiunion express carrier provision was inserted in the aviation bill. That provision, Madam President, had been defeated at every turn, at every opportunity, in every committee, on every floor vote, when it had been attempted, in Congress. This provision was supposed to make it more difficult for the employees of the Federal Express Company to organize their union, and the Federal Express Corporation makes no denial about this. In the waning days of the session, the Federal Express Corporation gave each party $100,000 in soft money, and the provision almost within a few hours found its way magically into a conference committee report. After this was jammed through the Congress, the very impressive CEO of FedEx—who I give credit to for his ingenuity in creating FedEx—came to see me and said, ''You people in Washington set this game up this way and I

will play it and I will play it hard as long as that is the way it is set up.'' I can't fault him for that. That is the way the system is set up.

Madam President, I think you know, as they say, the rest of the story. We had a UPS strike, and while that strike went on, while the unionized company was in a very difficult position and difficult negotiations, the FedEx Corporation obtained a 10 to 15 percent share of the business that used to go to UPS. That is a very good return for only $200,000 of soft money.

The 1996 Telecommunications Act covered a huge field from cable to cellular service to long distance. There was massive lobbying involved. It was the biggest overhaul of our communications law since 1934, and a Center for Responsive Politics analysis showed that cable companies, local telephone companies, and long distance companies gave more than $12 million in soft money and PAC contributions just during the 1996 election cycle.

When the bill finally passed in February 1996, all these corporate concerns supported it while consumer groups opposed it. There was very, very little in the way of consumer protections in that bill. Today, cable rates continue to go up, and merger mania has hit all parts of the telecommunications industry. We have yet to see any of those proconsumer effects of competition that the corporate donors who so strongly supported the bill had promised us at the time.

One more example, the B–2 bomber. Apparently, the Department of Defense doesn't really want the B–2 bomber anymore. There are questions about its effectiveness, including the possibility that it may not work very well when it gets wet. Yet the Congress added this past year $331 million in this year's bill to keep it going.

Northrup Grumman made $877,000 in PAC contributions and soft money contributions during that 1996 election. Its PAC gave $84,500 to House Members from January 1 to May 31, 1997.

There are other examples. There are many examples, but these are examples I have had a chance to witness in the last couple of years and they concern me. Lobbyists and other representatives have gotten the messages that some members expect contributions from lobbyists if they want to be heard. Some rely on the stick, saying ''put up or shut up.'' Others hold out a carrot, such as those who would write a letter to people inviting them, if they contribute a certain amount of money, to sort of a club atmosphere where they have been promised the rewards of ''leadership, friendship, effectiveness and exclusivity'' in return for a contribution.

In other words, our democracy has become a huge bazaar for very powerful traders. It is bizarre to watch it played out in the middle of our country's great symbol of democracy. Some of us are willing to fight for reform as long as it takes. Some say this is nothing more than a couple of Senators pretending to be like Sisyphus, pushing a rock up a hill.

But many issues take time. Tax reform has to be done over and over again to make it work. The post-Watergate reforms were difficult to get through but the fact is they worked pretty well for quite a few years. It has been 24 years since Watergate. Thomas Jefferson said there should be a revolution in America every 20 years. That is not such a terrible statement on our system if we have to fix our campaign finance laws every 20 years or less.

Madam President, this is the third year in a row we have made this effort and we will keep fighting for this until we give the American people a campaign finance system that does not turn them away from participating, it doesn't turn them off on participating in our great democracy.

I can't really talk about this issue without paying tribute to my senior partner in this effort, the senior Senator from Arizona, who is really the courageous one here. I am the one who is in the minority. It takes a lot more courage to buck this system for a member of the majority. He initiated our relationship for working together on many reform issues and I am grateful to him for having allowed me the chance to work with him on this issue.

When we got to the point of campaign finance reform after having successfully passed the gift ban and a number of other efforts, it became pretty clear this would be the hardest of all, changing this addiction to money in this town would be the hardest of all. So our bill has gone through several transformations due to political necessity, but it remains a strong and unique bipartisan compromise. It is not the Feingold bill. I tried the Feingold bill and got no cosponsors. That is a good bill, but it involves public financing, and there isn't majority support for that approach.

This was an exercise, instead, in seeing if people of different philosophies could come together and put together the first bipartisan effort of its kind in 11 years. McCain-Feingold in the form presented as an amendment at the next procedural point has several key components. It simply bans these unregulated soft money contributions, these huge contributions that are primarily funneled to the political parties. This is the piece President Clinton focused on correctly and rightly in his State of the Union Address. He said if you vote for McCain-Feingold you are voting against soft money; if you don't, you are supporting the current system.

In our bill, we have the beginning of mechanisms to try to encourage people to voluntarily limit how much they spend, at least of their own personal wealth, in the base bill. We also require much greater and more immediate disclosure of campaign contributions, electronic filing, daily filing of campaign contributions, and a prohibition on accepting contributions from people who have not disclosed their profession.

We heard a lot of opponents of our bill in the last debate talk about the need for prompt and complete disclosure. Madam President, that is exactly what we have in our bill, the strongest disclosure provisions to date. We also strengthen the FEC's enforcement powers, and we clarify and strengthen the ban on raising money on Federal property and on foreign contributions to elections. Now the current McCain-Feingold bill doesn't do everything that I would like to do on campaign finance reform. I don't think it even does everything that the senior Senator from Arizona wants to do. And so if we do have the opportunity as the debate goes on, we will offer the McCain-Feingold challenger amendment.

Our amendment would ask Senate candidates to voluntarily limit their overall spending by getting most of their campaign contributions from their own home State, limiting their PAC fundraising and restricting their spending from their own personal wealth. In return, they would receive the benefit of reduced-cost television time. So we hope to get to that point, and we are optimistic.

We expected fierce opposition to our bill in the past, and we got it. We knew from experience that many Members of the Senate are comfortable with the current campaign finance system and they don't want to change it.

We tried this in 1996 before people really got a good, clean look at this system, and we didn't get terribly far. When we failed to break a filibuster in 1996, the Senator from Arizona turned to me and said, ''This thing is going to take a scandal.'' I said, ''John, you're too pessimistic, we'll get it through.'' Well, he was right and I was wrong.

But we got a scandal. In 1997, we moved this issue much further. After the hearings conducted by the senior Senator from Tennessee and the revelation of many of the things that went on, we got 53 votes on the floor of the Senate; but we still faced a filibuster and a series of arguments that, in my view, can't withstand scrutiny.

I see that the Senator from Tennessee has entered the Chamber as well, and the Senator from Kentucky has risen to speak. At this point I will yield the floor and I will complete my remarks at another point.

Mr. McCONNELL addressed the Chair.

The PRESIDING OFFICER (Mr. FRIST). The Senator from Kentucky is recognized.

Mr. McCONNELL. The measure before us today is the Paycheck Protection Act, authored by the distinguished majority leader and the assistant majority leader. The Paycheck Protection Act is predicated on a fundamental tenet of any truly free society—that no person should be forced to support a cause or a candidate.

It is really quite that simple. Thomas Jefferson, perhaps, best enunciated this

principle with a characteristic eloquence that we will likely hear often during the course of this debate, and it certainly merits repetition.

Mr. Jefferson observed:

> To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves is sinful and tyrannical.

Sinful and tyrannical as it is, union bosses do it every day. Millions of Americans are on the receiving end of this tyranny as a portion of their paychecks are confiscated and used to advance a political agenda with which many of them disagree. That fact, Mr. President, should not be in dispute.

Ten years have passed since the Supreme Court's Beck decision in which the Court ruled that workers who are forced to pay union dues as a condition of employment cannot be forced to pay dues beyond those necessary for collective bargaining. Yet, most union workers still have no relief. Their unions provide them with little or no information of their rights.

A national survey last year revealed that most union workers are not even aware of their rights under the Beck decision. Even more deplorable, many union workers' efforts to exercise their constitutional rights under Beck have been met with intimidation and with stonewalling. In a telling illustration, a union worker testified before Congress in 1997, just last year, that ''almost immediately the lies started: anti-union, scab, freeloader, and religious fanatic were labels ascribed to me,'' said a union member. That poor fellow had to resort to a lawsuit to get his union dues reduced in accordance with Beck.

The onus, Mr. President, should not be on the workers. It should not be the workers' burden to pursue an after-the-fact refund or to wait until the end of the year and have to jump through hoops to get returned to him or her money that should not have been taken in the first place.

Our friends on the other side of the aisle are understandably alarmed at the prospect of their most powerful, aggressive and well-funded ally losing a significant portion of the political war chest after workers are freed from the compulsory dues tyranny.

Mr. President, we know what happens. Washington State voters, back in 1992, by an overwhelming margin—70 percent, by the way, supported this—approved a referendum to make it illegal for unions to extract dues for political purposes without obtaining prior written approval from union workers. After this emancipation, only 82 of Washington State's public employee union members gave the union permission to take their money for political purposes. Prior to the voters' action, 40,000 Washington State employees had been forced to stand by helplessly as a chunk of their paychecks were confiscated and used without their consent to advance the political causes of the union bosses.

The number of Washington State teachers union members contributing even a modest dollar amount to the union bosses' political fund dropped from 48,000 down to 8,000. Now, all politicians who benefited from the union largess, a largess born of forced contributions, intimidation, and a conspiracy of silence, will understandably tremble at the prospect of losing it.

For them, the sounds of paycheck protection roaring down the legislative tracks must be terrifying indeed. Nationwide, over 80 percent of the American people support a Federal Paycheck Protection Act.

But I am certainly not so naive as to think union workers will see this freedom coming out of Washington, DC, because President Clinton would surely veto it. The union bosses have been so generous to the Clinton-Gore campaigns over the years that the Lincoln Bedroom probably feels like home.

Fortunately for America's union workers, they may well see relief in those States with the referendum process or political leaders less beholden to union bosses than is the President of the United States.

So, Mr. President, there is a lot of action out in the States. Proponents of paycheck protection are heartened by the reception they are getting out in the States. It will be on the ballot in California this June. Californians will have an opportunity to strike a blow for freedom for union workers. Freedom's prospects are quite bright there.

But the union bosses will resist this freedom for the rank and file. The union bosses will fight it with everything at their disposal, including the hundreds of millions of dollars they have amassed for political use from the workers' dues. It is expected that union bosses will spend $20 million or more in California in their quest to defeat this freedom quest for the rank and file.

I am confident that Californians will not be duped by the union bosses and their millions. Paycheck protection rings true to regular folks and not even the most sophisticated, well-funded smear campaign will drown it out.

There is going to be paycheck protection referenda in other States as well, Mr. President. I think there are four or five that are going to be on the ballot this year. There are movements all across America in State legislatures to press forward with bills giving union members these basic, fundamental rights. So to have this kind of measure described as a ''poison pill'' is amusing indeed.

It is fundamental, Mr. President, that no one in this country ought to be forced to contribute to causes with which they might disagree. So we will press forward with this issue and hope for the best. But it will go forward on a State-by-State basis regardless of what happens here in Washington.

Now, Mr. President, let me just make a few more observations. I see that my friend from Tennessee is here, and I won't delay him too long. I do want to make some observations about the larger question of McCain-Feingold. The whole motive behind this reform agenda for the last 22 years has been a disappointment, Mr. President, in the Supreme Court decision of Buckley v. Valeo, which was, of course, a great victory for the American people. The Court said in the Buckley case that spending is speech. When you first hear that, you sort of scratch your head and say, ''Gee, could that be true?'' But when you think about it and when you read the decision, it is obviously the case that in a country of 270 million people, unless you can amplify your voice, you don't have much speech. Dan Rather and Tom Brokaw and Peter Jennings have a lot of speech—way more than any of us—because their speech is amplified every night to millions of Americans. But the Court said to put Americans in a straitjacket of spending limits is to say that they are left only with inadequate speech—in other words, a kind of continuing effort to go door-to-door, I guess, to carry your message to more and more Americans.

In fact, the Court said a spending limit would be about like saying you are free to travel, but you can only have $100. How free are you? You are not very free if you can't amplify your voice. The Court said you are going to have a constitutional first amendment right to amplify your voice, either with your own resources or that of others gathered together in a common purpose to advance a particular cause. The cause could be speaking for a candidate, or against a candidate, or advocating an issue, or opposing an issue.

In fact, the whole Court case was crafted in the direction of a wide amount of permissible political discourse in this country. Well, the reformers hated that decision, and they have been coming back and coming back and coming back over the years, and it has had different names in different Congresses. A few years ago it was Boren-Mitchell. Now it is McCain-Feingold. But, fundamentally, the philosophy is the same: What is wrong with the system is that we just don't have enough regulation. We just don't have enough restraint on the voices of all of these Americans who are running around expressing themselves, and we don't like it.

So McCain-Feingold has been constantly changing, and the version we currently have before us is a little bit different from earlier versions. The original version sought to put the Government in charge of the political speech of individuals, groups, candidates, and parties. The current version, which is the same version that was defeated in October, seeks to put the Government in charge of the political speech of parties and groups, leaving aside individuals and leaving aside candidates.

So let me focus just a minute, Mr. President, on the kind of speech that parties and groups engage in. It is said that, because of the scandals of 1996, we should take away from the political

parties their ability to function in State and local races. It's called getting rid of soft money. What happened in 1996, Mr. President? As the distinguished majority leader pointed out, and as Senator THOMPSON's hearings have confirmed, we had arguable violations of existing laws; that is, contributions from foreigners, money laundering, and raising money on Federal property. All of that is against the law now. What that cries out for is enforcement of the law.

This bill—McCain-Feingold—doesn't have anything to do with the scandals of 1996. It is a totally different subject. This bill is seeking to restrain, to inhibit, to diminish the voices of American citizens in their effort to participate in the political process through their political parties, or through groups they may belong to.

Now, the courts have had a good deal to say about that, Mr. President. Let me start with the groups. The courts have said that a group or, for that matter, an individual can go out and engage in what's called issue advocacy, without having to ask permission from the Federal Government, without having to register with the Federal Election Commission, or subject itself to the rules that apply to candidates and to parties in Federal elections. The Court has said that as long as you don't say ''vote for'' or ''vote against,'' you are permitted wide latitude to applaud, condemn, say whatever you want to in the American political process.

There has been a whole line of cases on the question of issue advocacy. The Federal Election Commission doesn't like the law on issue advocacy. It has been pursuing groups over the years and it has lost every single case. In fact, the last case the FEC lost was in the Fourth Circuit, and they not only lost the case, but were required to pay the lawyer's fees of the other side because the FEC just didn't get it. They couldn't read the law.

It is very clear. We don't have the authority here in the Congress to keep people from criticizing us. We don't like it. We love to be able to control the entire election. But we don't own the election. The election is not the property of the candidates, and if people want to criticize us early or late, the courts are not going to allow us to interfere with that.

One of the mutations of this that is developing that we have heard about and read about may be offered by the senior Senator from Maine, Senator SNOWE.

I gather, in addition to trying to change the rules on issue advocacy, that it would also, in proximity to the election, require the group to disclose.

Mr. President, the courts have already spoken on that issue. They spoke on it as early as 1958 on the question of whether you could require a group to disclose their sources of funds or their membership lists as a condition for criticism. In the case of the National Association for the Advancement of Colored People, NAACP v. Alabama in 1958, the court made it very, very clear that it is a real threat to citizens' groups and to their right to band together and express themselves to require them as a condition for expressing themselves that they disclose their membership.

The court said in that case, ''Compelled disclosure of membership in an organization engaged in advocacy of particular beliefs'' . . . is inappropriate. ''Inviolability of privacy in group association may in many circumstances be indispensable to preservation of freedom of association, particularly where a group espouses dissident beliefs.''

The court went on to say:

> We think it apparent that compelled disclosure of petitioner's Alabama membership is likely to affect adversely the ability of petitioner and [*463] its members to pursue their collective effort to foster beliefs which they admittedly have the right to advocate, in that it may induce members to withdraw from the Association and dissuade others from joining it because of fear of exposure of their beliefs shown through their associations and of the consequences of this exposure.

In other words, Mr. President, there will probably be another effort here to shut down issue advocacy. Members may argue that we are not really telling them they can't speak; we are just saying they have to disclose if they speak. The courts have already said you can't do that; you can't require people to disclose their membership as a precondition for expressing their beliefs.

So it gets back to the fundamental point: We don't own these elections. Most of us do not like it when some group comes in. Even if they are trying to help us, we usually think they are botching it. We hate all of these voices that are outside of our campaigns and outside of our control. But that is the price you pay for free speech in a democracy—that is the price you pay for free speech in a democracy.

So all of these efforts to try to shut these groups up by forcing them to come under the Federal Election Commission, by forcing them into the hard money camp, by trying to make it difficult for them to express themselves in proximity to an election, there is no court in America that would uphold that. It is so clearly and blatantly unconstitutional that we ought not to do it.

The other entity that the most recent version of McCain-Feingold seeks to shut up are our great political parties. Soft money has become a pejorative term. Let me define it: Soft money is everything that isn't hard money. Hard money, by definition, is money raised and spent in support of Federal candidates. But, as we know, Mr. President, this is a Federal system. The two great national parties—the Democratic National Committee and the Republican National Committee—care who gets elected Governor of Tennessee and who controls the legislature in Tennessee. They may even care who gets to be mayor of Knoxville. They have at times even cared who the county commissioner was going to be in whatever county Knoxville is in. These are national parties. The only way you could eliminate non-Federal money by definition is to federalize everything. So that the Federal Election Commission would then be in charge of the city council races in Nashville.

That is a great step in the right direction—just what we need. The FEC would be the size of the Pentagon with reams of files in every race in America.

The second problem with eliminating non-Federal money is a practical problem. As I have already indicated, you will not be able to constitutionally eliminate issue advocacy from the American political scene. It cannot be done. If we tried to do that, it would be struck down. Maybe. We don't know. Some court could uphold an effort to eliminate so-called soft money for the national parties. I don't know. I doubt it.

But let's assume they would uphold it. Then, Mr. President, the situation would be this: The two great political parties, which exist only for the purpose of electing candidates, would be the only entities in America that could not engage in issue advocacy. Everybody else can—from the AFL–CIO to the Sierra Club to the Chamber of Commerce. Only political parties wouldn't be able to engage in issue advocacy.

So the candidates of those parties would be defenseless when groups hostile or individuals hostile to candidates of their parties came in and engaged in issue advocacy, particularly in proximity to an election. So the parties which exist for no other purpose other than to elect candidates would be restricted in engaging in issue advocacy presumably in defense of the candidates who wore their party label—a perfectly absurd result, Mr. President; a perfectly absurd and undesirable result of a quest to end non-Federal money.

Mr. President, fortunately, the Senate is not going to take that step. There is not a consensus for any of these so-called reforms. Fortunately, there is strong support for the first amendment.

I am glad that our friends in the press believe in the first amendment. They are the practitioners of the first amendment. They have from time to time believed that it only applied to them, which I have always found somewhat amusing.

I started last year asking reporters with whom I discuss this issue whether they have read Buckley. At the beginning of 1997 almost no one had. I am pleased to report that it got better. More and more reporters sat down and struggled their way through the Buckley case, and, all of a sudden, eyes popped open and they began to realize that the first amendment was not the sole prerogative—or property, shall I

say—of the fourth estate. It exists for all of us.

I have been perplexed, frankly, at the editorial support around the country for McCain-Feingold. The ACLU has been perplexed, too. I will just read a few observations from a letter of December 29 that they sent out to editorial boards around the country.

The ACLU said:

> We're perplexed. As Washington prepares for another round of campaign finance debate, we are deeply puzzled about why so many—particularly in the media—continue to support campaign finance legislation like the McCain-Feingold bill that is patently unconstitutional, unlikely to pass and doomed to failure in the courts.
>
> Frankly, we're also worried. Polls are beginning to suggest that the media's cavalier disregard for the free speech implications of current campaign finance proposals is encouraging an attitude among the public that could lead to serious damage to freedom of the press. A recent Rasmussen Research survey, for example, found that Americans believe that one of the best ways to clean up campaigns is to restrict newspaper coverage of elections.

Mr. President, I am not advocating that. But imagine the Washington Post calling for spending limits. It makes about as much sense as the Congress saying to the media, ''You are free to say whatever you want to but, by the way, your circulation is limited.'' And I wonder how the Washington Post would feel if the Congress decided it could only have a 5,000 circulation—not saying that Congress can have any impact on what the Washington Post can say—but that we just think the Post is speaking to too broad an audience, and it is spending too much. Obviously, I am being facetious. But it is the same principle. It is the very same principle.

Advocates of spending limits say we are not telling you what to do; we just think you are saying it too much or too many, but your audience is too widespread. We may all snicker about this issue. But, frankly, the public has a lot of skepticism about the press.

I am looking at an article by Richard Harwood in the Washington Post from last October referring to a study of public opinion commissioned in 1990 by the American Society of Newspaper Editors. It is part of the observance of the 200th anniversary of the Bill of Rights. Dick Harwood points out that a Lou Harris survey for that group more recently had some, as he put it, ''depressing findings.'' This is Harwood's observation about the Lou Harris poll of the American people. He said:

> If they had their way, ''the people''—meaning a majority of adults—would not allow journalists to practice their trade without first obtaining, as lawyers and doctors must license. Whether the preferred licensing authority would be the government or some other credentialing agency is not clear.

That was the majority view of the American public with regard to the licensing of the media.

Number two, referring to the survey:

> They would confer on judges the power to impose fines on publishers and broadcasters for ''inaccurate and biased reporting'' and would liberalize libel laws to make it easier for plaintiffs to win judgments against the press.

This is the majority view of the American people now. Third:

> They would empower government entities to monitor the work of journalists for fairness and compel us to ''give equal coverage to all sides of a controversial issue.'' They also favor the creation of local and national news councils to investigate complaints against the press and issue corrections'' of erroneous news reports.

That is the view of the American public, Mr. President.

Also, from this Rasmussen Research study, that I referred to earlier, there is a release from this institute of October 2, 1997, which has an interesting finding. It says:

> Most Americans think that friendly reporters are more important to a successful political campaign than money, according to a Rasmussen Research survey of 1,000 adults. By a 3-to-1 margin (61% to 19%) Americans believe that if reporters like one candidate more than another, that candidate is likely to win—even if the other candidate raised more money in the campaign.

Further:

> Americans are also generally suspicious of reporters. More than seven-out-of-ten registered voters believe that the personal biases of reporters affect their coverage of stories, issues, and campaigns.

I cite this somewhat tongue and cheek to make the point that the first amendment applies to all of us. Just because the American public is skeptical of the press and its motivations doesn't mean that we want to restrict the press. By the same token, Mr. President, it is astonishing to find so many editorial boards around the country that do not understand that the first amendment doesn't just apply to the press. It applies to all of us.

So, Mr. President, when all is said and done and this debate is ended, the Constitution will still be intact and the ability of individuals, groups, candidates, and parties who participate in the American political process without regulation or interference by the Government will be preserved.

PRIVILEGE OF THE FLOOR

Mr. President, I ask unanimous consent to allow a member of my staff, Melissa Figge, to have privileges of the floor during the duration of this debate on campaign finance reform.

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

Mr. McCONNELL. Mr. President, I yield the floor.

Mr. THOMPSON addressed the Chair.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. THOMPSON. Thank you, Mr. President.

Mr. President, during a 3-month period, the Governmental Affairs Committee saw examples of clear violations of the law—money laundering, foreign campaign contributions, violations of the Hatch Act, possible sale of influence. These are simple, flat-out legal violations which require little debate or delay in terms of prosecuting the appropriate individuals. There has been considerable delay, however, but at least we now see three indictments and the request for one special council coming totally or in part from our committee activities. One would assume that several more are imminent, judging from the record laid out before our committee.

There is another category of matters which up until 1996 were also considered to be violations of the law by most people—using the White House for fundraising purposes, a Presidential candidate actually controlling the expenditure of millions of dollars of soft money for TV ads containing electioneering messages placed specifically to advance his reelection prospects.

I say ''considered to be violations until recently'' because the Attorney General and Justice Department apparently now take the position that these activities are legal for the final time. Although I believe that these are erroneous interpretations of the law, supported by neither the law or logic, the result is to give new arguments to those who would seek to circumvent the clear intent of the law. This along with court decisions, Federal Election Commission interpretations of the law, and piecemeal Congressional amendments has resulted in a campaign finance system that is in shambles. The loopholes are now bigger than the law and there are now effectively no limits on big corporate, big labor, big individual monies flowing into our political campaigns—a situation that Congress has said we do not want for almost a hundred years.

And if people think the 1996 campaign set new records for the big money scramble, they only have to wait until the next election cycle, and especially the next Presidential race. At least the last time there was some concern among the candidates, and even the Clinton-Gore campaign, as to how far they could go in pushing the limits. Now that everyone has seen that the Justice Department is apparently willing to bless the most egregious of this activity and refuse to request the appointment of an independent counsel for what the Courts and FEC consider to be illegal activity, there will be no such hesitancy next time.

And the Clinton-Gore example will be picked up and followed in the Senate and House races, one can only assume. Under the Attorney General's interpretation, I can see nothing wrong with a Congressional candidate raising unlimited amounts of soft money for use in TV ads praising the candidate or denigrating his opponent, so long as the ads do not contain the magic words of ''vote for'' or ''vote against'' a particular candidate.

Congress must decide whether or not we are going to pass on this patchwork, swiss cheese system, which goes against the clear intent of Congress the last time they addressed these issues. If so then the implicit message will be

that we are no longer concerned about the appearance of corruption; that we think that millions of dollars from companies, unions and individuals who are trying to get us to pass legislation is okay with the American people. I don't think it is and I don't think that is what we want to say.

The McCain-Feingold bill addresses the worst of these problems. Also, many of my colleagues have amendments which would greatly improve our current situation, although they may never see the light of day.

However, I would urge that we don't get so caught up in the details of a particular piece of legislation that we are oblivious to the fact that we are going to have to comprehensively address money in our political system eventually. We haven't really done it in 20 years and it shows. In many other areas we see that after a period of time laws that have been passed have resulted in unintended consequences, and there are court decisions and there are administrative rulings to point out weaknesses in the legislation and sometimes they go contrary to congressional intent and we conclude that we need to address the law again. That is clearly what we are going to have to do with regard to campaign finance legislation.

It's important for us to understand how we got to where we are today. In 1907, Congress banned corporate contributions. In 1943, Congress banned labor union contributions. Congress comprehensively addressed how we finance our federal political campaigns in 1972 and 1974. Again, Congress was specifically concerned with the extent to which corporations, union, and individuals should be allowed to contribute to political candidates. Individuals were limited to $1,000 per election and limited to $25,000 in total annual contributions—$20,000 of this could go to party committees. Corporations and labor unions were strictly forbidden involvement in the federal campaign process, outside of $20,000 per election per candidate political action committee contributions. The underlying justification for allowing political action committees was to provide a mechanism to facilitate voluntary contributions from individual union members, corporate stockholders, and their administrative personnel.

In 1972 and 1974 limitations were placed on expenditures but all of them were either repealed or deemed unconstitutional with the Buckley versus Valeo decision in 1976, except for the restrictions on party committees and publicly funded Presidential candidates. And the contribution limits were upheld. So we have been talking about Buckley v. Valeo. The Senator from Kentucky rightly pointed out that in Buckley the Court struck down most of the limits on expenditures. The Court did not strike down the limits on contributions because the Court recognized that, historically, governments of all kinds have been concerned with the amounts of big money that could be given to politicians who were in charge of public policy. And, as I said, Congress has been concerned about that since 1907. This is not a new concern or a new issue.

Also, Congress eliminated private contributions to Presidential general election campaigns altogether for those who opted into the Presidential public financing program that was established. So for the last 25 years or so, Presidential nominees, who were willing to certify that they would not raise and spend additional funds, were given millions of dollars of tax payers money to fund their campaigns. That has been our system. Again, as with the idea of limiting corporate, union, and large individual contributions, the idea was to cut down on the corrupting influence or appearance of corruption of large sums of private money being given to Presidential candidates, or maybe Presidents who were already in office. Congress also believed this legislation would have the added benefit of pulling presidential candidates out of the fundraising chase, and instead allow them time to focus on issues and not so much on the money behind factions supporting those issues. So, for a long time, Mr. President—we talk about the Government being in charge and we don't want to put the Government in charge—for a long time in this country, many Members of this same body and many Members from both sides of the political spectrum, enough to get these laws passed for almost a century, the Government has been involved. I am not a big one for having the Government involved in a lot of things, but many of us have come to the conclusion that how we elect our Federal officers, how we elect our Federal officials, is one of those things that is legitimately the business of the Federal Government. And the Federal Government, and this Congress, has passed on specific contribution limitations in times past because of this notion that we need to kind of watch that carefully, because if you go out here in the private world and you see people in positions of decisionmaking receiving money from the people whom they are making the decision with regard to, that could be a problem. It is just kind of basic common sense. And the idea that the Government has kind of been oblivious to this and not involved in this for some time is really an invalid concept.

For 25 years, the system that I have just described has worked pretty well. There hasn't been a major Presidential scandal. People talk about public financing. We are clearly not talking about public financing here. But on the Presidential level, many people may not realize it but we have had public financing for a long time, and it has been scandal free. It has operated about as well for incumbents as it has challengers. It has been more of a level playing field, people have opted into it, and it has worked pretty well. All the TV advertisements were paid for within this system. With all of this money that was raised within this system, with these limitations placed on them, people managed to buy television ads and have pretty decent television campaigns—with this money, we call it hard money now, but the money within the system that was carefully thought out and allowed to be given to those of us in political office—because they were reasonable amounts and it didn't feel like they were large enough to have any influence on us, is what it boils down to.

However, things began to happen in the 1970s, with later more significant developments in the 1990s, that have totally transformed that system that Congress set up.

There was concern in Congress, for example, that there be adequate funding for grassroots political activities. We are all concerned about that. So, in the late 1970's, Congress amended the campaign laws and the FEC interpreted those amendments to allow national parties to send unlimited amounts, but for voter registration, voter turnout, and so forth, without these moneys counting against the limitations placed on party expenditures. Buckley, by the way, said that you could place limitations on party expenditures. That was one of the expenditure areas that Buckley said it was right and proper for Congress to place limitations on. We have limitations on party expenditures today.

Congress and the FEC also allowed part of these expenditures to be funded with money that might be referred to as ''outside the system''—outside the system that we have just been discussing, the $1,000/$5,000 limitation system that we have just been discussing. We now call this other money outside the system soft money—unlimited moneys; no limitation on these moneys from corporations, labor unions, individuals.

In 1991, now, moving along, the FEC—this is the Federal Election Commission, as we all know—decided that national parties could fund 35 percent of their generic voter-drive cost from soft money and 40 percent in an election year. So, now the soft money race was on. So now, we see, we were concerned about local grassroots participation. We let the parties send in more unlimited money for that purpose. Then we said OK, we can send some soft money in that you don't have to worry about limitations on, for that particular purpose. So the soft money drive was on and the public learned, in 1992, that the major party committees raised more than $83 million in soft money, which was 4 times the amount of soft money estimated to have been spent by the parties in 1984.

In 1996 the explosion in soft money continued. Soft money receipts by the Republican National Party committees increased 178 percent over 1992, to $138 million; while Democratic Party committee receipts of soft money increased 242 percent over 1992 levels to $123 million. It is almost enough to make you

long for the good old days back when many people were concerned about $5,000 PAC contributions. PACs were considered to be our greatest potential problem, not too long ago by many people.

So, naturally with all this new money on hand there was a tremendous desire by people in the political system to marry up that money with the largest expenditure that we were all beginning to incur at that time, and of course that's television advertising. So, in the summer of 1995, Dick Morris fervently believed television advertisements comparing the President with the Republican Congress were keys to the President's reelection. He encouraged the President to opt out of the public financing program in order to run expensive TV ads that he felt were absolutely necessary. Because he understood at the time, under the public system, if you took the public money but you couldn't go out here and raise all this money on the side, all this soft money to run these additional programs—he said, ''Mr. President, I wish you just wouldn't take the public money so we can have unlimited expenditures.'' The President decided to take the money and figure out a way to get the unlimited expenditures anyway. He told Mr. Morris to come back with plan B.

So, luckily for Mr. Morris, plan B was outlined for him in an advisory opinion, once again issued by the FEC. We talk about not putting the Government in this. The Government has been in this up to its eyebrows almost from the very beginning. Congress has been involved in it. Congress set up the Federal Election Commission. The Federal Election Commission comes with all these advisory opinions. They said you can use so much soft money for this, so much hard money for that, so many percentages for this purpose, so many percentages for the other purpose—that is the system we have now. The campaign finance reform bill would almost be a deregulation bill. This is not adding additional regulations on top of anything. This is doing away with some of this Rube Goldberg system that we have now.

So, continuing on with this pattern, the FEC comes in again and, in August of 1995, they issued an opinion and, despite an attempt to use careful language, the clear result of this advisory opinion was to place the FEC stamp of approval for the first time on the use of soft money by national party committees to pay for broadcast media advertisements that directly reference Federal candidates. So, by lumping this candidate-specific but issue-based TV advertising with grassroots activity which, as we discussed a moment ago, was encouraged by the 1979 amendment, the FEC handed Mr. Morris his plan B on a silver, soft-money platter.

The DNC and the Clinton-Gore campaign seized on the opportunity to use the FEC's hard/soft allocation regulations to run TV ads, using the 40 percent soft money. The first ones began running in October of 1995, shortly after this opinion was rendered. And so there we go.

However, it is very important to note that the rules still prohibited soft money electioneering messages and coordination between the candidate and the committee.

So, in summary, the national party could now spend soft money for a portion of its State-based party building, and it could directly spend soft money for a portion of its issue advocacy, or it could transfer soft money to the State parties.

Again, this is the system we have today. Does this sound like a simple free-enterprise system that we are trying to somehow improperly mess with? This is the hopelessly complex, as we will see in a minute, ridiculous system that we have allowed to be created under our very noses.

However, again, under the FEC rulings and court decisions, it should be noted that none of this soft money was supposed to go for activities that were to be coordinated with individual candidates. Nevertheless, by now the system had been haphazardly and without premeditation transformed from one which limited big money for Federal candidates into an attractive opportunity for anyone willing to push the soft money game to its next level and past what the law allowed.

The Clinton-Gore campaign was willing. Briefly stated, their campaign circumvented the DNC's coordinated limit and used approximately $44 million in national committee soft money to their candidates' advantage through electioneering messages that they claimed to be ''issue advertisements,'' all the while certifying under our Presidential system, that they would not spend more than the public funding system was giving them. They were receiving the taxpayer funding all at the same time they were raising the $44 million outside the system.

The President and the Vice President personally raised a lot of this money, putting them right back into the campaign fundraising chase that Congress specifically intended the campaign laws to put them above. The President personally reviewed and edited TV commercial scripts that the soft money went for and helped make the decision as to where the ads would be run. Again, soft money is not permitted to go to support individual candidates, and it is not supposed to be coordinated or directed by those candidates. Nevertheless, the Attorney General, through her opinion on this matter, permits this abuse, and we can fasten our seatbelts for the next elections unless we make some changes.

The second large area that was exploited in the 1996 election cycle had to do with the transfer of large amounts of soft money from the national party to the State parties, which in turn would be directed by the national parties as to how to use the funds for national party purposes. In other words, the national party is just using the State parties as a passthrough.

Under FEC rules, the amount of permissible soft money expenditures by State parties depends on the ratio of Federal to non-Federal candidates that is on the State's November ballot. For example, if there are two Federal races, say a Presidential and a congressional race, and eight non-Federal local races, the State party can pay for 80 percent of their generic activities with soft dollars.

Again, this is the simple, deregulated system that we have today.

Given that hard dollars raised in $1,000 increments are more difficult to raise, this gives an incentive to have the State party pay for as many activities as possible using soft money. In other words, now they have a system all contorted so that States can use more soft money than the Federal can, so you game the Federal system as much as you can through the party committee. The President raises the soft money, runs it through the DNC and spends the soft money additionally to what he is allowed to spend through the public financing. Then you go to the States, and because the States can use more soft money than you can, you run the rest of it through the States and have the States run the same ads that you are running at the Federal level for the same purpose, of reelecting the President. Now, that is the system that we have today.

So to take advantage of the system, the national party committees began transferring soft money to State party committees to utilize their higher soft-money allowance.

In the crucial 1995 pre-election year, according to the FEC reports, the DNC transferred almost $11.4 million of soft money to State parties, followed by another $6.4 million in the first quarter of 1996. The RNC shifted a little over $2.4 million to the States in about that same period of time. Ultimately, the DNC quietly transferred at least $32 million, and perhaps as much as $64 million by some estimates, to State Democratic Party committees in the 1996 election cycle. Of course, much of this money was used for television commercials.

This transfer allowed, of course, the State party committees to use national party soft money in areas to help their Federal election goals more than if the national committee had made the expenditures directly. The DNC, on its own, would have had to purchase the same air time under the guidelines requiring a high percentage of hard dollars.

Our hearings demonstrated that on some occasions, the very same ad would be run by both the national party and the State party, all created by the DNC Clinton-Gore consultants, Squier, Knapp & Ochs. Reports of the receipts and expenditures of a dozen State Democratic parties from July 1, 1995, to March 31, 1996, indicate the

State entities operated as a little more than passthroughs for the DNC to pay for the production and broadcasting of ads by the Squier firm. The Squier firm, of course, was in the White House consulting with the President, was the paid media consultant for the DNC, for the Clinton-Gore campaign and, at the same time, was running these ads and creating these ads for these State parties, and, in many cases, they were the same ads. As we see, the DNC and Clinton-Gore campaign found a way to use the big corporate, union and individual soft money they could raise for the direct benefit of their own campaign. They could actually raise the soft money from the DNC, which would, in turn, spend it as they were directed by the Clinton-Gore campaign in order to benefit the national campaign.

So it was all an obvious ruse to anybody who took a look at it, but it could work in a world where the FEC might take 4 or 5 years to impose a modest fine and where the Attorney General was willing to adopt a tortured Clinton-Gore legal defense theory in order to justify such actions.

Of course, labor unions and 501(c)(4) tax-exempt independent groups supporting both parties have kept apace of these new developments. They, too, now systematically run ads supporting or targeting specific candidates while often coordinating their activities with the candidate they support as well as with each other.

As with the national parties, they claim the ads they run are ''issue ads'' and, therefore, can't be regulated. Sometimes they are and sometimes maybe they are not. We have to decide that on an individual fact-by-fact basis. However, they take the position that, in most cases, they are not coordinating factual issues. But if they are coordinated with the candidate, it is considered to be a contribution to the candidate, according to Buckley.

Buckley has been quoted, of course, as limiting the regulation that Congress can place on expenditures, but in the Buckley decision, it says, if you set up a kind of a sham deal where you are supposed to be making these independent expenditures but you are really doing it at the direction of the candidate, that is not independent and that is considered a contribution to the candidate. The FEC has, in many cases, supported that proposition.

There is nothing in the court cases that would indicate that that is proper. In fact, quite the contrary. In fact, the FEC takes the position that even issue ads which are coordinated are illegal. National parties and independent groups seem to be taking the position that, ''We didn't coordinate, but if we did, it may be legal anyway.'' But the DNC and the Clinton-Gore campaign kind of stand alone on that issue because their soft-money expenditures were coordinated and directed by the President so openly and clearly and blatantly that they had no choice but to just adopt the idea, in the face of court decisions and in the face of FEC rulings, that it was still legal and proper, and the Attorney General has gone along with them on it.

As I said, Buckley addressed the problems of would-be contributors avoiding the contribution limits by the simple expedient of paying directly for media advertisements for a candidate when the expenditures were controlled by or coordinated with the candidate. Buckley stated—and this is a quotation from the much-quoted Buckley—''. . . such controlled and coordinated expenditures are treated as contributions rather than expenditures under the Act's contributions ceilings [And this]. . . prevents attempts to circumvent the Act through prearranged or coordinated expenditures amounting to disguised contributions. . . .''

That is the Buckley decision. But, of course, in the present environment, it prevents no such thing. Buckley says legally it prevents it. Practically we see that it does not.

It certainly makes no difference that the person who wants to purchase the TV ads runs his contributions through the political parties instead of directly. The potential corrupting influence that people have been concerned with for many, many years in this country and others is there anyway. Nevertheless, the Attorney General seems to have adopted the Clinton-Gore campaign argument.

The Attorney General's position will have many ramifications, Mr. President. Her position is based on the idea that soft money contributions are not ''contributions'' within the definition of the act, and she thinks since soft-money contributions really don't fall within that definition of contributions, then they are not regulated, so that you can have unlimited soft money over here, but we won't call them contributions, so they are not regulated.

Well, if that blanket position is true, then foreign soft-money contributions are not illegal either, because they came under the same definition. If soft-money contributions of any kind are not really contributions as defined by the act, then that is going to apply to domestic or foreign. Under her interpretation, you could have unlimited amounts of foreign money brought in and put by a political campaign into a soft-money account and used for so-called issue ads, and it would be perfectly legal.

These are the things we are going to see in the next election cycle.

If Congress does not want to be bound by this absurd interpretation, then we are going to have to act. So, in summary, we see that the 1996 elections produced some clear violations of the criminal law, and Congress' job in this area is to exercise oversight over the Justice Department to make sure the laws are enforced. We need no changes in the law with regard to these matters.

However, we also see that because of the way in which soft money, issue advocacy and coordination are being used and allowed to be used, as a practical matter, we are left with no campaign finance system at all, and we must decide if that is really what we want.

Because all these loopholes have been opened up now, contrary to our original intent, we find ourselves with a situation where we weren't the ones who opened up the barn door, but all the horses are rapidly leaving. Do we want to fix it or do we want to take advantage of it, because it essentially helps all incumbents, and we go through this exercise every so often and get a pretty good vote, but not quite enough, and now we can have our cake and eat it, too.

If we had come to this floor and passed a piece of legislation that allowed the current system, they would have laughed us out of town, and nobody here would have had the courage to do it.

So the question is whether or not, if we find ourselves with it, we are going to take advantage of it because it benefits an incumbent. Some would welcome this turn of events. Some honestly believe there is not enough money in our political system and that large corporations, unions and others should be allowed to make unlimited contributions to candidates.

I believe that those who hold this opinion have won the day so far, because I think that is exactly where we are now. And I think it is tragic, and I believe that those of us in both parties who support such a system because we think it might be beneficial to us as incumbents in some way are being very shortsighted, because I believe that no system that requires us or allows us as elected officials, including the President of the United States, to spend so much time raising so much money from so many people who have interests before us that we are passing legislation on, no such system will be allowed to survive indefinitely.

Where does such a system leave the average citizen with his or her $100 contribution? Is there any doubt as to why the more money we raise the fewer people vote?

Throughout history, people have recognized the inherent problems associated with large amounts of money going to those who make public policy. It does not require a very smart person to see the inherent problem with that. Nineteen centuries ago, the historian Plutarch thought that that was, more than anything else, what brought down the Roman Republic. Seven centuries ago, the Venetians imposed strict limitations on what could be given public officials. If the donors had favors to ask, they were not allowed to give anything.

Political influence money brought down the entire political systems in Japan and Italy. We have had our own money scandals—the corporate influence-buying scandals at the end of the last century as well as the Watergate campaign finance scandal that in large

part caused the legislation of 1974. So we do not have to look very far to see the relevant historical precedence of what we are dealing with.

It is unlikely that we have recently abridged the laws of human nature or the corrupting influence of power or what people are willing to do to get it. In fact, that is what the 1996 scandals are all about.

When you add all of this history, the fact that we now have spent—last time—$2.7 billion on our national elections, with all this amount of money involved, it is a virtual certainty we will have another major scandal in the not too distant future if we do nothing.

There are some who would try to convince those of us who are somewhat new to these hallowed halls that campaign finance reform is somehow not conservative or it is anti-Republican.

Well, I believe that the best witness on that is Mr. Republican himself, Barry Goldwater. In testifying before Congress in 1983, he said that big money ''eats at the heart of the democratic process. It feeds the growth of special interest groups created solely to channel money into political campaigns. It creates the impression that every candidate is bought and owned by the biggest givers. And it causes elected officials to devote more time to raising money than to their public duties. If present trends continue, voter participation will drop significantly''—sound familiar?—''public respect will fall into an all-time low''—sound familiar?—''political campaigns will be controlled by slick packaging artists''—sound familiar?—''and neglect of public duties by absentee officials will undermine government operations.''

Now, that is the man that we call ''Mr. Republican.'' Reading his ''Conscience of a Conservative'' as a college student had a lot to do with my becoming a Republican. And I do not think anybody ever accused Barry Goldwater of being an enemy of the first amendment.

I would ask those who are rightfully concerned about maintaining the authority of Congress in our system of checks and balances, those of us who criticize the courts—and I am one of them—and who criticize our Federal agencies—and I am one of them—if we really want the way we elect the highest officials in our Federal system to be determined not by Congress but by the courts, and by the Federal Election Commission, and by the Attorney General, and by those running for office who have the most audacity.

So while McCain-Feingold may achieve its predicted fate again this year—and maybe not—we need to realize that this overall issue is going to continue to stare Congress in the face. And as the next campaign makes the last one look like child's play, we are going to have to ultimately decide in this body, is this what we really want? And since it involves the very fundamentals of our democracy, don't we have an obligation to deal with it?

Thank you, Mr. President. I yield the floor.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, before the Senator from Tennessee leaves the floor, I would like to ask him a question and make a comment about his remarks.

I believe I heard the Senator from Tennessee predict that there would be more scandals associated with the present system. Did I hear him right? And what form will they be in? And how serious?

Mr. THOMPSON. Absolutely, I would say to my friend from Arizona. Nobody ever knows for sure what is going to happen, but if the past is prologue, we have seen throughout history and in our own recent history, and certainly in the history of Europe, that when the money gets out of hand, the scandals come.

And we have gone from a system now where we were arguing whether it should be a $1,000 limitation per individual or a little more or little less or whether it should be a $5,000 PAC limitation or not, and a big controversy whether that had a corrupting influence, to where now, instead of soliciting those amounts, we are soliciting $250,000 from these large entities.

So if the past has brought those kinds of political problems and legal problems to us, I think we can almost rest assured that in the future, with those amounts involved, that we will have the same thing.

As I said, I do not think that we have abridged the laws of human nature over the last few years. And I suppose that Lord Acton's admonition about the corrupting influence of power is still very much alive and well and with us.

So I say to my friend, I regret to say it, but I know that you predicted it would take another one to get anybody's attention on this issue. Now we have had one. Your prediction has come true. I am afraid that I am just following up with the next prediction.

Mr. MCCAIN. Could I ask the Senator also, in light of the literally thousands of hours that he has spent on this issue in the last year, is there any remaining restraint on campaign contributions? Is there any remaining law, rule, or regulation that, if someone is serious enough, that they can inject not as much money as they wish into any political campaign?

Mr. THOMPSON. As a practical matter, I think there are no restraints. I think under the present situation, with the FEC interpretations that have come down, with the Attorney General decisions and opinions that she has made, I literally think that you could call up someone, if you knew someone in Russia or China or Brazil, or wherever you wanted to—or California for that matter—get them to send a suitcase full of a million dollars cash, launder it, if you needed to, put it into a soft money account, and as long as you used issue ads and did not say ''vote for'' or ''vote against'' under this current ridiculous setup of interpretations we have now, that is permissible. That is the system we have currently.

Mr. MCCAIN. Could I ask my colleague from Tennessee then, if that is the situation, why does he detect a reluctance for our colleagues to support even, say, full disclosure or the banning of soft money or an abolition of the most obvious abuses that you so well described in your remarks?

Mr. THOMPSON. Well, I do not want to delve too deeply into the motivations of anyone. People can have different reasons for their thoughts. But it does puzzle me because, you know, in looking back at the history of this thing, some of the leading Republicans, some of the leading conservatives, as well as some of the leading liberals and Democrats in this body, have all joined together on some of these basic things.

What I think the Senator from Arizona and the Senator from Wisconsin and I are trying to do here is kind of get back to where we were 20, 25 years ago. We do not have that situation now. I hope the answer to your question is not that we see this current situation as an opportunity for incumbents. And we know that most of the money goes to incumbents. I have been a challenger; I have been an incumbent, like we all have. And we know how the system works and operates. And that is fine. That will always be the case.

We have some certain advantages, inherent advantages, in terms of news coverage and things of that nature that I have no intention of willingly giving up. And I think it is fine that I have those advantages. But the money situation has gotten out of hand, and incumbents have such an advantage there that about 90 percent of all the kind of money that we are talking about—well, that is not the correct figure either—but the great majority of the money we are talking about now goes into incumbents.

In times past, in this body those considerations have not ruled, and I do not think ultimately they will here now. And I am not saying that that is the motivation. All I am saying is that I hope that is not the motivation. I am afraid that if we do not do some things—the Senator from Kentucky pointed out problems with Buckley that we have on the free speech side of things. He makes some valid points there. It is a problematic situation. It has to be either not dealt with at all, because of the Court interpretations, or it has to be dealt with very, very carefully. I do not know how far we can go constitutionally.

But that has nothing to do with the contribution side. We decided back in 1907 that we did not want corporate contributions, large or small, and yet now we have effectively repealed that law, in my estimation.

Mr. MCCAIN. Let me finally ask the Senator from Tennessee, he also brings

a unique perspective to this issue in that he, I am sure, is the only Member of this body who was an active participant in the Watergate scandal. Part of the scandal was the washing around of large amounts of money. I have heard the stories—people walking around with a valise with a million and a half dollars of cash, et cetera. If we do not do something about this situation, in the view of the Senator from Tennessee, are we likely to see a repeat of those kinds of revelations?

Mr. THOMPSON. Well, I think if we do not do something about it, the big difference will be that people will not have to hide that activity anymore because it would be considered permissible. You might have some limitations on cash and things of that nature, but in terms of the amounts, you know, one of the Cabinet members of the President at that time allegedly was going around and, you know, hitting up these corporations for pretty good sums of money—at that point, $50,000, increments like that, some of it cash.

Mr. MCCAIN. That was scandalous.

Mr. THOMPSON. That was scandalous in those days.

Mr. MCCAIN. Now they are hit up for $50,000, and it is the order of the day, it is a lunch with the President.

Mr. THOMPSON. So we decided that—I think the country decided, after that, that we needed to decide what we wanted to have corporations and large labor unions do. Clearly, they needed to participate. We set up political action committees and decided how much we wanted them to participate. And we said to corporations, labor unions, ''You can't do any more than that in terms of direct political contribution.'' We said to individuals, ''You can't spend more than $1,000 per election per individual.'' That was not indexed. I think that was a mistake.

I think that $1,000, frankly, is ridiculously low nowadays, and if we had a higher hard money limitation that maybe so much money would not go into these independent ads and more money would go into hard money. But we sat down and consciously decided, I think, as a Congress and as a country, how much was appropriate for candidates to get their message out and to communicate with people and in what line did you get to a point where the influence might appear to be too great. These were all conscious decisions.

All I am saying to this body now is that we at least need to recognize that we are now addressing whether or not we still adhere to that or not or are we going to a system where there are no limitations.

Some people make an eloquent argument there should be no limitations at all. But it ought to be debated. We ought to hash that out here on the floor and not fool the American people into thinking that everything is basically just the way it was, and we do not want to encumber the system with additional regulations, and everything is fairly simple, and everything is fairly clean.

The Government, as I said, has been up to its eyeballs in this from day one, sometimes beneficially and sometimes ridiculously. And this law, to me, is just like most other major pieces of legislation. After 20 years, you learn some things about it. You have unintended consequences. You have court interpretations that go against what you thought you were doing.

So you have to sit down and revisit it and bring it up to date. I hope we don't avoid the responsibility of sitting down and revisiting this. If the majority sentiment is that we don't want any rules anymore, that we want to allow candidates to pick up the phone and raise $5 million, maybe run it through a committee but coordinate all of it and direct it so that you can slam somebody maybe 2 years in advance who might be a potential rival—if we really want to do that, say that is what we are doing and lay it out in a piece of legislation.

It is a hodgepodge now. We argue about what is legal and illegal. We have had some people say it is just violations of the law, what we need to do is enforce the law. That is true. Other people say, ''I don't see any violations of the law.'' See no evil, hear no evil, speak no evil. All we need is reform. They are in part true. The biggest problem is the gray area that everybody has assumed up until this last election was against the law.

The Clinton-Gore campaign primarily went way beyond that and the Attorney General is trying to back them up. We can stamp our feet about it—I think she is dead wrong— or we can sit down and say no, this is not the way it is, Attorney General, this is not the way it is, FEC, or courts, within the Constitution. We can make our own determinations as to what the Federal Government should be doing with regard to the election of Federal candidates.

You and I do not want the Federal Government involved in many aspects of people's lives. I decided a long time ago, the motivation has to do with lots of other things, like term limits and how long people stay when they are here, what their motivations are when they come here, what is primarily on their mind. All those kinds of things are the business of this body. That is Federal Government business. I make no apology for that.

So whether it is by inaction or by action, we are going to be determining how we elect people for Federal offices in this country.

Mr. McCAIN. Let me ask the Senator from Tennessee to sum up. Right now there is no restriction on any campaign contribution, in his view; there is no enforcement of existing law; there is no outrage because ''everybody does it.''

Mr. THOMPSON. I have heard that often. That was part of what we heard over the last several months.

Everybody doesn't do it. Everybody doesn't do the things that we saw the Clinton-Gore campaign do last time. I think everybody doesn't do what their campaign did in terms of laundering foreign money into this campaign or using the White House and denigrating the White House. Everybody doesn't do that.

Where there are clear law violations the laws ought to be enforced. That is another speech. If you get me started, it will be longer than the last speech.

Mr. McCAIN. But existing law is not being prosecuted.

Mr. THOMPSON. Is not being pushed hard enough, I don't think. We finally got a couple of indictments on matters that have been on the public record for a long, long time now. I am willing to reserve a certain amount of judgment to see what comes up. Based on the public record we have there could be a dozen indictments, based on things that have been on public record for a long, long time now. I expect there will be more indictments coming down the pike, but up until now it has not been aggressive. I'm afraid the trail has gotten cold on many. If you don't act promptly on some of these things, it is a lost cause. I'm afraid that has happened.

Having said all of that, they can't blind us to the fact that separate and apart from the clear violations of the law which do not need amendment—they are clear laws, they are clear violations—we have now created another area that does not require our attention, except our oversight, to see the law is enforced. What doesn't require our attention because of what the courts have done, because of what the FEC has done, because of what we have done and because of what the Attorney General has done, we have a hodgepodge that results in the allowance of unlimited amounts of money coming into any campaign almost under any circumstances. You have to run it through a committee, perhaps. You have to be careful how you word the TV ads, but as a practical matter we have no limitations. That is what deserves our attention.

Mr. McCAIN. I thank the Senator from Tennessee. I hope that it is understood the Senator from Tennessee, chairman of the committee, just finished a year-long oversight of the campaign finance abuses of this country. I think it is an important way to frame the debate which we are again embarking on, and that is that there are no limitations on any campaign contributions in American politics today. That is wrong. It is wrong. It is wrong. We need to do something to fix it, or I suggest that the people of this country will send some people who will fix it.

I thank the Senator from Tennessee for his incredible work and for his perseverance and for his courage under sometimes very difficult circumstances as he conducted his investigations throughout the last year. I'm grateful for him, as well, obviously for his friendship.

AMENDMENT NO. 1646

(Purpose: To provide a complete substitute to reform the financing of Federal elections)

Mr. MCCAIN. Mr. President, in accordance with the unanimous consent agreement regarding this issue, I send an amendment in the form of a substitute to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for himself Mr. FEINGOLD, Mr. THOMPSON, Ms. COLLINS, Mr. LEVIN, and Mr. CLELAND, proposes an amendment numbered 1646.

Mr. MCCAIN. I ask unanimous consent reading of the amendment be dispensed with.

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

(The text of the amendment will be printed in a future edition of the RECORD.)

Mr. MCCAIN. Mr. President, I am proud that today we begin what promises to be a thorough and responsible debate on the issue of campaign finance reform. I say responsible because I anticipate that in the course of this debate Senators will make unmistakenly clear whether they support or oppose meaningful reform. Senators will cast votes on at least one reform proposal, the revised McCain-Feingold legislation, and probably other proposals such as the one to be offered by Senator SNOWE before we vote on whether or not to invoke cloture.

Previous debates have ended, unsatisfactorily, in a series of cloture votes which, as we all know, tended to discourage good faith compromises among Senators who are genuinely committed to finding a fair and effective solution to the disreputable state of modern campaign financing. Moreover, cloture votes sometimes obscure from the public a Senator's true position on the issue in question. By the end of this debate, whichever argument prevails, Senators will be on the record in support or opposition to reform, and, thus, accountable to their constituents who may then register their approval or disapproval at the polls.

Mr. President, I believe an open debate, which considers amendments representing various views on the subject of reform, will encourage Senators on both sides of the issue to pursue a majority consensus on what can be done to improve our obviously and appallingly dysfunctional campaign finance system. Should our debate result in honest progress toward an acceptable compromise we may not even need to hold cloture votes. Of course, this is an ideal result of the debate we commence today, and I recognize that we are a long way from achieving it. But I believe, with just a minimum of good faith on all sides, we can get there.

But even if we fall short again, Mr. President, Senators will have shown ourselves willing to stand up for our beliefs and risk the people's judgment when next we stand for election. I am proud of my colleagues for having the courage of their convictions.

Mr. President, I want to thank the Majority Leader, Senator LOTT, for agreeing to return to this subject, and allow Senators to express their views by means usually employed in Senate debates—by means of amendment. I wish also to thank my friend, the Senator from Kentucky, who has long shown he has the courage of his convictions, for agreeing to resume debate in this manner.

I want also to thank the Minority Leader for his essential assistance in helping use to arrive at this important moment. I want to thank Senators SNOWE, JEFFORDS and CHAFEE along with Senator LEVIN for their efforts to help the Senate achieve a meaningful consensus on a contentious issue involved in this debate, and all Senators, on both sides of the aisle and the issue, who have worked hard to ensure that this issue is fairly addressed by this Senate.

I wish to thank all the co-sponsors of McCain-Feingold, both Republicans and Democrats, with a special thanks to a hardy band of determined Republicans, Senators THOMPSON, COLLINS and SPECTER who have labored long and hard to change what we believe to be a mistaken majority view among our fellow Republicans.

Lastly, I want to especially thank my tireless, resourceful and passionately committed friend, Senator FEINGOLD. I have been in Congress for many years now, and I have never worked with a more dedicated or able member of this institution to pass legislation of such importance to our political system. He has inspired my own determination, and I am grateful to him.

Mr. President, we will hear from many Senators, representing several points of view, during the course of this debate. I look forward to debating various provisions of our legislation, as well as amendments offered by my colleagues on a range of issues related to campaign finance reform. As I have said, many times in the past, this is a necessary and important debate. The issue of campaign finance reform merits our most serious attention. Indeed, I believe it deserves to be a central focus of this Congress' work. I believe this so strongly because I think it is beyond doubt that the way we finance our elections in this country has caused the people we represent to doubt our personal integrity and the integrity of the institution we are privileged to serve. And that, my friends, is a concern that should call us all to action.

The substitute that Senator FEINGOLD and I offer today represents a substantial change from S. 25, the original McCain-Feingold Campaign Finance Reform Bill, but at the same time, maintains the core of the original bill.

I strongly support all the provisions of the original bill. And as I have stated in the past, as the debate proceeds, Senator FEINGOLD and I intend to offer amendments that would restore the component parts of our original bill. We intend to proceed to those amendments in good time.

Pursuant to the unanimous consent agreement that the Senate entered into last year, the Senate will now turn to the bill S. 25 as modified, as an amendment to an original underlying bill. Later I will discuss my thoughts on the underlying bill, but now I would like to outline for my colleagues the contents of our proposal.

Before I elaborate on the provisions of the bill, I want to remind my colleagues of three points:

One—For reform to become law, it must be bi-partisan. This is a bi-partisan bill. It is a bill that effects both parties in a fair and equal manner.

Two—Reform must seek to lessen the role of money in politics. Spending on campaigns in current, inflation adjusted dollars continues to rise. In constant dollars, the amount spent on House and Senate races in 1976 was $318 million. By 1986, the total had risen to $645 million. And in 1996 to $765 million. Including the Presidential races, over a billion dollars was spent in the last race. And as the need for money escalates, the influence of those who have it rises exponentially.

Three—Reform must seek to level the playing field between challengers and incumbents. Our bill achieves this goal by recognizing the fact that incumbents almost always raise more money than challengers and as a general rule, the candidate with the most money wins the race. If money is forced to play a lesser role, then challengers will have a better chance.

TITLE I

Title One of the modified bill seeks to reduce the influence of special interest money in campaigns by banning the use of soft money in federal races. Soft money would be allowed to be contributed to state parties in accordance with state law.

In the first half of 1997, a record $34 million dollars of soft money flowed into political coffers. That staggering amount represents a 250% increase in soft money contributions since 1993. And Mr. President, unless reform is passed, we are witnessing only the beginning of this problem.

We do, however, seek to differentiate between state and federal activities. Soft money contributed to state parties could be used for any and all state candidate activities. Let me repeat that statement. Soft money given to the state parties could be used for any state electioneering activities.

If a state allows soft money to be used in a gubernatorial race, a state senate race, or the local Sheriff's race, it would still be allowed under this bill. However, if a state party seeks to use soft money to indirectly influence a federal race, such activity would be banned 120 days prior to the general

election. Voter registration and general campaign advertising would be allowed except during the 120 days prior to the election.

Voter registration efforts are very important. I know my colleagues recognize that fact. We want individuals to register and then to go vote. This bill allows parties to engage in voter registration activities. Additionally, state parties would be allowed within limits to engage in generic party advertising. These activities help build the party and encourage people to vote.

To make up for the loss of soft money, the modified bill doubles the limit that individuals can give to state parties in hard money. Consequently, the aggregate contribution limit for hard money that individuals could donate to political races would rise to $30,000.

This ban of soft money is important for two fundamental reasons: first, it would reduce the amount of money in the election process; and second, it would result in candidates being forced to campaign for smaller dollar amounts from individuals back home.

TITLE II

Title II of the modified bill seeks to limit the role of independent expenditures in political campaigns.

The bill in no way bans, curbs, or seeks to control real, independent, non-coordinated expenditures in any manner. Any independent expenditure made to advocate any cause, with the exception of the express advocacy of a candidate's victory or defeat, is fully allowed. To do anything else would violate the first amendment.

However, the bill does expand the definition of express advocacy. The courts have routinely ruled that the Congress may define express advocacy. In fact, current standards of express advocacy have been derived from the *Buckley* case itself.

As we all know, the Supreme Court case of *Buckley* v. *Valeo* stated that campaign spending cannot be mandatorily capped. This bill is fully consistent with the *Buckley* decision.

What the modified bill seeks to do is establish a so-called ''bright line'' test 60 days out from an election. Any independent expenditures that fall within that 60 day window could not use a candidate's name or his or her likeness. During this 60 day period, ads could run that advocate any number of issues. Pro-life ads, pro-choice ads, anti-labor ads, pro-wilderness ads, pro-Republican party or Democratic party ads—all could be aired with impunity. However, ads mentioning candidates themselves could not be aired.

This accomplishes much. First, if soft money is banned to the political parties, such money will inevitably flow to independent campaign organizations. These groups often run ads that the candidates themselves disapprove of. Further, these ads are almost always negative attack ads and do little to further beneficial debate and a healthy political dialogue. To be honest, they simply drive up an individual candidate's negative polling numbers and increase public cynicism for public service in general.

The modified bill explicitly protects voter guides. I believe this is a very important point. Some have unfairly criticized the original bill because they thought it banned or prohibited the publication and distribution of voter guides and voting records. While I disagree with those individual's conclusions, the sponsors of the modified bill sought to clarify this matter.

Let me state that voter guides are completely protected in the modified bill. Any statements to the contrary are simply not true.

Not only are statements criticizing the bill on this point inaccurate, but the bill—as I have stated—in fact protects voter guides. I want to read the provision in its entirety so that there will be no questions regarding this matter:

(C) VOTING RECORD AND VOTER GUIDE EXCEPTION.—The term express advocacy shall not include a printed communication which is limited solely to presenting information in an educational manner about the voting record or positions on campaign issues of 2 or more candidates and which:

(i) is not made in coordination with a candidate, or political party or agency thereof;

(ii) in the case of a voter guides based on a questionnaire, all candidates for a particular seat or office have been provided with an equal opportunity to respond;

(iii) gives no candidate any greater prominence than any other candidate; and

(iv) does not contain a phrase such as ''vote for'', ''reelect'', ''support'', ''Cast your ballot for'', ''(name of candidate) for Congress'', ''(name of candidate) in 1997'', ''vote against'', ''defeat'', or ''reject'', or a campaign slogan or words which in context can have no reasonable meaning other than to urge the election or defeat of 1 or more candidates.

I hope that this clear and concise language dispels any rumors that this modified bill will adversely, in any way, affect voter guides.

TITLE III

Title III of the modified bill mandates greater disclosure. Our bill mandates that all FEC filings documenting campaign receipts and expenditures be made electronically and that they then be made accessible to the public on the Internet not later than 24 hours after the information is received by the Federal Election Commission.

Additionally, current law allows for campaigns to make a ''best effort'' to obtain the name, address, and occupation information of the donors of contributions above $200. Our bill would eliminate that waiver. If a campaign can not obtain the address and occupation of a donor, then the donation can not and should not be accepted.

The bill also mandates random audits of campaigns. Such audits would only occur after an affirmative vote of at least four of the six members of the FEC. This will prevent the use of audits as a purely partisan attack.

The bill also mandates that campaigns seek to receive name, address and employer information for contributions over $50. Such information will enable the public to have a better knowledge of all who give to political campaigns.

TITLE IV

Title IV of the modified bill seeks to encourage individuals to limit the amount of personal money they spend on their own campaigns. If an individual voluntarily elects to limit the amount of money he or she spends in his or her own race to $50,000, then the national parties are able to use funds known as ''coordinated expenditures'' to aid such candidates. If candidates refuse to limit their own personal spending, then the parties are prohibited from contributing coordinated funds to the candidate.

This provision serves to limit the advantages that wealthy candidates enjoy and strengthen the party system by encouraging candidates to work more closely with the parties.

TITLE V

Lastly, the bill codifies the *Beck* decision. The *Beck* decision states that a non-union employee working in a closed shop union workplace and who is required to contribute funds to the union, can request and be assured that his or her money not be used for political purposes.

I personally support much stronger language. I believe that no individual—a union member or not—should be forced to contribute to political activities. However, I recognize that stronger language would invite a filibuster of this bill and would doom its final passage. As a result, I will fight to preserve the delicately balanced language of the bill and will oppose amendments offered by both sides of the aisle that would result in killing this important measure.

Mr. President, what I have outlined is a basic summary of our modifications to the original bill. I have heard many of my colleagues say that they could not support S. 25, the original McCain-Feingold bill for a wide variety of reasons. Some opposed spending limits. Others opposed free or reduced rate broadcast time. Yet others could not live with postal subsidies to candidates. And others complained that nothing was being done about labor.

I hope that all my colleagues who made such statements will take a new and open minded look at this bill. Gone are spending limits. Gone is free broadcast time. Gone are reduced rate TV time and postal subsidies. And we have sought to address the problem of undue influence being exercised by labor unions. All the excuses of the past are gone.

Mr. President, I know our legislation is not perfect. I know that if given the opportunity to offer amendments, many Members will do exactly that, and the legislation may well be improved as a result. I welcome those amendments. But first we are required to vote for or against tabling our amendment. And I appeal to my colleagues to vote against tabling.

I know that many on this side of the aisle do not agree with all the provisions I have outlined. But I know that many recognize that there is a problem with the way we finance our elections, and are distressed over the public's disdain for the system. It is a problem we must address. So let us do so. Let any senator offer an amendment to our legislation. I may agree with some. I may disagree with others. But by means of the amendment process we may begin building a consensus. Then we can all sit down, in good faith, and do what the people want us to do: come together on a consensus proposal to repair this terribly inequitable, unnecessarily expensive and, at times, corrupt campaign finance system.

This is our opportunity. If we opt for gridlock over results, we will only fuel the cynicism of the American electorate. I hope we will do what is right and take such steps as necessary to pass meaningful campaign finance reform.

UNANIMOUS CONSENT AGREEMENT

Mr. MCCAIN. Mr. President, On behalf of the majority leader, I ask unanimous consent that at 10:30 a.m. on Tuesday, February 24, the Senate resume consideration of the pending McCain-Feingold amendment. I further ask consent that the time between 10:30 and 12:30 be equally divided between the opponents and proponents. I ask unanimous consent that the time from 2:15 to 4 p.m. be equally divided between the opponents and proponents prior to the motion to table, and, finally, at 4 p.m. the Senate proceed to a vote in relation to the pending McCain-Feingold amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

MORNING BUSINESS

Mr. MCCAIN. Mr. President, I ask unanimous consent that there now be a period for morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting a withdrawal and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 12:00 noon, a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1270. An act to amend the Nuclear Waste Policy Act of 1982.

MEASURE PLACED ON THE CALENDAR

The following bill was read twice and placed on the calendar:

H.R. 1270. An act to amend the Nuclear Waste Policy Act of 1982.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–3938. A communication from the Chairman of the Federal Election Commission, transmitting, pursuant to law, the report of the fiscal year 1999 budget request; to the Committee on Rules and Administration.

EC–3939. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, a report on military expenditures for countries receiving U.S. assistance; to the Committee on Appropriations.

EC–3940. A communication from the Director of the Office of Surface Mining, Reclamation, and Enforcement, Department of the Interior, transmitting, pursuant to law, the reports of two rules; to the Committee on Energy and Natural Resources.

EC–3941. A communication from the Deputy Associate Director for Royalty Management, Royalty Management Program, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, notice of the intention to make refunds of offshore lease revenues where a refund or recoupment is appropriate; to the Committee on Energy and Natural Resources.

EC–3942. A communication from the Deputy Associate Director for Royalty Management, Royalty Management Program, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, notice of the intention to make refunds of offshore lease revenues where a refund or recoupment is appropriate; to the Committee on Energy and Natural Resources.

EC–3943. A communication from the Assistant Secretary of the Interior for Fish and Wildlife and Parks, transmitting, pursuant to law, a report relative to the establishment of a memorial to the Reverend Dr. Martin Luther King, Jr.; to the Committee on Energy and Natural Resources.

EC–3944. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to hazardous air pollutants; to the Committee on Energy and Natural Resources.

EC–3945. A communication from the Assistant Secretary of the Interior for Land and Minerals Management, transmitting, pursuant to law, the report of a rule received on February 17, 1998; to the Committee on Energy and Natural Resources.

EC–3946. A communication from the Director of the Office of Rulemaking Coordination, Department of Energy, transmitting, pursuant to law, the report of a rule received on January 21, 1998; to the Committee on Energy and Natural Resources.

EC–3947. A communication from the Assistant Attorney General (Legislative Affairs), transmitting a draft of proposed legislation to provide for the establishment of an electronic case management demonstration project; to the Committee on Banking, Housing, and Urban Affairs.

EC–3948. A communication from the Managing Director of the Federal Housing Finance Board, transmitting, pursuant to law, the report of a rule received on February 17, 1998; to the Committee on Banking, Housing, and Urban Affairs.

EC–3949. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule received on February 10, 1998; to the Committee on Banking, Housing, and Urban Affairs.

EC–3950. A communication from the Legislative and Regulatory Activities Division, Comptroller of the Currency, Administrator of National Banks, transmitting, pursuant to law, the report of a rule received on February 6, 1998; to the Committee on Banking, Housing, and Urban Affairs.

EC–3951. A communication from the Secretary of the U.S. Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule received on February 18, 1998; to the Committee on Banking, Housing, and Urban Affairs.

EC–3952. A communication from the Administrator of the U.S. Agency for International Development, transmitting, pursuant to law, the report of Development Assistance Program allocations for fiscal year 1998; to the Committee on Foreign Relations.

EC–3953. A communication from the Director of the Defense Security Assistance Agency, transmitting, pursuant to law, a report relative to foreign military sales customers; to the Committee on Foreign Relations.

EC–3954. A communication from the Director of the Defense Security Assistance Agency, transmitting, pursuant to law, a report relative to the status of loans and guarantees issued under the Arms Export Control Act; to the Committee on Foreign Relations.

EC–3955. A communication from the Director of the Defense Security Assistance Agency, transmitting, pursuant to law, a report relative to an analysis and description of services performed by full-time USG employees during fiscal year 1997; to the Committee on Foreign Relations.

EC–3956. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report of a determination relative to assistance to the Government of Haiti; to the Committee on Foreign Relations.

EC–3957. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report of the allocation of funds for fiscal year 1998; to the Committee on Foreign Relations.

EC–3958. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, a report on U.S. Government assistance to and cooperative activities with the New Independent States of the former Soviet Union; to the Committee on Foreign Relations.

EC–3959. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report regarding the economic policies and trade practices of countries with which the U.S. has significant economic or trade relations; to the Committee on Foreign Relations.

EC–3960. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the reports of four notices of the proposed issuance of export licenses; to the Committee on Foreign Relations.

EC–3961. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting the report of the

texts of international agreements, other than treaties, and background statements; to the Committee on Foreign Relations.

EC–3962. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting the report of the texts of international agreements, other than treaties, and background statements; to the Committee on Foreign Relations.

EC–3963. A communication from the National Endowment for Democracy, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1997; to the Committee on the Judiciary.

EC–3964. A communication from the Administrator of the National Aeronautics and Space Administration, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1997; to the Committee on the Judiciary.

EC–3965. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1997; to the Committee on the Judiciary.

EC–3966. A communication from the Director of the National Counterintelligence Center, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1997; to the Committee on the Judiciary.

EC–3967. A communication from the Vice Chairman of the National Indian Gaming Commission, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1997; to the Committee on the Judiciary.

EC–3968. A communication from the Director of the U.S. Information Agency, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1997; to the Committee on the Judiciary.

EC–3969. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1997; to the Committee on the Judiciary.

EC–3970. A communication from the Chairman of the U.S. Securities and Exchange Commission, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1997; to the Committee on the Judiciary.

EC–3971. A communication from the Board Members of the Railroad Retirement Board, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1997; to the Committee on the Judiciary.

EC–3972. A communication from the Principal Deputy Assistant Secretary of Defense for Public Affairs, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1997; to the Committee on the Judiciary.

EC–3973. A communication from the Chairman of the Federal Mine Safety and Health Review Commission, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1997; to the Committee on the Judiciary.

EC–3974. A communication from the Attorney General, transmitting, pursuant to law, the report of the summary performance plan for fiscal year 1999; to the Committee on the Judiciary.

EC–3975. A communication from the Director of the Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of three rules; to the Committee on the Judiciary.

EC–3976. A communication from the Attorney General, transmitting, pursuant to law, a report relative to the Office of Community Oriented Policing Services; to the Committee on the Judiciary.

EC–3977. A communication from the Commissioner of the Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule received on February 11, 1998; to the Committee on the Judiciary.

EC–3978. A communication from the Assistant Secretary of Commerce and Commissioner of Patents and Trademarks, transmitting, pursuant to law, the report of a rule received on February 2, 1998; to the Committee on the Judiciary.

EC–3979. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the report of a rule received on February 2, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3980. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the annual report for fiscal year 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3981. A communication from the Deputy Executive Director of the U.S. Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule received on February 17, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3982. A communication from the Under Secretary of Agriculture for Rural Development, transmitting, pursuant to law, the report of a rule; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3983. A communication from the Under Secretary of Agriculture for Food, Nutrition, and Consumer Services, transmitting, pursuant to law, the report of a rule received on February 18, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3984. A communication from the Administrator of the Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the reports of two rules; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3985. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the reports of three rules; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3986. A communication from the Acting Administrator of the Agricultural Marketing Service, Marketing and Regulatory Programs, Department of Agriculture, transmitting, pursuant to law, the reports of seven rules; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3987. A communication from the Brigham and Women's Hospital, Boston, Massaschusetts, transmitting, a report relative to breastfeeding; to the Committee on Labor and Human Resources.

EC–3988. A communication from the Deputy Executive Director and Chief Operating Officer, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule received on February 6, 1998; to the Committee on Labor and Human Resources.

EC–3989. A communication from the Acting Assistant Secretary of Labor for Employment and Training, transmitting, pursuant to law, the report of a rule received on February 4, 1998; to the Committee on Labor and Human Resources.

EC–3990. A communication from the Assistant Secretary of Labor for Occupational Safety and Health, transmitting, pursuant to law, the report of a rule received on February 2, 1998; to the Committee on Labor and Human Resources.

EC–3991. A communication from the Chairman of the Barry M. Goldwater Scholarship and Excellence In Education Foundation, transmitting, pursuant to law, the annual report of activities for fiscal year 1997; to the Committee on Labor and Human Resources.

EC–3992. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report on the U.S.-Japan Cooperative Medical Science Program; to the Committee on Labor and Human Resources.

EC–3993. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report on the sentinel disease concept study; to the Committee on Labor and Human Resources.

EC–3994. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report on the Ryan White Care Act Programs for fiscal year 1996; to the Committee on Labor and Human Resources.

EC–3995. A communication from the Chairman and Vice Chairman of the National Commission On the Cost of Higher Education, transmitting jointly, pursuant to law, the final report of the Commission; to the Committee on Labor and Human Resources.

EC–3996. A communication from the Deputy Director, Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the reports of two rules; to the Committee on Labor and Human Resources.

EC–3997. A communication from the Director, Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the reports of four rules; to the Committee on Labor and Human Resources.

EC–3998. A communication from the Principal Deputy of the Office of the Assistant Secretary (Installations and Environment), Department of the Navy, transmitting, pursuant to law, a report relative to DOD civilian employees; to the Committee on Armed Services.

EC–3999. A communication from the Under Secretary of Defense (Acquisition and Technology), transmitting, pursuant to law, a report relative to depot-level maintenance and repair workloads; to the Committee on Armed Services.

EC–4000. A communication from the Under Secretary of Defense (Acquisition and Technology), transmitting, pursuant to law, a report relative to depot-level maintenance and repair workloads; to the Committee on Armed Services.

EC–4001. A communication from the Under Secretary of Defense (Acquisition and Technology), transmitting, pursuant to law, a report relative to depot-level maintenance and repair workloads; to the Committee on Armed Services.

EC–4002. A communication from the Under Secretary of Defense (Acquisition and Technology), transmitting, pursuant to law, a report on strategic and critical materials for fiscal year 1997; to the Committee on Armed Services.

EC–4003. A communication from the Under Secretary of Defense (Acquisition and Technology), transmitting, pursuant to law, a report relative to the Foreign Comparative Testing Program for fiscal year 1997; to the Committee on Armed Services.

EC–4004. A communication from the Chair of the Defense Environmental Response Task Force, Office of the Under Secretary of Defense, transmitting, pursuant to law, the annual report for fiscal year 1997; to the Committee on Armed Services.

EC–4005. A communication from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of the Air

Force, transmitting, pursuant to law, the report of a cost comparison; to the Committee on Armed Services.

EC–4006. A communication from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of the Air Force, transmitting, pursuant to law, the report of a cost comparison; to the Committee on Armed Services.

EC–4007. A communication from the Acting Assistant Secretary of Defense (Force Management Policy), transmitting, pursuant to law, a report relative to institutions of higher education; to the Committee on Armed Services.

EC–4008. A communication from the Assistant Secretary of Defense (Reserve Affairs), transmitting, pursuant to law, a report on Reserve retirement initiatives; to the Committee on Armed Services.

EC–4009. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting, pursuant to law, a report relative to depot-level maintenance and repair; to the Committee on Armed Services.

EC–4010. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report on private sourcing of airlift of military personnel and cargo; to the Committee on Armed Services.

EC–4011. A communication from the Secretary of Defense, transmitting, pursuant to law, the annual report for fiscal year 1998; to the Committee on Armed Services.

EC–4012. A communication from the Secretary of Defense, transmitting, pursuant to law, the annual report for fiscal year 1998; to the Committee on Armed Services.

EC–4013. A communication from the Secretary of Defense, transmitting, a draft of proposed legislation entitled ''The Department of Defense Reform Act of 1998″; to the Committee on Armed Services.

EC–4014. A communication from the Director of Defense Procurement, Office of the Under Secretary of Defense, transmitting, pursuant to law, the reports of two rules; to the Committee on Armed Services.

EC–4015. A communication from the Director (Administration and Management), Office of the Secretary of Defense, transmitting, pursuant to law, the reports of two rules; to the Committee on Armed Services.

EC–4016. A communication from the Chief, Regulations Division, Bureau of Alcohol, Tobacoo, and Firearms, Department of the Treasury, transmitting, pursuant to law, the report of a rule received on February 10, 1998; to the Committee on Finance.

EC–4017. A communication from the Attorney-Advisor, Federal Register Certifying Office, Department of the Treasury, transmitting, pursuant to law, the report of a rule received on January 28, 1998; to the Committee on Finance.

EC–4018. A communication from the Chief Counsel of the Bureau of the Public Debt, Department of the Treasury, transmitting, pursuant to law, the report of a rule received on January 22, 1998; to the Committee on Finance.

EC–4019. A communication from the Acting Assistant Secretary for Import Administration, Department of Commerce, and the Director of the Office of Insular Affairs, Department of the Interior, transmitting jointly, pursuant to law, the report of a rule received on February 12, 1998; to the Committee on Finance.

EC–4020. A communication from the President of the United States, transmitting, pursuant to law, a report concerning the emigration laws and policies of Albania; to the Committee on Finance.

EC–4021. A communication from the Chief, Regulations Branch, U.S. Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule received on February 26, 1998; to the Committee on Finance.

EC–4022. A communication from the Secretary of Health and Human Services and the Attorney General, transmitting jointly, pursuant to law, the report of the Health Care Fraud and Abuse Control Program for fiscal year 1997; to the Committee on Finance.

EC–4023. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the reports of three rules; to the Committee on Finance.

EC–4024. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to Medicare SELECT supplemental policies; to the Committee on Finance.

EC–4025. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of an action on a decision received on February 2, 1998; to the Committee on Finance.

EC–4026. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the reports of two Treasury Regulations; to the Committee on Finance.

EC–4027. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the reports of four Notices including Notices 98:9–10, and 14; to the Committee on Finance.

EC–4028. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the reports of Revenue Procedures 98:18, 20-21, and 23; to the Committee on Finance.

EC–4029. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the reports of Revenue Ruling 98:9; to the Committee on Finance.

EC–4030. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 12-226 adopted by the Council on December 4, 1997; to the Committee on Governmental Affairs.

EC–4031. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 12-227 adopted by the Council on December 4, 1997; to the Committee on Governmental Affairs.

EC–4032. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 12-228 adopted by the Council on December 4, 1997; to the Committee on Governmental Affairs.

EC–4033. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 12-229 adopted by the Council on December 4, 1997; to the Committee on Governmental Affairs.

EC–4034. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 12-230 adopted by the Council on December 4, 1997; to the Committee on Governmental Affairs.

EC–4035. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 12-231 adopted by the Council on December 4, 1997; to the Committee on Governmental Affairs.

EC–4036. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 12-232 adopted by the Council on December 4, 1997; to the Committee on Governmental Affairs.

EC–4037. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 12-233 adopted by the Council on December 4, 1997; to the Committee on Governmental Affairs.

EC–4038. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 12-234 adopted by the Council on December 4, 1997; to the Committee on Governmental Affairs.

EC–4039. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 12-235 adopted by the Council on December 4, 1997; to the Committee on Governmental Affairs.

EC–4040. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 12-236 adopted by the Council on December 4, 1997; to the Committee on Governmental Affairs.

EC–4041. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 12-246 adopted by the Council on December 4, 1997; to the Committee on Governmental Affairs.

EC–4042. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 12-249 adopted by the Council on December 4, 1997; to the Committee on Governmental Affairs.

EC–4043. A communication from the Secretary, Mississippi River Commission, Corps of Engineers, Department of the Army, transmitting, pursuant to law, the report under the Government in the Sunshine Act for calendar year 1997; to the Committee on Governmental Affairs.

EC–4044. A communication from the General Counsel and Corporate Secretary, Legal Services Corporation, transmitting, pursuant to law, the report under the Government in the Sunshine Act for calendar year 1997; to the Committee on Governmental Affairs.

EC–4045. A communication from the Executive Officer of the National Science Board, transmitting, pursuant to law, the report under the Government in the Sunshine Act for calendar year 1997; to the Committee on Governmental Affairs.

EC–4046. A communication from the Chairman of the Federal Mine Safety and Health Review Commission, transmitting, pursuant to law, the report under the Government in the Sunshine Act for calendar year 1997; to the Committee on Governmental Affairs.

EC–4047. A communication from the Executive Secretary of the National Labor Relations Board, transmitting, pursuant to law, the report under the Government in the Sunshine Act for calendar year 1997; to the Committee on Governmental Affairs.

EC–4048. A communication from the Acting Director of Communications and Legislative Affairs, U.S. Equal Employment Opportunity Commission, transmitting, pursuant to law, the report under the Government in the Sunshine Act for calendar year 1997; to the Committee on Governmental Affairs.

EC–4049. A communication from the Executive Director of the Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting, pursuant to law, six additions to the procurement list received on February 12, 1998; to the Committee on Governmental Affairs.

EC–4050. A communication from the Director of the Federal Emergency Management Agency, transmitting, pursuant to law, the report on the internal controls and financial systems in effect during fiscal year 1997; to the Committee on Governmental Affairs.

EC–4051. A communication from the President of the National Endowment for Democracy, transmitting, pursuant to law, the report on the internal controls and financial

systems in effect during fiscal year 1997; to the Committee on Governmental Affairs.

EC–4052. A communication from the Secretary of Energy, transmitting, pursuant to law, the report on the internal controls and financial systems in effect during fiscal year 1997; to the Committee on Governmental Affairs.

EC–4053. A communication from the Office of the Director of the National Gallery of Art, transmitting, pursuant to law, the report on the internal controls and financial systems in effect during fiscal year 1997; to the Committee on Governmental Affairs.

EC–4054. A communication from the President of the National Endowment for Democracy, transmitting, pursuant to law, the report of the Office of Inspector General for fiscal year 1997; to the Committee on Governmental Affairs.

EC–4055. A communication from the Director of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of the Office of Inspector General for the period April 1 through September 30, 1997; to the Committee on Governmental Affairs.

EC–4056. A communication from the Director, Financial Management, Assistant Comptroller General of the United States, transmitting, pursuant to law, the report of the Comptrollers' General Retirement System for fiscal year 1997; to the Committee on Governmental Affairs.

EC–4057. A communication from the Acting Comptroller General of the United States, transmitting, pursuant to law, the report of Congressional detailees; to the Committee on Governmental Affairs.

EC–4058. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report relative to bid protests for fiscal year 1997; to the Committee on Governmental Affairs.

EC–4059. A communication from the Comptroller General of the United States, transmitting, pursuant to law, the report of the list of General Accounting Office reports for December 1997; to the Committee on Governmental Affairs.

EC–4060. A communication from the Acting Comptroller General of the United States, transmitting, pursuant to law, the annual report for fiscal year 1997; to the Committee on Governmental Affairs.

EC–4061. A communication from the Acting Director of the U.S. Office of Personnel Management, transmitting, a draft of proposed legislation entitled ''The Federal Employees' Benefits Equity Act of 1997''; to the Committee on Governmental Affairs.

EC–4062. A communication from the Acting Director of the U.S. Office of Personnel Management, transmitting, a draft of proposed legislation entitled ''The Federal Employees' Health Benefits Children's Equity Act of 1997''; to the Committee on Governmental Affairs.

EC–4063. A communication from the Director of the U.S. Office of Personnel Management, transmitting, pursuant to law, a report entitled ''Health Promotion and Disease Prevention Activities''; to the Committee on Governmental Affairs.

EC–4064. A communication from the Director of the U.S. Office of Personnel Management, transmitting, pursuant to law, the reports of two rules; to the Committee on Governmental Affairs.

EC–4065. A communication from the Administrator of the U.S. General Services Administration, transmitting, a draft of proposed legislation relative to child care services for Federal employees in Federal buildings; to the Committee on Governmental Affairs.

EC–4066. A communication from the Deputy Associate Administrator for Acquisition Policy, U.S. General Services Administration, transmitting, pursuant to law, the report of a rule received on February 18, 1998; to the Committee on Governmental Affairs.

EC–4067. A communication from the Chairman of the District of Columbia Financial Responsibility and Management Assistant Authority, transmitting, pursuant to law, a report entitled ''Graduating to a Better Future: Public Higher Education in the District of Columbia''; to the Committee on Governmental Affairs.

EC–4068. A communication from the Chairman of the District of Columbia Financial Responsibility and Management Assistant Authority, transmitting, pursuant to law, the report of the general purpose financial statements and independent auditor's report for fiscal year 1997; to the Committee on Governmental Affairs.

EC–4069. A communication from the Interim District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''Review of the Department of Employment Services' Surplus Tax Surcharge Funds''; to the Committee on Governmental Affairs.

EC–4070. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the report of the performance plan for fiscal year 1999; to the Committee on Governmental Affairs.

EC–4071. A communication from the Office of Independent Counsel, transmitting, pursuant to law, the annual report for fiscal year 1997; to the Committee on Governmental Affairs.

EC–4072. A communication from the Postmaster General of the U.S. Postal Service, transmitting, pursuant to law, the report entitled ''Comprehensive Statement on Postal Operations''; to the Committee on Governmental Affairs.

EC–4073. A communication from the Commissioner of Social Security, transmitting, pursuant to law, a report entitled ''Evaluation of Partnership''; to the Committee on Governmental Affairs.

EC–4074. A communication from the General Counsel of the Federal Retirement Thrift Investment Board, transmitting, pursuant to law, the report of a rule received on January 29, 1998; to the Committee on Governmental Affairs.

EC–4075. A communication from the Acting Director of the Office of Federal Housing Enterprise Oversight, transmitting, pursuant to law, the report of a rule received on February 18, 1998; to the Committee on Governmental Affairs.

EC–4076. A communication from the Administrator of the National Aeronautics and Space Administration, transmitting, pursuant to law, the report of indemnification actions approved during calendar year 1997; to the Committee on Commerce, Science, and Transportation.

EC–4077. A communication from the Administrator of the National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule received on January 26, 1998; to the Committee on Commerce, Science, and Transportation.

EC–4078. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report relative to the Port-au-Prince International Airport, Port-au-Prince, Haiti; to the Committee on Commerce, Science, and Transportation.

EC–4079. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report on the potential for use of land options in Federally-funded airport projects; to the Committee on Commerce, Science, and Transportation.

EC–4080. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report on the Environmental Compliance and Restoration Program for fiscal year 1996; to the Committee on Commerce, Science, and Transportation.

EC–4081. A communication from the Secretary of Transportation, transmitting, pursuant to law, the report of the White House Commission On Aviation Safety and Security; to the Committee on Commerce, Science, and Transportation.

EC–4082. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule received on February 12, 1998; to the Committee on Commerce, Science, and Transportation.

EC–4083. A communication from the Director of the Bureau of Economic Analysis, Department of Commerce, transmitting, pursuant to law, the report of a rule received on February 3, 1998; to the Committee on Commerce, Science, and Transportation.

EC–4084. A communication from the Administrator of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of assistance provided to foreign aviation authorities for fiscal year 1997; to the Committee on Commerce, Science, and Transportation.

EC–4085. A communication from the Administrator of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report on the Aircraft Cabin Air Quality Research Program; to the Committee on Commerce, Science, and Transportation.

EC–4086. A communication from the Executive Director of the U.S. Architectural and Transportation Barriers Compliance Board, transmitting, pursuant to law, the report of a rule received on February 4, 1998; to the Committee on Commerce, Science, and Transportation.

EC–4087. A communication from the Secretary of Commerce, transmitting, pursuant to law, the spectrum reallocation report; to the Committee on Commerce, Science, and Transportation.

EC–4088. A communication from the Acting Under Secretary of Commerce for Technology, transmitting, pursuant to law, a report relative to PNGV technologies; to the Committee on Commerce, Science, and Transportation.

EC–4089. A communication from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, the reports of fourteen rules; to the Committee on Commerce, Science, and Transportation.

EC–4090. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the reports of eighty-four rules; to the Committee on Commerce, Science, and Transportation.

EC–4091. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the reports of two rules; to the Committee on Commerce, Science, and Transportation.

EC–4092. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the reports of two rules; to the Committee on Commerce, Science, and Transportation.

EC–4093. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the reports of three rules; to the Committee on Commerce, Science, and Transportation.

EC–4094. A communication from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant

to law, the reports of three rules; to the Committee on Commerce, Science, and Transportation.

EC–4095. A communication from the Secretary of Transportation, transmitting, pursuant to law, the annual report of the Migratory Bird Conservation Commission for fiscal year 1997; to the Committee on Environment and Public Works.

EC–4096. A communication from the Service Federal Register Liaison Officer, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of three rules received on January 26, 1998; to the Committee on Environment and Public Works.

EC–4097. A communication from the Administrator of the National Aeronautics and Space Administration, transmitting, pursuant to law, the report entitled ''Progress on Superfund Implementation in Fiscal Year 1997''; to the Committee on Environment and Public Works.

EC–4098. A communication from the President of the United States, transmitting, pursuant to law, the report of the Presidential Determination (97–35) relative to classified information concerning the Air Force's operating location near Groom Lake, Nevada; to the Committee on Environment and Public Works.

EC–4099. A communication from the Chairman of the U.S. Nuclear Regulatory Commission, transmitting, pursuant to law, the report on the nondisclosure of safeguards information for the period October 1 through December 31, 1997; to the Committee on Environment and Public Works.

EC–4100. A communication from the Secretary of Energy, transmitting, pursuant to law, the report relative to the Comprehensive Environmental Response, Compensation, and Liability Act; to the Committee on Environment and Public Works.

EC–4101. A communication from the Chief Financial Officer of the Department of Energy, transmitting, pursuant to law, a report relative to mixed waste streams; to the Committee on Environment and Public Works.

EC–4102. A communication from the Executive Director of the U.S. Architectural and Transportation Barriers Compliance Board, transmitting, pursuant to law, the report of a rule received on January 27, 1998; to the Committee on Environment and Public Works.

EC–4103. A communication from the Executive Director of the U.S. Architectural and Transportation Barriers Compliance Board, transmitting, pursuant to law, the report of a rule received on January 27, 1998; to the Committee on Environment and Public Works.

EC–4104. A communication from the Acting Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, the annual report for fiscal year 1996; to the Committee on Environment and Public Works.

EC–4105. A communication from the Acting Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, the annual report for fiscal year 1996; to the Committee on Environment and Public Works.

EC–4106. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, the report of three rules received on January 26, 1998; to the Committee on Environment and Public Works.

EC–4107. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, the report of two rules received on January 27, 1998; to the Committee on Environment and Public Works.

EC–4108. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, the report of three rules received on January 28, 1998; to the Committee on Environment and Public Works.

EC–4109. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, the report of three rules received on January 29, 1998; to the Committee on Environment and Public Works.

EC–4110. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, the report of three rules received on February 2, 1998; to the Committee on Environment and Public Works.

EC–4111. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, the report of a rule received on February 3, 1998; to the Committee on Environment and Public Works.

EC–4112. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, the reports of forty-eight rules received on February 4, 1998; to the Committee on Environment and Public Works.

EC–4113. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, the report of a rule received on February 5, 1998; to the Committee on Environment and Public Works.

EC–4114. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, the reports of five rules received on February 6, 1998; to the Committee on Environment and Public Works.

EC–4115. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, the reports of thirteen rules received on February 11, 1998; to the Committee on Environment and Public Works.

EC–4116. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, the report of six rules received on February 12, 1998; to the Committee on Environment and Public Works.

EC–4117. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, the report of a rule received on February 17, 1998; to the Committee on Environment and Public Works.

EC–4118. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, the report of two rules received on February 18, 1998; to the Committee on Environment and Public Works.

REPORTS OF COMMITTEES SUBMITTED DURING THE ADJOURNMENT OF THE SENATE

Under the authority of the order of the Senate of February 12, 1998, the following reports of committees were submitted on February 19, 1998:

By Mr. ROTH, from the Committee on Finance, with an amendment in the nature of a substitute and an amendment to the title:

S. 1133. A bill to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses and to increase the maximum annual amount of contributions to such accounts (Rept. No. 105–164).

REPORTS OF COMMITTEES

The following reports of committees were submitted on February 23, 1998:

By Mr. SHELBY, from the Select Committee on Intelligence, without amendment:

S. 1668. An original bill to encourage the disclosure to Congress of certain classified and related information (Rept. No. 105–165).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated on February 1, 1998:

By Mr. ROTH:

S. 1622. A bill to suspend temporarily the duty on deltamethrin; to the Committee on Finance.

S. 1623. A bill to suspend temporarily the duty on diclofop-methyl; to the Committee on Finance.

S. 1624. A bill to suspend temporarily the duty on piperonyl butoxide; to the Committee on Finance.

S. 1625. A bill to suspend temporarily the duty on resmethrin; to the Committee on Finance.

S. 1626. A bill to suspend temporarily the duty on thidiazuron; to the Committee on Finance.

S. 1627. A bill to suspend temporarily the duty on tralomethrin; to the Committee on Finance.

S. 1628. A bill to suspend temporarily the duty on the synthetic organic coloring matter c.i. pigment yellow 109; to the Committee on Finance.

S. 1629. A bill to suspend temporarily the duty on the synthetic organic coloring matter c.i. pigment yellow 110; to the Committee on Finance.

S. 1630. A bill to suspend temporarily the duty on pigment red 177; to the Committee on Finance.

By Mr. HUTCHINSON (for himself, Mr. DEWINE, Mr. SMITH of New Hampshire, Mr. CRAIG, Ms. COLLINS, Mr. INHOFE, Mr. FAIRCLOTH, and Mr. HELMS):

S. 1631. A bill to amend the General Education Provisions Act to allow parents access to certain information; to the Committee on Labor and Human Resources.

By Mr. THURMOND:

S. 1632. A bill to reduce temporarily the duty on certain weaving machines; to the Committee on Finance.

By Mr. CHAFEE:

S. 1633. A bill to suspend through December 31, 1999, the duty on certain textile machinery; to the Committee on Finance.

By Mr. FAIRCLOTH:

S. 1634. A bill to guarantee honesty in budgeting; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, as modified by the order of April 11, 1986, with instructions that if one Committee reports, the other Committee have thirty days to report or be discharged.

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated on February 23, 1998:

By Mr. LOTT:

S. 1663. A bill to protect individuals from having their money involuntarily collected and used for politics by a corporation or labor organization; read twice.

By Mr. CLELAND:

S. 1664. A bill to reform Federal election campaigns; to the Committee on Rules and Administration.

By Mr. SPECTER (for himself and Mr. SANTORUM):

S. 1665. A bill to reauthorize the Delaware and Lehigh Navigation Canal National Heritage Corridor Act, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LIEBERMAN:

S. 1666. A bill to amend Federal election laws to better define the requirements for Presidential candidates and political parties that accept public funding, to better define the limits on the election-related activities of tax exempt organizations, and for other purposes; to the Committee on Finance.

By Mr. GRASSLEY:

S. 1667. A bill to amend section 2164 of title 10, United States Code, to clarify the eligibility of dependents of United States Service employees to enroll in Department of Defense dependents schools in Puerto Rico; to the Committee on Armed Services.

By Mr. SHELBY:

S. 1668. An original bill to encourage the disclosure to Congress of certain classified and related information; from the Select Committee on Intelligence; placed on the calendar.

By Mr. SARBANES (for himself and Mr. WARNER):

S.J. Res. 41. A joint resolution approving the location of a Martin Luther King, Jr., Memorial in the Nation's Capital; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRASSLEY (for himself, Mr. BOND, Mr. BROWNBACK, and Mr. ROBERTS):

S. Con. Res. 74. A bill expressing the sense of the Congress relating to the European Union's ban of United States beef and the World Trade Organization's ruling concerning that ban; to the Committee on Finance.

By Mr. FEINGOLD (for himself and Mr. KOHL):

S. Con. Res. 75. A concurrent resolution honoring the sesquicentennial of Wisconsin statehood; to the Committee on the Judiciary.

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SPECTER:

S. Res. 179. A resolution relating to the indictment and prosecution of Saddam Hussein for war crimes and other crimes against humanity; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CLELAND:

S. 1664. A bill to reform Federal election campaigns; to the Committee on Rules and Administration.

THE FEDERAL ELECTION ENFORCEMENT AND DISCLOSURE REFORM ACT

Mr. CLELAND. Mr. President, the year 1996 witnessed both a record high in the amount of money spent in pursuit of federal office—a staggering $1 billion, an increase of 73 percent just since 1992—and the second worst turnout in American history. In 1996, some $220 million was spent on Senate races alone—an average of $4.5 million per campaign. Members of Congress combined currently raise an average of about $1 million a day. It has been estimated that if these trends continue, by the year 2025 it will take $145 million to finance an average Senate campaign. This is truly a ridiculous situation.

When I came to the Senate last year, I volunteered to serve on the Governmental Affairs Committee. Sitting in the Committee's hearings on campaign finance abuses and listening to the sordid tale of the 1996 money chase was a most unsettling experience. What I witnessed, heard and read made me even more convinced that we must strengthen our campaign financing laws, now, and provide strong enforcement through the Federal Election Commission of these laws, now, or risk seeing our election process be swept away in a tidal wave of money.

At the conclusion of the Governmental Affairs hearings, I wrote to the Committee Chairman to make four basic recommendations as appropriate follow-ons to the investigation:

(1) That we refer all evidence in the Committee's possession of alleged illegal acts to the Justice Department;

(2) That we hold additional hearings on both FEC enforcement and ''gray areas'' in current law, such as the Pendleton Act and the definition of campaign coordination;

(3) That we mutually work for passage of McCain-Feingold as the best first step in curing our system-wide campaign finance problem; and

(4) That, to the maximum extent feasible, the Majority and Minority work to produce a joint final report, with bipartisan conclusions and recommendations.

While the jury is still out on my first three suggestions, clearly the final one—concerning a bipartisan committee report—will, unfortunately, not be adopted. The separate, partisan reports which are apparently to be released this week represent a lost opportunity to present a strong, united case for reform.

Regardless of what action the Senate takes, or fails to take, on McCain-Feingold, we need to turn to additional reforms in order to further improve our electoral process. I am pleased today to introduce the Federal Election Enforcement and Disclosure Reform Act which is aimed at dealing with two of the biggest problems confronting our current federal campaign system: the inability of the Federal Election Commission (FEC), as currently constituted and funded, to adequately enforce election laws; and the significant gaps in existing campaign finance disclosure requirements.

Let me be very clear that I continue to believe that enactment of McCain-Feingold, even in its reduced form, is an essential step for the Senate to take this year in beginning the process of repairing a campaign finance system which is totally out of control. Banning soft money and imposing disclosure and contribution requirements on sham issue ads aired close to an election, as provided for under McCain-Feingold, are absolutely vital reforms, without which the campaign finance system will only grow less accountable, and more vulnerable to the appearance, if not the fact, of undue influence by big money.

Nonetheless, I recognize that the issues raised by McCain-Feingold, in all of its forms, have become highly politicized and polarized, and continue to face a filibuster which threatens the Senate's ability to act on this legislation. Consequently, in addition to continuing to urge Senate adoption of McCain-Feingold, I want to broaden the scope of debate, and to begin the process of seeking common ground on important reforms which are, by and large, outside of the purview of McCain-Feingold.

As previously discussed, one of the most glaring deficiencies in our current federal campaign system is the ineffectiveness of its supposed referee, the Federal Election Commission. The FEC, whether by design or through circumstance, has been beset by partisan gridlock, uncertain and insufficient resources, and lengthy proceedings which offer no hope of timely resolution of charges of campaign violations.

Thus, the first major element of my bill is to strengthen the ability of the Federal Election Commission to be an effective and impartial enforcer of federal campaign laws. Among the most significant FEC-related changes I am proposing are the following:

Alter the Commission structure to remove the possibility of partisan gridlock by establishing a 7-member Commission, appointed by the President based on qualifications, for single 7-year terms. The Commission would be composed of two Republicans, two Democrats, one third party member, and two members nominated by the Supreme Court.

Give the FEC independent litigating authority, including before the Supreme Court, and establish a right of private civil action to seek court enforcement in cases where the FEC fails to act, both of which should dramatically improve the prospects for timely enforcement of the law.

Provide sufficient funding of the FEC from a source independent of Congressional intervention by the imposition of filing fees on federal candidates, with such fees being adequate to meet

the needs of the Commission—estimated to be $50 million a year.

A second major component of the Federal Election Enforcement and Disclosure Reform Act is to create a new Advisory Committee on Federal Campaign Reform to provide for a body outside of Congress to continually review and recommend changes in our federal campaign system. The Committee would be charged, ''to study the laws (including regulations) that affect how election campaigns for Federal office are conducted and the implementation of such laws and may make recommendations for change,'' which are to be submitted to Congress by April 15 of every odd-numbered year. As with the FEC, the Advisory Committee would receive independent and sufficient funding via the new federal candidate filing fees.

The impetus for the Advisory Committee is two-fold: (1) To build a ''continuous improvement'' mechanism into the Federal campaign system, and (2) to address the demonstrable fact that Congress responds slowly, if a all, to the need for changes and updates in our campaign laws. In both instances, the conclusion is the same: we cannot afford to wait twenty-five years or until a major scandal develops to adapt our campaign finance system to changing circumstances.

The final section of my bill seeks to enhance the effectiveness of campaign contribution disclosure requirements. As Justice Brandeis observed, ''Publicity is justly commended as a remedy for social and industrial diseases. Sunlight is said to be the best of disinfectants; electric light the most effective policeman.'' This is certainly true in the realm of campaign finance, and perhaps the most enduring legacy of the Watergate Reforms of a quarter-century ago is the expanded campaign and financial disclosure requirements which emerged. By and large, they have served us well, but as with everything else, they need to be periodically reviewed and updated in light of experience. Therefore, based in part on testimony I heard during last year's Governmental Affairs Committee investigation and in part on the FEC's own recommendations for improved disclosure, my bill will make several changes in current disclosure requirements.

Specifically, I am recommending two reforms which will make it more difficult for contributors and campaigns alike to turn a blind eye to current disclosure requirements by, first, preventing a campaign from depositing a contribution until all of the requisite disclosure information is provided; and second, requiring those who contribute $200 or more to provide a signed certification that their contribution is not from a foreign national, and is not the result of a contribution in the name of another person.

In addition, my legislation adopts a number of disclosure recommendations made by the FEC in its 1997 report to Congress, including provisions: requiring all reports to be filed by the due date of the report; requiring all authorized candidate committee reports to be filed on a campaign-to-date basis, rather than on a calendar year cycle; and mandating monthly reporting for multi candidate committees which have raised or spent, or anticipate raising or spending, in excess of $100,000 in the current election cycle.

In developing this legislation, I have been pleased to have the input and advice from a variety of individuals and organizations interested in the subject of campaign finance reform. In particular, while none of them bear any responsibility for the finished product, I would like to acknowledge and thank the Reform Party and its founder Ross Perot, and chairman Russ Verney, Common Cause, and its president Ann McBride and vice president Meredith McGehee, and the Federal Election Commission and its assistant general counsel Susan Propper for their insights.

It is easy to be pessimistic when considering campaign finance reform efforts. The public and the media are certainly expecting this Congress to fail to take significant action to clean up the scandalous campaign system under which we now run. But ladies and gentlemen of the Senate, I suggest that we cannot afford the luxury of complacency. We may think we will be able to win the next re-election because the level of outrage and the awareness of the extent of the vulnerability of our political system have perhaps not yet reached critical mass. But I am confident that it is only a matter of time, and perhaps the next election cycle—which will undoubtedly feature more unaccountable soft money, more sham issue ads of unknown parentage, more circumvention of the spirit and in some cases the letter of current campaign finance law—before the scales are decisively tilted in favor of reform.

We will have campaign finance reform. The only question is whether this Congress will step up to the plate, and fulfill its responsibilities, to give the American public a campaign system they can have faith in and which can preserve and protect our noble democracy as we enter a new century.

Mr. President. I ask unanimous consent that a summary of my bill be printed in the RECORD.

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

SUMMARY OF THE FEDERAL ELECTION ENFORCEMENT AND DISCLOSURE REFORM ACT

I. FEC REFORM

A. The Federal Election Commission (FEC) would be restructured as follows:

The Commission will be composed of 7 members appointed by the President who are specially qualified to serve on the Commission by reason of relevant—

—two Republican members appointed by the President;

—two Democratic members appointed by the President;

—one member appointed by the President from among all other political parties whose candidates received at least 3% of the national popular vote in the most recent Presidential or U.S. House or U.S. Senate elections; in the event no third party reaches this threshold, the President may consider all third parties in making this appointment; and

—two members appointed by the President from among 10 nominees submitted by the U.S. Supreme Court. One of these two members would be chosen by the Commission to serve as Chairman, and the other would serve as Vice Chairman.

Relevant knowledge (for purposes of qualification for appointment to the FEC) is defined to include:

—A higher education degree in government, politics, or public or business administration, or 4 years of relevant work experience in the fields of government or politics, and

—A minimum of two years experience in working on or in relation to Federal election law or other Federal electoral issues, or four years of such experience at the state level.

Commissioners will be limited to one 7 year term.

B. The FEC would be given the following additional powers:

Electronic filing of all reports required to be filed with the FEC would be mandatory, with a waiver permitted for candidates or other entities whose total expenditures or receipts fall below a threshold amount set by the Commission (similar to Section 301(a) of modified MCCAIN-FEINGOLD bill). The requirement for the submission of hard (paper) copies of such reports would be continued.

The Commission would be authorized to conduct random audits and investigations in order to increase voluntary compliance with campaign finance laws (same as Section 303 of modified MCCAIN-FEINGOLD bill).

The FEC would be authorized to seek court enforcement when the Commission believes a substantial violation is occurring, failure to act will result in ''irreparable harm'' to an affected party, expeditious action will not cause ''undue harm'' to the interests of other parties, and the public interest would best be served by the issuance of an injunction (same as Section 303 of S. 25).

The Commission would be authorized to implement expedited procedures for complaints filed within 60 days of a general election (same as Section 309 of S. 25).

Penalties for knowing and willful violations of the Federal Election Campaign Act would be increased (same as Section 305 of S. 25).

The Commission would be expressly granted independent litigating authority, including before the Supreme Court (same as Section 304 of HR 493).

Private individuals or groups would be authorized to independently seek court enforcement when the FEC fails to act within 120 days of when a complaint is filed. A ''loser pays″ standard would apply in such proceedings.

The Commission would be authorized to levy fines, not to exceed $5,000, for minor reporting violations, and to publish a schedule of fines for such violations.

Candidates for the Senate would be required to file with the FEC rather than the Secretary of the Senate (same as Section 301(b) of modified MCCAIN-FEINGOLD bill).

C. The FEC would be provided with resources in the following manner:

Consistent with its expanded duties, the FEC would be authorized to receive $50 million in FY1999 and FY2000, with this amount indexed for inflation thereafter.

The funding would be derived from a ''user fee'' imposed on federal candidate and party committees. The FEC would establish a fee schedule and determine the requisite fee

level to fund the operations of the FEC and the new Advisory Committee on Federal Campaign Reform. This determination will include a waiver for the first $50,000 raised by campaigns.

II. ADVISORY COMMITTEE ON FEDERAL CAMPAIGN REFORM

A. A new Advisory Committee on Federal Campaign Reform would be created.

B. The Committee would be composed of 9 members, who are specially qualified to serve on the Committee by reason of relevant knowledge, to be appointed as follows: 1 appointed by the President of the United States, 1 appointed by the Speaker of the House, 1 each appointed by the Majority and Minority Leaders of the U.S. House and Senate, 1 appointed by the Supreme Court, 1 appointed by the Reform Party (or whatever third party's candidate for President received the largest number of popular votes in the most recent Presidential election), and 1 appointed by the American Political Science Association. Committee members would elect the Chairman.

C. Committee members would each serve four-year terms, and would be limited to two consecutive terms.

D. The appointees by the Supreme Court, the Reform Party (or other third party), and the American Political Science Association must be individuals who, during the five years before their appointment, have not held elective office as a member of the Democratic or Republican Parties, have not received any wages or salaries from the Democratic or Republican Parties, or have not provided substantial volunteer services or made any substantial contribution to the Democratic or Republican Parties, or to a Democratic or Republican Party public office-holder or candidate for office.

E. Relevant knowledge (for purposes of qualification for appointment to the Committee) is defined to include:

A higher education degree in government, politics, or public or business administration, or 4 years of relevant work experience in the fields of government or politics, and

A minimum of two years experience in working on or in relation to national campaign finance or other electoral issues, or four years of such experience at the state level.

F. The Committee would be authorized to spend $1 million a year in its first year, indexed for inflation thereafter. Funding would be provided by the new campaign user fee discussed above.

G. The Committee would be required to monitor the operation of federal election laws and to submit a report, including recommended changes in law, to Congress by April 15 of every odd numbered year.

H. Congress would be required to consider the Committee's recommendations under ''fast track'' procedures to guarantee expeditious consideration in both houses of Congress.

III. ENHANCED CAMPAIGN FINANCE DISCLOSURE

A. Campaigns would be prohibited from putting contributions which lack all requisite contributor information into any account other than an escrow account from which money cannot be spent. Contributions placed in such an account would not be subject to the current ten-day maximum holding period on checks.

B. A new requirement would be placed on contributions in excess of $200 (aggregate): a written certification by the contributor that the contribution is not derived from any foreign income source, and is not the result of a reimbursement by another party.

C. The current option to file reports submitted by registered or certified mail based on postmark date would be deleted, thus requiring all reports to be filed by the due date of the report.

D. Authorized candidate committee reports would be required to be filed on a campaign-to-date basis, rather than on a calendar year cycle.

E. Monthly reporting would be mandated for multi candidate committees which have raised or spent, or anticipate raising or spending, in excess of $100,000 in the current election cycle.

F. The requirement for filing of last-minute independent expenditures would be clarified to make clear that such report must be received within 24 hours after the independent expenditure is made.

G. Campaign disbursements to secondary payees who are independent subcontractors would have to be reported.

H. Political committees, other than authorized candidate committees, which have received or spent, or anticipate receiving or spending, $100,000 or more in the current election cycle would be subjected to the same ''last minute'' contribution reporting requirements as candidate committees. (Under current law, all contributions of $1,000 or more received after the 20th day, but before 48 hours, before an election must be reported to the FEC within 48 hours.)

By Mr. SPECTER (for himself and Mr. SANTORUM):

S. 1665. A bill to reauthorize the Delaware and Lehigh Navigation Canal National Heritage Corridor Act, and for other purposes; to the Committee on Energy and Natural Resources.

THE DELAWARE AND LEHIGH NATIONAL HERITAGE CORRIDOR ACT AMENDMENTS OF 1998

Mr. SPECTER. Mr. President, I have sought recognition today to reintroduce legislation I originally introduced on November 8, 1997, to reauthorize the work of the Delaware and Lehigh National Heritage Corridor Commission in Pennsylvania. The new bill makes some technical changes which deal with method of appointing Commission members, ensuring that the Commission will continue to be composed of representatives from local and state agencies who have worked on this successful public/private partnership with the federal government over the past 10 years. I am hopeful that the Subcommittee on National Parks, Historic Preservation, and Recreation of the Senate Committee on Energy and Natural Resources will hold hearings on this bill as soon as possible. Since authorization for the Commission is set to expire in November, 1998, it is vital that the Senate pass this legislation this year to enable the Commission to continue its unfinished work in eastern Pennsylvania.

By Mr. LIEBERMAN:

S . 1666. A bill to amend Federal election laws to better define the requirements for Presidential candidates and political parties that accept public funding, to better define the limits on the election-related activities of tax exempt organizations, and for other purposes; to the Committee on Finance.

CAMPAIGN FINANCE REFORM LEGISLATION

Mr. LIEBERMAN. Mr. President, I rise today to introduce legislation designed to prevent future occurrences of some of the more egregious campaign finance abuses that we learned of during the Senate Governmental Affairs Committee investigation into the 1996 federal election campaigns.

What I have particularly in mind is the misuse of taxpayer money by our presidential candidates and by various tax-exempt organizations that intervened in both congressional and presidential elections in 1996.

Over the course of its inquiry, the Governmental Affairs Committee compiled a compelling record that leaves little question our political system was subverted in 1996 by overzealous presidential campaigns working with their parties to circumvent spending limits and by independent organizations abusing the special tax status conferred upon them. At times, the campaigns and outside groups conducted their business as if the election laws were written in invisible ink. Our democratic process suffered as a result.

My proposal focuses on two specific areas of the law whose spirit and intent were violated in 1996. They are the campaign finance statutes regarding the public financing of presidential campaigns and the tax code, as it applies to the political activity of tax-exempt organizations.

Let me first make clear that I am a steadfast supporter of the McCain-Feingold campaign finance reform bill. I hope the ideas that I present today might be considered as supplemental to it, since they complement McCain-Feingold and fill in some of the gaps that only became apparent after our year-long Governmental Affairs Committee investigation.

THE ABUSE OF PUBLIC FINANCING FOR PRESIDENTIAL CAMPAIGNS

Under the Presidential Election Campaign Fund Act and the Presidential Primary Matching Payment Account Act, the taxpayers spent approximately $236 million on the 1996 presidential campaigns. The purpose of this support was to limit spending in order to protect presidential candidates from the potentially corrupting influence of full-time fund-raising and to reduce the flow of private money into campaign coffers.

The two laws give public subsidies to presidential candidates and their parties at three stages. First, the Treasury matches contributions raised by certain primary candidates who agree to limit their primary spending to an amount specified in the statute. Second, political parties may receive a specified amount to fund their presidential nominating conventions if they agree to spend no more than that. Third, major party nominees who agree to limit their spending to the amount they receive in public funds are eligible for full public financing during the general election.

Both of 1996's major party candidates accepted public financing and pledged in return to limit their spending to $37 million during the primary season and $62 million during the general election.

But, as the Governmental Affairs Committee's hearings demonstrated, the candidates effectively ignored their pledges. Instead of curtailing their fund-raising and limiting themselves to spending the amount they agreed to, the two major party candidates continued raising massive amounts of money which their parties then spent on TV ads that advanced the nominees' candidacies. In other words, the public did not get the behavior they were supposed to get in return for their $236 million.

The McCain-Feingold campaign finance reform legislation, S. 25, would go a long way toward preventing these abuses by banning soft money and limiting the sources of funding available for running advertisements using a candidate's likeness or name within 60 days of an election.

But because the Supreme Court in Buckley v. Valeo explicitly sanctioned Congress's ability to impose even greater restrictions on those candidates who accept public financing, we should go beyond S. 25's proposals in regard to publicly-funded presidential candidates.

Therefore, I am introducing legislation that would underscore the original goal of the presidential public financing laws by banning candidates from raising soft money throughout their campaigns, requiring them to limit fundraising to hard money during the primary season, and prohibiting them from raising any money at all after they are nominated. My bill would further prevent presidential candidates from using the parties to circumvent spending limits by making illegal their involvement in any party spending on advertising that exceeds the amount federal law in 2 U.S.C. § 441a(d) explicitly authorizes for candidate/party coordination.

I am also proposing to limit what parties seeking public financing of their conventions can do. To get convention financing, parties would have to agree to use only hard money to pay for advertising using the name or likeness of the presidential candidates and would be limited in their coordinated or independent expenditures on behalf of presidential candidates to the amount set forth in Section 441a(d). Parties seeking convention financing also would have to agree to a ban on soft money and would be prohibited from soliciting or directing contributions for tax-exempt organizations.

THE ABUSE OF TAX-EXEMPT ORGANIZATIONS

And that leads me to an equally troubling phenomenon in the 1996 elections, which was the improper use of tax-exempts to circumvent the tax-code and campaign finance laws so that they could conduct partisan campaign-related activity.

The Federal Election Campaign Act (FECA) mandates strict limits on who may contribute to campaigns, and it imposes reporting and disclosure requirements on organizations involved in federal elections. The purpose is to ensure honest elections by limiting the sources of campaign funds and publicly identifying those trying to influence votes.

Groups with Internal Revenue Code Section 501(c)(3) status —which confers not only tax-exempt status but also the ability to receive tax-deductible contributions—may not intervene in any political campaign on behalf of or in opposition to any candidate. The tax code permits organizations with Section 501(c)(4) status—which qualify for tax-exempt status, but whose contributors cannot deduct their contributions—to engage in non-partisan election advocacy as long as that is not the group's primary activity.

Unfortunately, the scope of the activities some of these groups engaged in during the 1996 elections went far beyond what Congress intended.

The Republican National Committee, (RNC), for example, infused the 501(c)(4) organization Americans for Tax Reform, (ATR), with over $4.5 million in the weeks leading up to the 1996 election. The RNC sent that money to ATR just in time for ATR to pay its bills for a direct mail and phone bank campaign involving four million calls and 19 million pieces of mail explicitly disputing the Democrats' position on Medicare as it related to the November 5th election.

By funneling money through an outside group like ATR, the RNC was effectively able to hide the fact that it was behind the mail and phone calls. Recipients of the material funded by the RNC were left with the impression that it came from a disinterested organization, not the party itself.

The RNC also steered large amounts of money to the American Defense Institute (ADI), a 501(c)(3) organization that runs a voter turnout program for military personnel, who tend to vote Republican. The Washington Post reported on October 23, 1997 that in September 1996, ADI returned $600,000 donated to it by the RNC because, according to the group's president, ''we didn't want to be controversial and we had funding from other sources.'' However, as the Post reported, that money was not returned until several days after the RNC itself sent checks totaling $530,000 from six donors to ADI. Around that time, RNC Chairman Haley Barbour also apparently solicited $500,000 from the Philip Morris Companies Inc. for ADI.

The timing of these transactions raises the question of whether the RNC and ADI substituted the donor's money for the RNC's money to avoid publicizing the fact that the RNC was the source of ADI's funding—in other words, to avoid disclosure requirements. Furthermore, all the donors could take a tax deduction for their RNC-solicited ADI contributions, forcing taxpayers to subsidize donations to a political campaign.

On the Democratic side, the Committee heard testimony that Vote Now 96, the fund-raising arm of the 501(c)(3) get-out-the-vote organization Citizens Vote, Inc., sought and received help from the DNC in raising money for its work, presumably because these organizations were working to raise the turnout among groups who tend to vote Democratic. For example, the DNC apparently directed a $100,000 contribution to Vote Now 96 from Duvaz Pacific Corporation after it learned the head of the Philippine company, who had attended a DNC fund-raiser, could not legally contribute to the party because of her foreign citizenship.

There is also significant evidence that a number of tax-exempt groups, none of which disclosed their activities to the FEC, intervened in elections by producing TV ads the groups claimed were issue oriented, but which, in fact, were designed to influence specific elections. According to a study by the Annenberg Public Policy Center, the 501(c)(4) Citizens for Reform ran $2 million worth of ads during October and November of 1996 on behalf of several Republican congressional candidates around the country.

All of these activities by tax-exempt, presumably non-partisan corporations cry out for remedial action by Congress. The McCain-Feingold proposal, S. 25, partially addresses these problems by prohibiting party organizations from soliciting contributions for, or directing them to, tax-exempt entities. This is a very important restriction.

In addition, I am proposing to prohibit such organizations from coordinating any expenditure with parties and candidates and to forbid them to run advertisements or send direct mail identifying a candidate within 60 days of a general election or 30 days of a primary election.

I am confident this proposal will pass constitutional muster because the Supreme Court upheld similar restrictions on tax-exempt organizations in Regan v. Taxation with Representation of Washington. In finding against a First Amendment challenge to a prohibition against substantial lobbying by a 501(c)(3), the court said that ''tax exemptions and tax deductibility are a form of subsidy that is administered through the tax system'' and that by restricting a tax-exempt's lobbying activities ''Congress has merely refused to pay for the lobbying out of public monies.''

My bill also would also make clear that Section 527 organizations must comply with federal campaign laws. Internal Revenue Code Section 527 offers tax benefits to ''political organizations,'' a term it defines to include organizations seeking to influence Federal, State or local elections. A number of 501(c)(4) groups active in federal election campaigns apparently have switched their tax status to Section 527, which offers tax benefits with fewer restrictions on political activity. At the same time, these groups claim they are not subject to FECA because they don't engage in express advocacy

of particular candidates, even though FECA defines the groups it covers in essentially the same terms as Section 527. My bill would make it clear that the taxpayers should not be subsidizing undisclosed and unregulated political activities by groups who claim they are trying to influence Federal elections for the purpose of the tax code—and thus are entitled to tax-exemption—but not for the purpose of FECA—and thus are immune from regulation. My bill makes clear that they cannot have it both ways and that Section 527's tax benefits are available only to groups regulated under FECA, unless a group seeking Section 527 status is engaged exclusively in State or local political activity.

It is important to emphasize that this bill would not prevent any one or anything from engaging in any type of activity. Instead, it would just say that if a candidate or an organization puts a hand out and asks for a public subsidy—whether it be public financing for a presidential candidate or tax-exemption for an organization—they have to be willing to comply with the rules for taking that public subsidy. After all, no person or entity has a right to public money or to be free of taxes; it is entirely up to Congress to determine what type of activities are so important to society that we should use public money or tax-exemption as ways of encouraging them. In offering tax-exemption to the 501(c)(3) and (c)(4) organizations covered by this bill, Congress already plainly chose to limit their involvement in partisan campaign activity. This bill would merely build on the experience of the 1996 elections to clarify the scope of those limitations.

There are always some who find new and clever ways to manipulate the legal system. Their efforts peaked in our politics in the 1996 cycle with an unparalleled flouting of the laws' requirements and prohibitions. Based on the excuses the Committee heard last year to justify this behavior, I have no doubt the trend will continue—unless we find the will to radically restructure our campaign finance laws.

I urge my colleagues to join me in supporting this legislation, and ask unanimous consent that the text of the bill and a section-by-section of it appear in the RECORD.

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

S. 1666

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

SECTION 1. REQUIREMENTS FOR PRESIDENTIAL CANDIDATES ACCEPTING PUBLIC FUNDING.

(a) RESTRICTIONS ON FUNDRAISING BY CANDIDATES.—

(1) DEFINITION OF FUNDRAISING.—Section 9002 of the Internal Revenue Code of 1986 (relating to definitions in the Presidential Election Campaign Fund Act) is amended by adding at the end the following:

''(13) FUNDRAISING ACTIVITY.—

''(A) IN GENERAL.—The term 'fundraising activity' means—

''(i) an activity or event the purpose or effect of which is the direct or indirect solicitation, acceptance, or direction of a contribution (as defined in section 271(b)(2)) for—

''(I) any candidate for public office,

''(II) a political committee (including a national, State, or local committee of a political party),

''(III) an organization that—

''(aa) is described in section 501(c) and exempt from taxation under section 501(a) (or has submitted an application to the Secretary of the Treasury for determination of tax-exemption under such section), and

''(bb) engages in any election-related activity, including, but not limited to, voter registration, get-out-the-vote activity, publication or distribution of a voter guide, or making communications that are widely disseminated through a broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing, or any other type of general public political advertising and that clearly identify a candidate (as defined in section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431)) or a political party,

''(IV) a political organization (as defined in section 527), or

''(V) an organization that engages in any electioneering advertising (as defined in section 324 of the Federal Election Campaign Act of 1971), or

''(ii) the authorization of use of a candidate's name in connection with an activity or event described in clause (i).

''(B) EXCEPTION.—The term 'fundraising activity' does not include an activity or event the sole purpose or effect of which is to solicit or accept a contribution (as defined in section 301(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)) for the candidate participating in the activity or event that is specifically solicited for, and deposited in, the candidate's legal and accounting compliance fund or that is necessary to cover any deficiency in payments received from the Presidential Election Campaign Fund, to the extent otherwise permissible by law.''.

(2) GENERAL ELECTION.—Section 9003 of the Internal Revenue Code of 1986 (relating to condition for eligibility for payments) is amended—

(A) in subsection (b)—

(i) in paragraph (1), by striking ''and'' at the end;

(ii) in paragraph (2), by striking the period at the end and inserting '', and''; and

(iii) by inserting after paragraph (2) the following:

''(3) such candidate, a member of the candidate's immediate family (as defined in section 9004(e)), and the candidate's authorized committee or agents or officials of the committee shall not participate in any fundraising activity during the expenditure report period.''; and

(B) in subsection (c)—

(i) in paragraph (1), by striking ''and'' at the end;

(ii) in paragraph (2), by striking the period at the end and inserting '', and''; and

(iii) by inserting after paragraph (2) the following:

''(3) subject to paragraph (2), such candidate, a member of the candidate's immediate family (as defined in section 9004(e)), and the candidate's authorized committee or agents or officials of such committee shall not participate in a fundraising activity during the expenditure report period.''.

(3) PRIMARY ELECTION.—Subsection (b) of section 9033 of the Internal Revenue Code of 1986 (relating to eligibility for payments) is amended—

(A) in paragraph (3), by striking ''and'' at the end;

(B) in paragraph (4), by striking the period at the end and inserting '', and''; and

(C) by adding at the end the following:

''(5) the candidate, a member of the candidate's immediate family (as defined in section 9004(e)), and the candidate's authorized committee or agents or officials of such committee shall not participate in a fundraising activity during the matching payment period unless such activity has as its sole purpose and effect the solicitation or acceptance of contributions (as defined in section 301(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8))).''.

(b) RESTRICTION ON COORDINATED DISBURSEMENT.—

(1) DEFINITION OF COORDINATED DISBURSEMENT.—Section 9002 of the Internal Revenue Code of 1986 (as amended by subsection (a)) is amended by adding at the end the following:

''(14) COORDINATED DISBURSEMENT.—

''(A) IN GENERAL.—The term 'coordinated disbursement' means a purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value, made in connection with any broadcasting, newspaper, magazine, billboard, direct mail, phone bank, widely distributed electronic mail, or similar type of general public communication or advertising by a person (who is not a candidate or a candidate's authorized committee) in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, a member of the candidate's immediate family (as defined in section 9004(e)), the candidate's authorized committees, or a committee of a political party.

''(B) SPECIAL RULE.—In the case of a candidate who designates a committee of a political party as the candidate's authorized committee, the term 'coordinated disbursement' shall include disbursements made by the committee in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate or a member of the candidate's immediate family (as defined in section 9004(e)) in excess of an amount equal to the aggregate of the limit under section 315(d) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(d)) and the appropriate limit under section 315(b)(1) of such Act (2 U.S.C. 441a(b)(1)).

''(C) EXCEPTIONS.—The term 'coordinated disbursement' does not include—

''(i) a disbursement that is an expenditure subject to the limits under section 315(d) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(d)); or

''(ii) a disbursement for a bona fide newscast, news interview, news documentary (if the appearance of the candidate is incidental to the presentation of the subject or subjects covered by the news documentary), editorial, or on-the-spot coverage of bona fide news events.''.

(2) GENERAL ELECTION.—Subsection (a) of section 9003 of the Internal Revenue Code of 1986 (relating to condition for eligibility for payments) is amended—

(A) in paragraph (2), by striking ''and'' at the end;

(B) in paragraph (3), by striking the period at the end and inserting '', and''; and

(C) by adding at the end the following:

''(4) agree not to participate in a coordinated disbursement during the election report period.''.

(3) PRIMARY ELECTION.—Section 9033(b) (as amended by subsection (a)(3)) is amended—

(A) in paragraph (4), by striking ''and'' at the end;

(B) in paragraph (5), by striking the period at the end and inserting '', and''; and

(C) by adding at the end the following:

''(6) the candidate and the candidate's authorized committees shall not participate in a coordinated disbursement (as defined in

section 9002(14)) during the matching payment period except to the extent that the disbursement is a contribution subject to the contribution limits of section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a).''.

SEC. 2. REQUIREMENTS FOR POLITICAL PARTIES ACCEPTING PUBLIC FINANCING FOR PRESIDENTIAL NOMINATING CONVENTIONS.

(a) REQUIREMENTS.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by adding at the end the following:

''SEC. 324. REQUIREMENTS FOR POLITICAL PARTIES ACCEPTING PUBLIC FINANCING FOR PRESIDENTIAL NOMINATING CONVENTIONS.

''(a) DEFINITIONS.—In this section—

''(1) COMMITTEE.—The term 'committee' shall include a national, State, district, or local committee of a political party, an entity that is directly or indirectly established, financed, maintained, or controlled by any such party committee or its agent, an agent acting on behalf of any such party committee, and an officer or agent acting on behalf of any such party committee or entity.

''(2) ELECTIONEERING ADVERTISING.—

''(A) IN GENERAL.—The term 'electioneering advertising' means a communication—

''(i) containing a phrase such as 'vote for', 're-elect', 'support', 'cast your ballot for', '(name of individual) for President', '(name of individual) in (calendar year)', 'vote against', 'defeat', 'reject', or a campaign slogan or words that in context can have no reasonable meaning other than to recommend the election or defeat of 1 or more clearly identified candidates such as '(name of candidate)'s the One' or '(name of candidate'); or

''(ii) referring to 1 or more clearly identified candidates in a communication that is widely disseminated to the electorate for the election in which the identified candidates are seeking office through a broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing, or any other type of general public communication.

''(B) VOTING RECORD AND VOTING GUIDE EXCEPTION.—The term 'electioneering advertising' does not include a printed communication that—

''(i) presents information in an educational manner solely about the voting record or position on a campaign issue of 2 or more individuals;

''(ii) is not made in coordination with an individual, political party, or agent of the individual or party;

''(iii) in the case of a voter guide based on a questionnaire, provides each individual seeking a particular seat or office an equal opportunity to respond to the questionnaire and have the individual's responses incorporated into the voter guide;

''(iv) does not present an individual with greater prominence than any other individual; and

''(v) does not contain a phrase such as 'vote for', 're-elect', 'support', 'cast your ballot for', '(name of individual) for President', '(name of individual) in 1997', 'vote against', 'defeat', or 'reject', or a campaign slogan or words that in context can have no reasonable meaning other than to urge the election or defeat of 1 or more clearly identified individuals.

''(3) ELIGIBLE POLITICAL COMMITTEE.—The term 'eligible political committee' means a national committee of a political party entitled to receive payments under section 9008 of the Internal Revenue Code of 1986 for a presidential nominating convention.''.

''(b) LIMITS ON ELECTIONEERING ADVERTISING.—During the matching payment period (as defined in section 9032(6) of the Internal Revenue Code of 1986) and the expenditure report period (as defined in section 9002(12) of such Code), an eligible political committee shall not—

''(1) make disbursements for electioneering advertising in connection with an individual seeking nomination for election, or election, to the office of President or Vice President except from funds that are subject to the limitations, prohibitions, and reporting requirements of this Act; or

''(2) transfer of funds that are not subject to the limitations, prohibitions, and reporting requirements of this Act to a State, district, or local committee of a political party that will be used to make disbursements for electioneering advertising in connection with an individual seeking nomination for election, or election, to the office of President or Vice President.

''(c) LIMITATION OF COORDINATED AND INDEPENDENT EXPENDITURES.—In the case of an eligible political committee, the limitation under section 315(d)(2) (relating to coordinated expenditures by committees of a political party) shall apply to the aggregate of expenditures, disbursements for electioneering advertising, and independent expenditures made by the national committee in connection with a candidate for President of the United States.

''(d) PROHIBITION OF COORDINATED DISBURSEMENTS.—During the matching payment period (as defined in section 9032(6) of the Internal Revenue Code of 1986) and the expenditure report period (as defined in section 9002(12) of such Code), an eligible political committee shall not participate in a coordinated disbursement (as defined in section 9002(14) of the Internal Revenue Code of 1986) with respect to an individual seeking nomination for election, or election, to the office of President or Vice President.

''(e) PROHIBITION OF CERTAIN DONATIONS.—An eligible political committee and any officer or agent acting on behalf of such committee shall not solicit any funds for, or make or direct any donation to, an organization that—

''(1) is described in section 501(c) and exempt from taxation under section 501(a) (or has submitted an application to the Secretary of the Treasury for determination of tax-exemption under such section), and

''(2) engages in any election-related activity, including, but not limited to, voter registration, get-out-the-vote activity, publication or distribution of a voter guide, or making communications that are widely disseminated through a broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing, or any other type of general public political advertising that clearly identify a candidate (as defined in section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431)) or a political party.

''(f) PROHIBITION OF SOFT MONEY.—

''(1) NATIONAL COMMITTEES.—

''(A) IN GENERAL.—An eligible political committee (including a national congressional campaign committee of a political party) and any officers or agents of such committees, shall not solicit, receive, or direct to another person a contribution, donation, or transfer of funds, or spend any funds, that are not subject to the limitations, prohibitions, and reporting requirements of this Act.

''(B) APPLICABILITY.—This subsection shall apply to an entity that is directly or indirectly established, financed, maintained, or controlled by an eligible committee (including a national congressional campaign committee of a political party), or an entity acting on behalf of a national committee, and an officer or agent acting on behalf of any such committee or entity.

''(2) STATE, DISTRICT, AND LOCAL COMMITTEES.—

''(A) IN GENERAL.—An amount that is expended or disbursed by a State, district, or local committee of a political party that has an eligible political committee (including an entity that is directly or indirectly established, financed, maintained, or controlled by a State, district, or local committee of a political party and an officer or agent acting on behalf of such committee or entity) for Federal election activity shall be made from funds subject to the limitations, prohibitions, and reporting requirements of this Act.

''(B) FEDERAL ELECTION ACTIVITY.—

''(i) IN GENERAL.—The term 'Federal election activity' means—

''(I) voter registration activity during the period that begins on the date that is 120 days before the date a regularly scheduled Federal election is held and ends on the date of the election;

''(II) voter identification, get-out-the-vote activity, or generic campaign activity conducted in connection with an election in which a candidate for Federal office appears on the ballot (regardless of whether a candidate for State or local office also appears on the ballot); and

''(III) a communication that refers to a clearly identified candidate for Federal office (regardless of whether a candidate for State or local office is also mentioned or identified) and is made for the purpose of influencing a Federal election (regardless of whether the communication is express advocacy).

''(ii) EXCLUDED ACTIVITY.—The term 'Federal election activity' does not include an amount expended or disbursed by a State, district, or local committee of a political party for—

''(I) campaign activity conducted solely on behalf of a clearly identified candidate for State or local office if the campaign activity is not a Federal election activity described in clause (i);

''(II) a contribution to a candidate for State or local office if the contribution is not designated or used to pay for a Federal election activity described in clause (i);

''(III) the costs of a State, district, or local political convention;

''(IV) the costs of grassroots campaign materials, including buttons, bumper stickers, and yard signs, that name or depict only a candidate for State or local office;

''(V) the non-Federal share of a State, district, or local party committee's administrative and overhead expenses (but not including the compensation in any month of an individual who spends more than 20 percent of the individual's time on Federal election activity) as determined by a regulation promulgated by the Commission to determine the non-Federal share of a State, district, or local party committee's administrative and overhead expenses; and

''(VI) the cost of constructing or purchasing an office facility or equipment for a State, district, or local committee.

''(3) FUNDRAISING COSTS.—An amount spent by a national, State, district, or local committee of a political party (that has an eligible political committee) to raise funds that are used, in whole or in part, to pay the costs of a Federal election activity shall be made from funds subject to the limitations, prohibitions, and reporting requirements of this Act.''.

(b) INCREASED CONTRIBUTION LIMIT.—Section 315(a)(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(1)) is amended—

(1) in subparagraph (B), by striking ''or'' at the end;

(2) in subparagraph (C)—

(A) by inserting ''(other than a committee described in subparagraph (D))'' after ''committee''; and

(B) by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(D) to a political committee established and maintained by a State committee of a political party that is entitled to receive payments under section 9008 of the Internal Revenue Code of 1986 for a Presidential nominating convention in any calendar year that, in the aggregate, exceed $10,000.''.

(c) CONFORMING AMENDMENTS.—

(1) FEDERAL ELECTION CAMPAIGN ACT OF 1971.—Section 315(d)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(d)(2)) is amended by striking ''The national committee'' and inserting ''Subject to section 324(b), the national committee''.

(2) INTERNAL REVENUE CODE OF 1986.—Subsection (b) of section 9008 of the Internal Revenue Code of 1986 (relating to payments for presidential nominating conventions) is amended—

(A) in paragraph (1), by inserting ''and section 324 of the Federal Election Campaign Act of 1971'' after ''section''; and

(B) in paragraph (2), by inserting ''and section 324 of the Federal Election Campaign Act of 1971'' after ''section''.

SEC. 3. REQUIRED DISCLAIMER FOR PRESIDENTIAL CANDIDATES.

Section 318 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441d) is amended by adding at the end the following:

''(c) REQUIRED DISCLAIMER FOR PRESIDENTIAL CANDIDATES.—In the case of an expenditure by a candidate for President or Vice President eligible under section 9003 of the Internal Revenue Code of 1986 or under section 9033 of the Internal Revenue Code of 1986 to receive payments from the Secretary of the Treasury for an advertisement that is broadcast by a radio broadcast station or a television broadcast station or communicated by direct mail, such advertisement shall contain the following statement: 'Federal law establishes voluntary spending limits for candidates for President. This candidate ___ agreed to abide by the limits.' (with the blank filled in with 'has' or 'has not' as appropriate).''.

SEC. 4. LIMITATIONS ON POLITICAL ACTIVITY BY TAX-EXEMPT ORGANIZATIONS.

Subsection (c) of section 501 of the Internal Revenue Code of 1986 (relating to exemption from tax on corporations, certain trusts, etc.) is amended—

(1) by redesignating subsection (o) as subsection (p); and

(2) by inserting after subsection (n) the following new subsection:

''(o) SPECIAL RULES FOR ORGANIZATIONS EXEMPT UNDER PARAGRAPH (3) OR (4) OF SUBSECTION (c).—An organization described in paragraph (3) or (4) of subsection (c) shall be denied exemption from taxation under subsection (a) if such organization—

''(1) solicits or accepts a contribution (as defined in section 271(b)(2)) from a committee of a political party or an authorized committee of a candidate (as defined in section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431)),

''(2) makes or directs a contribution to a committee of a political party or an authorized committee of a candidate,

''(3) makes a disbursement for electioneering advertising (as defined in section 324 of the Federal Election Campaign Act of 1971), except to the extent that—

''(A) the disbursement constitutes an independent expenditure (as defined in section 301(17) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(17)), or

''(B) the advertising is—

''(i) described in section 324(a)(2)(A)(ii) of the Federal Election Campaign Act of 1971,

''(ii) otherwise permitted by law, and

''(iii) made more than—

''(I) 60 days before the date of a general, special, or runoff election in which the identified candidates are seeking office, or

''(II) 30 days before the date of a primary or preference election or a convention or caucus of a political party that has authority to nominate a candidate for the office for which the identified candidates are seeking election, or

''(4) participates in a coordinated disbursement (as defined in section 9002(14)).''.

SEC. 5. DEFINITIONS OF POLITICAL COMMITTEE AND POLITICAL ORGANIZATION.

(a) DEFINITION OF POLITICAL COMMITTEE.—Section 301(4) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(4)) is amended—

(1) in subparagraph (B), by striking ''or'' at the end;

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

(3) by adding at the end the following:

''(D) a political organization (as defined in section 527(e)(1) of the Internal Revenue Code of 1986 and subject to section 527 of such Code) unless the activities of the organization are for the exclusive purpose of influencing or attempting to influence the selection, nomination, election, or appointment of any individual or individuals to any State or local public office or office in a State or local political organization.''.

(b) DEFINITION OF POLITICAL ORGANIZATION.—Paragraph (e)(1) of section 527 of the Internal Revenue Code of 1986 (relating to political organizations) is amended by striking ''incorporated) organized and operated'' and all that follows through the period and inserting ''incorporated)—

''(A) organized and operated primarily for the purpose of directly or indirectly accepting contributions or making expenditures, or both, for an exempt function, and

''(B) that is a political committee described in section 301(4) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(4)) except to the extent that the activities of the organization are for the exclusive purpose of influencing or attempting to influence the selection, nomination, election, or appointment of any individual or individuals to any State or local public office or office in a State or local political organization.''.

SEC. 6. SEVERABILITY.

If any provision of this Act or amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this Act and amendments made by this Act, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

SEC. 7. EFFECTIVE DATE.

Except as otherwise provided in this Act, this Act and the amendments made by this Act take effect on the date that is 30 days after the date of enactment of this Act.

SEC. 8. REGULATIONS.

The Federal Election Commission and the Commissioner of the Internal Revenue Code of 1986 shall—

(1) promulgate regulations as necessary to enforce this Act; and

(2) in the promulgation of regulations under paragraph (1), provide an exception to any provision that the Commission or Commissioner determines necessary to serve the public interest.

SECTION-BY-SECTION OF LIEBERMAN CAMPAIGN FINANCE REFORM BILL

The Lieberman campaign finance reform proposal responds to two significant problems highlighted during the Governmental Affairs Committee's recently concluded campaign finance investigation. First, it would amend the presidential public financing laws to ensure that taxpayers—who spent $236 million on the 1996 elections in an effort to limit spending on the presidential campaign and keep candidates for the presidency above the fundraising fray—get what they pay for. Second, it offers amendments to the tax code, with the goal of limiting the ability of tax-exempt organizations to circumvent existing restrictions on their involvement in partisan politics. The following provides a section-by-section explanation of the bill's provisions.

SECTION 1: REQUIREMENTS FOR PRESIDENTIAL CANDIDATES ACCEPTING PUBLIC FINANCING

Section 1 imposes two new requirements on candidates seeking public financing for their presidential primary or general election campaigns: (a) they must limit their fundraising; and (b) they must agree not to try to evade spending limits on their own campaigns by using the parties or outside groups to make expenditures for them.

(a) Fundraising Restrictions: Subsection 1(a) imposes fundraising restrictions on candidates accepting public financing:

(1) Definition of ''Fundraising Activity'': Subsection 1(a)(1) defines the term ''fundraising activity'' to include efforts to raise money for: (a) candidates, (b) political committees (like the DNC or RNC), (c) tax-exempt organizations that engage in any election-related activity, which is defined to include voter registration, get-out-the-vote activities, the publication or distribution of voter guides, or the making of widely disseminated communications that mention candidates or political parties, (d) political organizations as defined by Section 527 of the tax code, or (e) any organization that engages in ''electioneering advertising,'' a term the bill defines in Section 2 below. ''Fundraising activity'' in this section also includes the candidate's authorization to use his name in connection with any of the activities just described. Because the election laws explicitly allow presidential candidates to seek private contributions to defray their legal and accounting costs or if the public financing fund does not have enough money in it to give candidates their full allotment of public funds, the subsection excludes raising contributions for those purposes from its definition of ''fundraising activity.''

(2) Restrictions on Fundraising During the General Election: Subsection 1(a)(2) provides that a publicly-funded general election candidate for the presidency, members of his immediate family, the candidate's authorized committee, and agents and officials of that committee may not engage in any fundraising activity from the date of the candidate's nomination until the general election.

(3) Restrictions on Fundraising During the Primary Campaign: Subsection 1(a)(3) provides that from January 1 of an election year until the date of the convention of the party whose nomination the candidate seeks, a primary election candidate receiving federal matching funds must limit his fundraising activities to the solicitation or acceptance of hard money (money regulated and limited by the Federal Election Campaign Act). This restriction also applies to members of the candidate's immediate family, the candidate's authorized committee, and agents and officials of that committee.

(b) Restrictions on Spending Through the Parties and Outside Groups: Subsection 1(b) seeks to prevent candidates for the presidency from circumventing limits on their own campaigns by working with parties or outside groups to spend party money to advance their candidacies.

(1) Definition of Coordinated Disbursement: Subsection 1(b)(1) defines the term ''coordinated disbursement'' as spending by a person or entity other than a candidate or his authorized committee for broadcast, print, direct mail or other similar type of public communication if the spending person or entity consults or coordinates with a candidate or party about the disbursement. ''Coordinated disbursements'' encompass any type of communication or advertising, and are not limited to those including words of express advocacy. The term does not encompass, however, any spending a political party makes under Section 441a(d), which explicitly allows parties to coordinate a set amount of spending with their candidates, or disbursements for bona fide newscasts, editorials, and the like. In addition, in the case of a presidential candidate who designates a political party as his authorized campaign committee, the term encompasses only coordinated spending by the political party that exceeds the combined limit allowed under the public financing laws and Section 441a(d).

(2) Prohibition on Participating in Coordinated Disbursements During General Election: Subsection 1(b)(2) prohibits publicly-funded general election candidates from participating in any coordinated disbursements.

(3) Prohibition on Participating in Coordinated Disbursements During Primary Election: Subsection 1(b)(3) prohibits primary candidates receiving federal matching funds from participating in coordinated disbursements unless the coordinated disbursement is a contribution subject to the election law's contribution limits.

SECTION 2: REQUIREMENTS FOR POLITICAL PARTIES ACCEPTING PUBLIC FINANCING FOR PRESIDENTIAL NOMINATING CONVENTIONS

Section 2 imposes five new requirements on political parties accepting public financing for their presidential nominating conventions: (a) they must agree to use only hard money to fund advertisements using a presidential candidate's name or likeness in a presidential election year; (b) they must agree to limit their express advocacy expenditures—whether they are made in coordination with their presidential candidate or independently of them—to the amount set in Section 441a(d); (c) they must agree not to participate in coordinated disbursements with respect to their presidential candidates; (d) they must agree not to solicit any funds for or make any donations to tax-exempt groups; and (e) they must agree to a ban on soft money:

(a) Definition of Electioneering Advertising: Section 2 defines ''electioneering advertising'' to include a communication that either uses words like ''vote for'' or ''vote against'' the candidate, or that refers to one or more clearly identified candidates in a communication that is widely disseminated through a broadcast station, newspaper, magazine, direct mail or any other type of general public communication. The provision explicitly excludes printed voter guides from the term ''electioneering advertising,'' as long as the voter guide presents information in an educational manner about two or more candidates' positions on issues, is not coordinated with candidates or political parties, provides equal prominence to all candidates covered by the guide, and does not contain phrases like ''vote for'' or ''vote against'' any candidate.

(b) Restrictions on Electioneering Advertising by Parties: Section 2 provides that throughout the presidential election year, parties accepting public convention financing must use only hard money to pay for electioneering advertising featuring presidential candidates. In addition, it prohibits them from avoiding this restriction by transferring funds to State parties for the purpose of running such ads.

(c) Limits on Coordinated and Independent Expenditures: Section 441a(d) provides that political parties can spend a set amount of money in coordination with their presidential candidates to further those candidates' chances for election. Under Colorado Republican Federal Campaign Committee v. Federal Election Commission, parties also have the right to make unlimited ''independent expenditures''—that is, expenditures that expressly advocate a candidate but are not made in consultation with the candidate. Section 2 of the Lieberman bill would require parties accepting convention financing to agree to limit all categories of their expenditures for their presidential candidates—whether they be coordinated expenditures, independent expenditures or expenditures for electioneering advertising—to the amount set in Section 441a(d).

(d) Prohibition on Coordinated Disbursements: Section 2 provides that parties accepting public convention financing may not participate in coordinated disbursements involving presidential candidates during a presidential election year. Note that because the definition of ''coordinated disbursement'' excludes Section 441a(d) expenditures, parties still may spend a specified amount in coordination with their presidential candidates.

(e) Prohibition on Donations to Tax-Exempt Organizations: Section 2 provides that parties accepting convention financing may not solicit any funds for, or direct any donations to, IRS Code Section 501(c) organizations that engage in any election-related activity, which is defined to include voter registration, get-out-the-vote activities, the publication or distribution of voter guides, or the making of widely disseminated communications that mention candidates or political parties.

(f) Prohibition on Soft Money: Section 2 requires parties accepting convention financing to agree to a ban on soft money. The language for the ban is taken from S. 25, the McCain-Feingold bill.

SECTION 3: REQUIRED DISCLAIMER FOR PRESIDENTIAL CANDIDATES

Section 3 requires candidates for the presidency to add the following statement to any broadcast or direct mail advertisement: ''Federal law establishes voluntary spending limits for candidates for President. This candidate ___ agreed to abide by the limits.'' The blank line is to be filled in with either ''has'' or ''has not,'' as appropriate.

SECTION 4: LIMITATIONS ON POLITICAL ACTIVITY BY TAX-EXEMPT ORGANIZATIONS

Section 4 makes more explicit the precise limits on the political activities of organizations with tax-exempt status under Section 501(c)(3) or (c)(4) of the tax code. It provides that such organizations shall lose their exemption if they:

(a) solicit or accept a contribution from a political party or a candidate;

(b) make or direct a contribution to a political party or a candidate;

(c) make a disbursement for electioneering advertising (defined in Section 2, above) if the advertising is made 60 days or less before a general election or 30 days or less before a primary election, unless the disbursement constitutes an independent expenditure that is otherwise permitted by law; or

(d) participate in a coordinated disbursement (defined in Section 1(b)(1), above).

SECTION 5: ENSURING THAT SECTION 527 ORGANIZATIONS COMPLY WITH THE FEDERAL ELECTION LAWS

A number of 501(c)(4) organizations active in federal election-related activity apparently have started switching their status to Section 527, a different provision of the tax code that offers tax benefits with fewer restrictions on political activity. At the same time, these organizations claim that they are not subject to FECA because they are not engaging in express advocacy. Section 5 amends the definitions of the term ''political organization'' in Section 527 and ''political committee'' in FECA to make clear that the tax benefits of Section 527 are available only to organizations whose activities are regulated under FECA, unless the organization focuses exclusively on State or local political activity.

SECTION 6: SEVERABILITY

Section 6 provides that a declaration that any provision of the legislation is unconstitutional shall not affect the rest of the legislation.

SECTION 7: EFFECTIVE DATE

Section 7 provides that the legislation takes effect 30 days after enactment.

SECTION 8: AUTHORITY TO PROMULGATE REGULATIONS

Section 8 provides the FEC and the IRS with authority to (a) promulgate regulations as necessary to enforce the legislation and (b) provide exceptions to any of the legislation's provisions if necessary to serve the public interest.

By Mr. GRASSLEY:

S. 1667. A bill to amend section 2164 of title 10, United States Code, to clarify the eligibility of dependents of United States Service employees to enroll in Department of Defense dependents schools in Puerto Rico; to the Committee on Armed Services.

DEPARTMENT OF DEFENSE SCHOOLS LEGISLATION

Mr. GRASSLEY. Mr. President. I would like to draw attention to a problem in our drug control program. It concerns something that the Department of Defense (DoD) is not doing. And frankly it's embrassing. Today, the men and women of federal law enforcement constantly put their lives at risk in an effort to fight the increasing flow of illicit drugs into our country. Not only do we face the threat of an increase of drugs in our children's schools and on our streets, but our law enforcement officers continue to face a rising tide of violence at our borders and in our cities as a result of the drug trade. We continue to see the flow of narcotics across the Southern tier of the U.S. to include Puerto Rico. Law enforcement personnel, with their commitment to the mission to fight the war on drugs, work many long hours, sometimes late into the evening and are subject to changes in their schedules at a moment's notice. The families of these officers also feel the pressures of the job they perform. This brings me to the point I would like to make.

The front lines of the U.S. Customs Service do not involve just a problem of gun-toting drug thugs. Agents face more than long hours and risky situations. While they deal with all these things, they must shoulder the additional burden of coping with bureautic bumbledom. This added load is a result of DoD officiousness and unwillingness to cooperate. The language of instruction in Puerto Rico public schools is

Spanish and not English. Therefore, the only affordable English-language school option for U.S. Customs personnel is the DoD school. However, current legislation and DoD policy is creating a hardship for Customs employees and their families. This unnecessarily affects our counter-drug efforts by undermining morale.

It is understanding that the children of these law enforcement personnel have been attending DoD schools in Puerto Rico for more than 20 years. Throughout the years, changes in legislation and DoD policy have placed numerous restrictions on Customs and other Federal civilian agencies. Customs has recently augmented its workforce in Puerto Rico under its Operation Gateway initiative in light of the continuing and heightened threat of narcotics smuggling and money laundering in the Caribbean Basin. I supported this initiative.

This session I will also stress the need for better coordination of our interdiction strategy, particularly the need to develop a ''Southern Tier'' concept. This initiative will strive to focus resources in a more comprehensive way to protect our southern frontier. Puerto Rico is crucial to this strategy. Current legislation and DoD's policy requirements are, however, obstacles to the effective implementation of this aggressive enforcement initiative in terms of recruitment and retention of Customs employees because, as I stated earlier, there are no English speaking public schools in Puerto Rico.

In my view, it is unfair that Customs agents and Inspectors in Puerto Rico—the men and women who deal daily with difficult and dangerous situations—should find their attention distracted by something like this.

The U.S. Customs Service interdicts more drugs than any other Government Agency. Based on the size of the workforce of Customs in Puerto Rico, their critical law enforcement mission, the difficulty in recruiting, and the negative effect this policy is having on their employees and families (over 150 children of Customs employees are currently enrolled in the program), I would like to see a swift solution to these problems.

Recently, a Customs' Special Agent was killed in an accident while assisting the U.S. Secret Service on a Presidential detail. This highlights another problem. My legislation would also address a concern raised by this case. It happens that the children of this agent currently attend classes in the DoD school in Puerto Rico. It is my understanding that a letter from the Secretary of the Treasury was sent to the Secretary of Defense requesting that these children be able to continue to attend classes in the DoD school program for the remainder of their education. So far, DoD has dragged its feet and has not resolved the matter. What is unfortunate is that at the end of the year, these children will no longer be eligible to attend the DoD school.

My staff has communicated with DoD to resolve these problems. But DoD has not been very responsive. I personally wrote the Secretary of Defense to work out a solution. I got a response from a low-level bureaucrat who responded just like, well, a bureaucrat. The answer was, ''nothing can be done'', that the solution is to ''change the legislation''.

Mr. President, I plan to do just that. Today, I am introducing legislation that would clarify the eligibility of Customs Service employee dependents to enroll in the Department of Defense Schools in Puerto Rico. This bill is essential in order to address the current problems that I have described for these employees and their families. I look forward to working with my colleagues to ensure that our efforts to protect our country from illicit drugs is effective and adequately supported. I hope that my colleagues will look at this legislation and join me in sponsoring this bill. It is enough of a burden on the families of the dedicated men and women who labor to protect our borders without further weighing them down with senseless red tape.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1667

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

SECTION 1. CLARIFICATION OF ELIGIBILITY OF CUSTOMS SERVICE EMPLOYEE DEPENDENTS TO ENROLL IN DEPARTMENT OF DEFENSE DEPENDENTS SCHOOLS IN PUERTO RICO.

(a) CLARIFICATION.—Section 2164(c) of title 10, United States Code, is amended by adding at the end the following:

''(4)(A) A dependent of a United States Customs Service employee who resides in Puerto Rico but not on a military installation may enroll in an educational program provided by the Secretary pursuant to subsection (a) in Puerto Rico.

''(B) Notwithstanding the limitation on duration of enrollment set forth in paragraph (2), a dependent described in subparagraph (A) who is enrolled in an education program described in that subparagraph may be removed from the program only for good cause (as determined by the Secretary).

''(C) In the event of the death in the line of duty of an employee described in subparagraph (A), a dependent of the employee may remain enrolled in an educational program described in that subparagraph until—

''(i) the dependent completes the secondary education associated with such educational program; or

''(ii) the dependent is removed for good cause (as so determined).''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall take effect on the date of enactment of this Act and apply to academic years beginning on or after that date.

By Mr. SARBANES (for himself and Mr. WARNER):

S.J. Res. 41. A joint resolution approving the location of a Martin Luther King, Jr., Memorial in the Nation's Capital; to the Committee on Environment and Public Works.

LEGISLATION ON PLACEMENT OF THE MARTIN LUTHER KING, JR. MEMORIAL

Mr. SARBANES. Mr. President, the 104th Congress passed legislation, introduced by myself and my distinguished colleague Senator WARNER, to authorize the establishment of a monument to Dr. Martin Luther King, Jr. on federal land in the District of Columbia.

Today I rise, once again for myself and Senator WARNER, to introduce legislation that would give effect to the recommendation of the Department of Interior that this Memorial be situated in Area I of the Capital. Area I comprises, in the words of the Interior Department, ''the central Monumental Core of the District of Columbia and its environs,'' that is, the Mall and its surrounding areas. The Department has determined that a commemorative work belongs in Area I only if it is determined to be of preeminent historical and lasting significance to the Nation. It comes as no surprise that the King memorial has been found to meet these criteria, and I urge my colleagues to join me in approving the Department's recommendation. I ask unanimous consent that the text of a January 29, 1998 letter from Don Barry, Acting Assistant Interior Secretary for Fish and Wildlife and Parks, to Vice President GORE transmitting this recommendation be included in the RECORD.

Mr. President, it is particularly apt that Senator WARNER and I introduce this legislation in February, which has been designated Black History Month. To place the King Memorial alongside monuments to America's greatest leaders would acknowledge the nation's historic debt to Dr. King, to his philosophy of nonviolence, and to his dream of Americans living together in racial harmony. The National Capital Memorial Commission agrees. After holding a hearing on July 29, 1997, on the question of the location of the King Memorial, the Commission informed Assistant Secretary Barry that, in his words:

> Dr. King, the central figure of the Civil Rights movement, a man who strove to advance the cause of equality for all Americans, and a man who dedicated himself through nonviolent means to promote the principles of justice and equality, who paid the ultimate price for his beliefs, has had a profound effect on all Americans which will continue through history.

Situation of the King Memorial in Area I would also place Dr. King's legacy in historical context. Americans are already aware of the achievements of George Washington, Thomas Jefferson, Abraham Lincoln, Franklin Delano Roosevelt, the veterans of our foreign wars, and other Area I honorees in preserving the liberties, freedoms, and rights that Americans hold dear. Dr. King and his legacy hold a vital place along this continuum, and fully deserve the honor that the Secretary of the Interior seeks to accord them.

Mr. President, while we have come a long way since Dr. King's death toward

the goals of equality and racial harmony for which he lived, and gave, his life, we still have a long way to go. A King Memorial in Area I would serve as a signpost along the road toward these goals for those who were not alive when Dr. King lived, and as a reminder that the goals toward which he strove must be attained in order for America to remain strong and true to its governing principles.

In closing, let me pay tribute to Alpha Phi Alpha, the oldest African-American fraternity in the United States, to which Dr. King and many other prominent African-Americans, such as former Supreme Court Justice Thurgood Marshall, belonged. Under the King Memorial plan enacted into law last Congress, Alpha Phi Alpha will coordinate the funding and design of the King Memorial, which will be funded entirely through private donations, at no cost to the public. Alpha Phi Alpha's efforts in this area—and its support of this legislation—reflect its desire that Dr. King's legacy remain alive. I urge the Senate to carry its burden in this effort, and to pass the Interior Department's recommendations into law as soon as possible.

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

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, DC, January 29, 1993.

Hon. ALBERT GORE, Jr.,
President of the Senate,
Washington, DC.

DEAR MR. PRESIDENT: Public Law 104–333, Section 508, 110 STAT. 4157, (1996), authorized the Alpha Phi Alpha Fraternity to establish a memorial to Martin Luther King, Jr., in the District of Columbia pursuant to the Commemorative Works Act, 40 U.S.C. §§ 1001–1010 (1994 & Supp. I 1995).

The Alpha Phi Alpha Fraternity has requested that the memorial be located in Area I, the area comprising the central Monumental Core of the District of Columbia and its environs, which is defined in section 1002(e) of the Commemorative Works Act by a referenced map. Section 1006(a) of that Act provides that the Secretary of the Interior, after consultation with the National Capital Memorial Commission, may recommend locating a commemorative work in Area I only if the Secretary determines that the subject of the memorial is of preeminent historical and lasting significance to the Nation. If a determination of preeminence and lasting significance is made, this section further provides that the Secretary shall notify the Congress and recommend that the memorial be located in Area I.

Following its public meeting on July 29, 1997, the National Capital Memorial Commission advised me that Dr. King, the central figure of the Civil Rights movement, a man who strove to advance the cause of equality for all Americans, and a man who dedicated himself through nonviolent means to promote the principles of justice and equality, who paid the ultimate price for his beliefs, has had a profound effect on all Americans which will continue through history.

I have considered the advice and find the subject to be of preeminent historical and lasting significance to the Nation. The Alpha Phi Alpha Fraternity should be granted the authority to consider locations within Area I as potential sites for the memorial to Martin Luther King, Jr.

In accordance with section 1006(a) of the Act, notice is hereby given that I have, through my designee, consulted with the National Capital Memorial Commission, and recommend that the memorial be authorized a location within Area I. Under section 1006(a) of that Act, my recommendation to locate the memorial in Area I shall be deemed disapproved unless, not later than 150 days after this notification, the recommendation is approved by law.

No sites have been considered in advance of this recommendation. Enclosed is a draft of a joint resolution to authorize location of this memorial in Area I. We recommend that it be referred to the appropriate Committee for consideration.

The Office of Management and Budget has advised that there is no objection to the enactment of the enclosed draft joint resolution from the standpoint of the Administration's program.

Sincerely,

DON BARRY,
Acting Assistant Secretary for
Fish and Wildlife and Parks.

ADDITIONAL COSPONSORS

S. 194

At the request of Mr. CHAFEE, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 194, a bill to amend the Internal Revenue Code of 1986 to make permanent the section 170(e)(5) rules pertaining to gifts of publicly-traded stock to certain private foundations and for other purposes.

S. 356

At the request of Mr. GRAHAM, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 356, a bill to amend the Internal Revenue Code of 1986, the Public Health Service Act, the Employee Retirement Income Security Act of 1974, the title XVIII and XIX of the Social Security Act to assure access to emergency medical services under group health plans, health insurance coverage, and the medicare and medicaid programs.

S. 467

At the request of Mr. WELLSTONE, the name of the Senator from Illinois (Ms. MOSELEY-BRAUN) was added as a cosponsor of S. 467, a bill to prevent discrimination against victims of abuse in all lines of insurance.

S. 497

At the request of Mr. COVERDELL, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 497, a bill to amend the National Labor Relations Act and the Railway Labor Act to repeal the provisions of the Acts that require employees to pay union dues or fees as a condition of employment.

S. 531

At the request of Mr. ROTH, the name of the Senator from Illinois (Ms. MOSELEY-BRAUN) was added as a cosponsor of S. 531, a bill to designate a portion of the Arctic National Wildlife Refuge as wilderness.

S. 837

At the request of Mr. CAMPBELL, the name of the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of S. 837, a bill to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed firearms and to allow States to enter into compacts to recognize other States' concealed weapons permits.

S. 990

At the request of Mr. FAIRCLOTH, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 990, a bill to amend the Public Health Service Act to establish the National Institute of Biomedical Imaging.

S. 1042

At the request of Mr. CRAIG, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1042, a bill to require country of origin labeling of perishable agricultural commodities imported into the United States and to establish penalties for violations of the labeling requirements.

S. 1151

At the request of Mr. DODD, the names of the Senator from Hawaii (Mr. INOUYE) and the Senator from South Dakota (Mr. DASCHLE) were added as cosponsors of S. 1151, a bill to amend subpart 8 of part A of title IV of the Higher Education Act of 1965 to support the participation of low-income parents in postsecondary education through the provision of campus-based child care.

S. 1204

At the request of Mr. COVERDELL, the names of the Senator from Arkansas (Mr. HUTCHINSON) and the Senator from Kentucky (Mr. MCCONNELL) were added as cosponsors of S. 1204, a bill to simplify and expedite access to the Federal courts for injured parties whose rights and privileges, secured by the United States Constitution, have been deprived by final actions of Federal agencies, or other government officials or entities acting under color of State law; to prevent Federal courts from abstaining from exercising Federal jurisdiction in actions where no State law claim is alleged; to permit certification of unsettled State law questions that are essential to resolving Federal claims arising under the Constitution; and to clarify when government action is sufficiently final to ripen certain Federal claims arising under the Constitution.

S. 1283

At the request of Mr. BUMPERS, the names of the Senator from New Jersey (Mr. LAUTENBERG), the Senator from South Dakota (Mr. DASCHLE), the Senator from Washington (Mrs. MURRAY), the Senator from North Dakota (Mr. DORGAN), the Senator from Kentucky (Mr. FORD), the Senator from Hawaii (Mr. INOUYE), the Senator from Nebraska (Mr. KERREY), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Georgia (Mr. CLELAND), the Senator from California (Mrs. FEINSTEIN), the Senator from South Dakota

(Mr. JOHNSON), the Senator from Rhode Island (Mr. REED), the Senator from Louisiana (Mr. BREAUX), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Connecticut (Mr. DODD), the Senator from Ohio (Mr. GLENN), the Senator from Massachusetts (Mr. KERRY), and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 1283, a bill to award Congressional gold medals to Jean Brown Trickey, Carlotta Walls LaNier, Melba Patillo Beals, Terrence Roberts, Gloria Ray Karlmark, Thelma Mothershed Wair, Ernest Green, Elizabeth Eckford, and Jefferson Thomas, commonly referred collectively as the ''Little Rock Nine'' on the occasion of the 40th anniversary of the integration of the Central High School in Little Rock, Arkansas.

S. 1334

At the request of Mr. BOND, the names of the Senator from Virginia (Mr. ROBB) and the Senator from Florida (Mr. GRAHAM) were added as cosponsors of S. 1334, a bill to amend title 10, United States Code, to establish a demonstration project to evaluate the feasibility of using the Federal Employees Health Benefits program to ensure the availablity of adequate health care for Medicare-eligible beneficiaries under the military health care system.

S. 1350

At the request of Mr. LEAHY, the names of the Senator from New Hampshire (Mr. GREGG) and the Senator from Florida (Mr. GRAHAM) were added as cosponsors of S. 1350, a bill to amend section 332 of the Communications Act of 1934 to preserve State and local authority to regulate the placement, construction, and modification of certain telecommunications facilites, and for other purposes.

S. 1421

At the request of Mr. KENNEDY, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 1421, A bill to amend the Public Health Service Act to provide additional support for and to expand clinical research programs, and for other purposes.

S. 1422

At the request of Mr. MCCAIN, the names of the Senator from South Carolina (Mr. HOLLINGS), the Senator from Virginia (Mr. ROBB), and the Senator from Washington (Mr. GORTON) were added as cosponsors of S. 1422, a bill to amend the Communications Act of 1934 to promote competition in the market for delivery of multichannel video programming and for other purposes.

S. 1460

At the request of Mr. LAUTENBERG, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1460, a bill for the relief of Alexandre Malofienko, Olga Matsko, and their son Vladimir Malofienko.

S. 1461

At the request of Mr. LAUTENBERG, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1461, a bill to establish a youth mentoring program.

S. 1569

At the request of Mr. COVERDELL, the name of the Senator from Texas (Mr. GRAMM) was added as a cosponsor of S. 1569, a bill to amend the Internal Revenue Code of 1986 to raise the 15 percent income tax bracket into middle class income levels, and for other purposes.

S. 1578

At the request of Mr. MCCAIN, the name of the Senator from Virginia (Mr. ROBB) was added as a cosponsor of S. 1578, a bill to make available on the Internet, for purposes of access and retrieval by the public, certain information available through the Congressional Research Service web site.

S. 1580

At the request of Mr. SHELBY, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S. 1580, a bill to amend the Balanced Budget Act of 1997 to place an 18-month moratorium on the prohibition of payment under the medicare program for home health services consisting of venipuncture solely for the purpose of obtaining a blood sample, and to require the Secretary of Health and Human Services to study potential fraud and abuse under such program with respect to such services.

S. 1605

At the request of Mr. LEAHY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1605, a bill to establish a matching grant program to help States, units of local government, and Indian tribes to purchase armor vests for use by law enforcement officers.

S. 1621

At the request of Mr. GRAMS, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 1621, A bill to provide that certain Federal property shall be made available to States for State use before being made available to other entities, and for other purposes.

S. 1643

At the request of Mr. KENNEDY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1643, a bill to amend title XVIII of the Social Security Act to delay for one year implementation of the per beneficiary limits under the interim payment system to home health agencies and to provide for a later base year for the purposes of calculating new payment rates under the system.

SENATE JOINT RESOLUTION 30

At the request of Mr. WARNER, the names of the Senator from Wisconsin (Mr. FEINGOLD), the Senator from Michigan (Mr. ABRAHAM), and the Senator from Virginia (Mr. ROBB) were added as cosponsors of Senate Joint Resolution 30, A joint resolution designating March 1, 1998 as ''United States Navy Asiatic Fleet Memorial Day,'' and for other purposes.

SENATE CONCURRENT RESOLUTION 30

At the request of Mr. HELMS, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Indiana (Mr. LUGAR) were added as cosponsors of Senate Concurrent Resolution 30, A concurrent resolution expressing the sense of the Congress that the Republic of China should be admitted to multilateral economic institutions, including the International Monetary Fund and the International Bank for Reconstruction and Development.

SENATE CONCURRENT RESOLUTION 71

At the request of Mr. LOTT, the name of the Senator from Kansas (Mr. BROWNBACK) was withdrawn as a cosponsor of Senate Concurrent Resolution 71, A concurrent resolution condemning Iraq's threat to international peace and security.

SENATE RESOLUTION 170

At the request of Mr. SPECTER, the names of the Senator from Arkansas (Mr. BUMPERS) and the Senator from Georgia (Mr. CLELAND) were added as cosponsors of Senate Resolution 170, A resolution expressing the sense of the Senate that the Federal investment in biomedical research should be increased by $2,000,000,000 in fiscal year 1999.

SENATE RESOLUTION 171

At the request of Mr. SPECTER, the names of the Senator from Delaware (Mr. BIDEN), the Senator from Illinois (Ms. MOSELEY- BRAUN), the Senator from New York (Mr. D'AMATO), the Senator from Michigan (Mr. ABRAHAM), the Senator from New York (Mr. MOYNIHAN), the Senator from Illinois (Mr. DURBIN), the Senator from Connecticut (Mr. DODD), the Senator from Ohio (Mr. GLENN), the Senator from Wisconsin (Mr. KOHL), the Senator from New Mexico (Mr. DOMENICI), the Senator from California (Mrs. BOXER), the Senator from North Carolina (Mr. HELMS), the Senator from Michigan (Mr. LEVIN), the Senator from South Carolina (Mr. THURMOND), and the Senator from Tennessee (Mr. THOMPSON) were added as cosponsors of Senate Resolution 171, A resolution designating March 25, 1998, as ''Greek Independence Day: A National Day of Celebration of Greek and American Democracy.''

SENATE RESOLUTION 179—RELATING TO THE INDICTMENT AND PROSECUTION OF SADDAM HUSSEIN FOR WAR CRIMES AND OTHER CRIMES AGAINST HUMANITY

Mr. SPECTER submitted the following resolutions; which was referred to the Committee on Foreign Relations:

S. RES. 179

Whereas, the International Military Tribunal at Nuremberg was convened to try individuals for crimes against international law during World War II;

Whereas, the Nuremberg tribunal provision which held that ''crimes against international law are committed by men, not by abstract entities, and only by punishing individuals who commit such crimes can the provisions of international law be enforced'' is as valid today as it was in 1946;

Whereas, on August 2, 1990 and without provocation, Iraq initiated a war of aggression against the sovereign state of Kuwait;

Whereas, the Charter of the United Nations imposes on its members the obligations to ''refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state'';

Whereas, the leaders of the Government of Iraq, a country which is a member of the United Nations, did violate this provision of the United Nations Charter;

Whereas the Geneva Convention Relative to the Protection of Civilian Persons in Times of War (the Fourth Geneva Convention) imposes certain obligations upon a belligerent State, occupying another country by force of arms, in order to protect the civilian population of the occupied territory from some of the ravages of the conflict;

Whereas, both Iraq and Kuwait are parties to the Fourth Geneva Convention;

Whereas, the public testimony of witnesses and victims has indicated that Iraqi officials violated Article 27 of the Fourth Geneva Convention by their inhumane treatment and acts of violence against the Kuwaiti civilian population;

Whereas, the public testimony of witnesses and victims has indicated that Iraqi officials violated Articles 31 and 32 of the Fourth Geneva Convention by subjecting Kuwaiti civilians to physical coercion, suffering and extermination in order to obtain information;

Whereas, in violation of the Fourth Geneva Convention, from January 18, 1991 to February 25, 1991, Iraq did fire 39 missiles on Israel in 18 separate attacks with the intent of making it a party to war and with the intent of killing or injuring innocent civilians, killing two persons directly, killing 12 people indirectly (through heart attacks, improper use of gas masks, choking), and injuring more than 200 persons;

Whereas, Article 146 of the Fourth Geneva Convention states that persons committing ''grave breaches'' are to be apprehended and subjected to trial;

Whereas, on several occasions, the United Nations Security Council has found Iraq's treatment of Kuwaiti civilians to be in violation of international law;

Whereas, in Resolution 665, adopted on August 25, 1990, the United Nations Security Council deplored ''the loss of innocent life stemming from the Iraq invasion of Kuwait'';

Whereas, in Resolution 670, adopted by the United Nations Security Council on September 25, 1990, it condemned further ''the treatment by Iraqi forces on Kuwait nationals and reaffirmed that the Fourth Geneva Convention applied to Kuwait'';

Whereas, in Resolution 674, the United Nations Security Council demanded that Iraq cease mistreating and oppressing Kuwaiti nationals in violation of the Convention and reminded Iraq that it would be liable for any damage or injury suffered by Kuwaiti nationals due to Iraq's invasion and illegal occupation;

Whereas, Iraq is a party to the Prisoners of War Convention and there is evidence and testimony that during the Persian Gulf War, Iraq violated articles of the Convention by its physical and psychological abuse of military and civilian POW's including members of the international press;

Whereas, Iraq has committed deliberate and calculated crimes of environmental terrorism, inflicting grave risk to the health and well-being of innocent civilians in the region by its willful ignition of 732 Kuwaiti oil wells in January and February, 1991;

Whereas, President Clinton found ''compelling evidence'' that the Iraqi Intelligence Service directed and pursued an operation to assassinate former President George Bush in April 1993 when he visited Kuwait;

Whereas, Saddam Hussein and other Iraqi officials have systematically attempted to destroy the Kurdish population in Iraq through the use of chemical weapons against civilian Kurds, campaigns in 1987–88 which resulted in the disappearance of more than 182,000 persons and the destruction of more than 4,000 villages, the placement of more than 10 million landmines in Iraqi Kurdistan, and ethnic cleansing in the city of Kirkuk;

Whereas, the Republic of Iraq is a signatory to international agreements including the Universal Declaration on Human Rights, the International Covenant on Civil and Political Rights, the Convention on the Prevention and Punishment of the Crime of Genocide, and the POW Convention, and is obligated to comply with these international agreements;

Whereas, Section 8 of Resolution 687 of the United Nations Security Council, adopted on April 3, 1991, requires Iraq to ''unconditionally accept the destruction, removal, or rendering harmless, under international supervision of all chemical and biological weapons and all stocks of agents and all related subsystems and components and all research, development, support, and manufacturing facilities'';

Whereas, Saddam Hussein and the Republic of Iraq have persistently and flagrantly violated the terms of Resolution 687 with respect to elimination of weapons of mass destruction and inspections by international supervisors;

Whereas, there is good reason to believe that Iraq continues to have stockpiles of chemical and biological munitions, missiles capable of transporting such agents, and the capacity to produce such weapons of mass destruction, putting the international community at risk;

Whereas, on February 22, 1993, the United Nations Security Council adopted Resolution 808 establishing an international tribunal to try individuals accused of violations of international law in the former Yugoslavia;

Whereas, on November 8, 1994, the United Nations Security Council adopted Resolution 955 establishing an international tribunal to try individuals accused of the commission of violations of international law in Rwanda;

Whereas, more than 70 individuals have faced indictments handed down by the International Criminal Tribunal for the Former Yugoslavia in the Hague for war crimes and crimes against humanity in the former Yugoslavia, leading in the first trial to the sentencing of a Serb jailer to 20 years in prison;

Whereas, the International Criminal Tribunal for Rwanda has indicted 31 individuals, with three trials occurring at present and 27 individuals in custody;

Whereas, a failure to try and punish leaders and other persons for crimes against international law establishes a dangerous precedent and negatively impacts the value of deterrence to future illegal acts;

Whereas, on February 17, 1998, the President of the United States outlined his policy on engaging in a military action against Iraq and stated that his purpose is ''to seriously diminish the threat posed by Iraq's weapons of mass destruction program'' and further stated that if a United States military operation does not prevent Saddam Hussein from rebuilding his weapons of mass destruction, future military strikes will be necessary;

Whereas, current plans are grossly inadequate because it is insufficient to ''seriously diminish'' the threat posed by Saddam Hussein to the international community through the use of weapons of mass destruction;

Whereas, there is a need for a long-term approach to removing Saddam Hussein from his position as President of Iraq; Now, therefore, be it

Resolved, That the President should—

(1) call for the creation of a commission under the auspices of the United Nations to establish an international record of the criminal culpability of Saddam Hussein and other Iraqi officials; and

(2) call for the United Nations to form an international criminal tribunal for the purpose of indicting, prosecuting, and imprisoning Saddam Hussein and other Iraqi officials who are responsible for crimes against humanity, genocide, and other violations of international law; and

(3) devise a long-term plan, in consultation with allies of the United States, for the removal of Saddam Hussein from his position as President of Iraq, so that he can be prosecuted fully for war crimes and other violations of international law.

Mr. SPECTER. Mr. President, I now offer a resolution that seeks to deal with the international crisis caused by Saddam Hussein's amassing of weapons of mass destruction. There are reports as of this morning that Secretary General Kofi Annan has solved the problem after discussions with Saddam Hussein. A diplomatic solution is always preferable to a military solution, even though Saddam Hussein has carried the world to the brink of war. Before we will know whether or not Secretary General Kofi Annan has succeeded, we will have to read the fine print.

In the event that the Secretary General's efforts to end the crisis are unsuccessful, I submit that it is a constitutional imperative that Congress consider, debate, deliberate, and vote on a resolution on how to deal with this threat before the President takes unilateral action with air and missile strikes.

Air and missile strikes constitute acts of war. Under the U.S. Constitution, only the Congress has the authority to involve our Nation in war. In his constitutional capacity as Commander in Chief, the President may act in emergencies, but there is now time for deliberative action by the Congress.

During the week of February 9, when this issue was the talk of the caucuses and the cloakrooms, Congress spoke loudly by not speaking at all because there was no agreement on what should be done. On February 16, I wrote the President urging that no military action be taken until Congress returned from the recess today, February 23. With the prospect of unilateral Presidential action, if Secretary General Annan is unsuccessful, I believe it is our duty in both the Senate and the House to take a position on this obviously critical issue of war or peace before the President takes unilateral action with a military strike.

My resolution is an alternative to the approach outlined by the President on February 17. Without deciding whether I would vote to support the President's plan, I am submitting this alternative because I think it is a preferable course of action and, perhaps even more importantly, to stimulate debate in the Congress which could produce an even better course of U.S. action. The issues that now confront our Nation are complex, controversial, and could produce unintended consequences. I do not contend that my

resolution provides all the answers, or even necessarily the best answer, but it could lead to the least of the available undesirable alternatives, and that is what I think we face, Mr. President—a question of which is the least of the undesirable alternatives.

At the outset, let there be no doubt that it is my view that Saddam Hussein's amassing weapons of mass destruction is intolerable and must be stopped. If the United States takes action, there must be national unity behind our fighting forces, but that doesn't mean giving the President a blank check in advance by delegating to the executive the Congress' constitutional duties.

Again, without committing myself on how I will vote if the President's plan is submitted to Congress in a resolution, I do wish to express my deep reservations and concerns for the following reasons:

First, the President's plan does not reach the core issue of removing Saddam Hussein as Iraq's leader or in eliminating his weapons of mass destruction. The maximum result, as articulated by the President in his own words, is ''to seriously diminish the threat posed by weapons of mass destruction.'' But there is the understanding or concession in that statement that there would only be a serious diminution, not an elimination, of weapons of mass destruction. The President then noted that if such weapons are rebuilt, there would be another strike. Such a series of strikes, which could be indefinite for all we know, are hardly the answer.

Saddam Hussein's continuous flouting of his specific agreements and U.S. mandates since 1991 requires removing him from office as the only adequate answer.

My second concern is that U.S. air and missile strikes, aided only by Great Britain, could materially hurt our position as the world leader, or at least as the leader of the free world. We are, after all, seeking to enforce the U.N. position on Saddam Hussein's weapons of mass destruction and that Iraq must comply with those U.N. resolutions and yield to U.N. inspections.

When we arrogate unto ourselves, with only Great Britain's concurrence, the decision to undertake air and missile strikes, on this state of the record, we are likely to be viewed by the world as arrogant, which is the root meaning of arrogating unto ourselves that ultimate decision.

In my foreign travels, I have found enormous respect and admiration for the United States around the world. People everywhere admire and really envy our freedom, our democratic values, our standard of living, and our power. But, in a January trip to Europe, the Mideast and North Africa, I heard virtually unanimous objections to the proposed U.S. air and missile strikes on Iraq as an abuse of power and U.S. arrogance. The key part of that arrogance involves projected Iraqi civilian casualties and our insistence on acting as we see fit, contrasted with the views of the other nations, almost uniformly with the exception of Great Britain.

Third, air and missile strikes may cause devastating unintended consequences. Our experience has demonstrated that we may expect retaliation from terrorists. The bombing of Libya in 1986 produced the bombing of Pan Am 103. Our so-called covert proposals against Iran most probably produced the terrorist attack on Khobar Towers in June of 1996.

On the issue of unintended consequences, who can be sure what will happen if we detonate Iraq's biological and chemical weapons of mass destruction and those substances enter the atmosphere? In March 1991, allied forces detonated Iraq's chemical weapons at Kamasia. Those substances became airborne and may have been a significant contributing cause to Gulf War syndrome, an issue now under intensive investigation by the Veterans Affairs Committee, which I chair.

The resolution, which I am submitting today, strikes at the core of the problem: removing Saddam Hussein as Iraq's leader by prosecuting him as an international war criminal; and, if he is not taken into custody as a war criminal, by then implementing a long-term plan for his removal as Iraq's President.

My basic proposal to try Saddam Hussein as an international war criminal was advanced on March 5, 1991, at the conclusion of the Gulf War. On that day I introduced a Senate resolution which articulated the applicable principles of international law, and then concluded with this clause.

> Resolve . . . , that it is the sense of the Senate that the President should confer with Kuwait and other member nations of the coalition of the United Nations to establish an international criminal court or an international military tribunal to try and punish all individuals involved in the planning or execution of the above-referenced crimes including Saddam Hussein.

Had we pursued that course of action at that time we would very likely—almost certainly, in fact—be in a different position today.

Since my resolution was offered, and this is an ongoing effort which I have made, along with Congressman JIM LEACH in the House, and Senator CHRISTOPHER DODD here in the Senate, a War Crimes Tribunal has been established by U.N. Security Council Resolution 808 on February 22, 1993, establishing an international tribunal to try individuals accused of international war crimes in the former Yugoslavia, and Resolution 955 adopted on November 8, 1994, to establish a similar war crimes tribunal for Rwanda. By extending the jurisdiction to Iraq, the War Crimes Tribunal could prosecute Saddam Hussein.

There is an abundance of evidence which would warrant the conviction of Saddam Hussein and the imposition of the death penalty. While the U.N. resolutions on the former Yugoslavia and Rwanda do not provide for the death penalty, the United Nations may well be persuaded that Saddam Hussein's conduct warrants the death penalty. I believe the evidence speaks loudly to that effect. Beyond his war of aggression against Kuwait and his missile attacks killing U.S. personnel in Saudi Arabia and Israelis in Tel Aviv, there is powerful evidence of Saddam Hussein's systematic action to destroy the population of civilian Kurds in Iraq through the use of chemical weapons in 1997–1998, with more than 182,000 missing persons and the destruction of more than 4,000 villages, including the placement of more than 10 million land mines in Iraq's Kurdistan and ethnic cleansing in the city of Kurkuk.

Those international crimes certainly warrant the death penalty by all existing standards. With an international judicial determination that the death penalty should be imposed on Saddam Hussein, we would then have the high moral ground to carry out that verdict.

The removal of Saddam Hussein as Iraq's President does pose questions as to who would take over and what would happen to Iraq's ability to counterbalance Iran in that region. It is hard to imagine an international situation worse than the one currently posed by Saddam Hussein, and it is hard to imagine a new Iraqi leader worse than Saddam Hussein. It may well be that a covert action or covert actions might succeed in deposing Saddam Hussein. That was the subject of an op-ed piece in the New York Times yesterday by former CIA Director John Deutch. The Voice of America could be intensified giving encouragement to his many enemies in Iraq. An alternative government could be established with those dissident forces. And, a no-fly zone could be established over all of Iraq. A naval blockade could further tighten the noose and perhaps bring Saddam Hussein to his knees. These and other proposals could lead to his removal without targeting him.

As a generalization, our national policy is sound, not to kill a foreign leader for political purposes. But it is important to note that that prohibition is mandated only by a Presidential Executive order. It does not have the force of law of congressional enactment.

Let me now pursue a series of questions relating to that policy.

First, should that policy be applied to Saddam Hussein after he attempted to assassinate former President George Bush?

Second, should that policy be applied to Saddam Hussein, considering his atrocious record of war crimes, or at least after he is convicted and sentenced to death?

Three, would targeting Saddam Hussein constitute a lesser use of force and a more justifiable use of force than the President's contemplated air and missile strikes?

Fourth, is it time to reexamine that policy as it applies to the likes of Saddam Hussein?

Fifth, is it sensible to tie our own hands for self-defense by such a Presidential Executive order when Saddam Hussein amasses weapons of mass destruction which threaten the United States and the whole world with horrible consequences?

Sixth, if we are justified in preemptive air and missile strikes, which will inevitably kill Iraqi civilians, why are we not justified in preemptive actions against Saddam Hussein who is a mass murderer and a certified international war criminal?

Mr. President, it is a rapidly changing world scene. It is time to consider those questions.

I have no doubt about two propositions. First, a trial of Saddam Hussein as an international war criminal would be preeminently just. Second, solving the international threat posed by Iraq's weapons of mass destruction mandates removing Saddam Hussein as Iraq's leader. Perhaps Saddam Hussein could be replaced by the people of Iraq with additional U.N. sanctions, a stronger Voice of America, and nonlethal covert action. If not, then we may have to change our answers to those six questions, just as Saddam Hussein has changed the world with his weapons of mass destruction.

Mr. President, I ask unanimous consent that my letter to the President, dated February 16, be printed in the RECORD.

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

U.S. SENATE,
COMMITTEE ON VETERANS' AFFAIRS
Washington, DC, February 16, 1998.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: I strongly urge you not to take military action against Iraq until Congress has an opportunity to consider a resolution to authorize the use of force.

Bomber and missile strikes constitute acts of war. Only Congress has the Constitutional prerogative to authorize war. The Congress spoke loudly last week by not speaking at all. It is not too long to wait until next week for Congress to consider and vote on this issue.

Our national experience in Vietnam is a relatively recent reminder that public and Congressional support are indispensable to successful military involvement. I am glad to note you plan to address the nation tomorrow night. I held five town meetings last Monday and Friday, and can tell you that my constituents are very uneasy about air and missile strikes. There are concerns about inflicting casualties on innocent Iraqis, about potential terrorist reprisals, and the possibilities of expanding the conflict.

There is general agreement that Saddam Hussein is an intolerable menace and cannot be alloweded to threaten the world with weapons of mass destruction. But are there near-term alternatives such as a blockade to tighten the noose on his oil exports? Or can our allies be persuaded to tighten economic sanctions if they will not join us on the use of force?

I compliment Secretary Cohen and Secretary Albright, but their visits have not produced the coalition which was formed for the successful prosecution of the 1991 Gulf War. Have you considered personal meetings with the leaders of France, Russia, China, Germany, Egypt, etc?

There has been unanimity in our Congressional discussions to support the men and women of our military forces. But that unanimity does not extend to giving the President a blank check when the Constitution calls for independent Congressional action to decide whether to involve the United States in war.

There is yet time to pursue alternatives. Diplomacy and other sanctions short of war should be given every chance to work.

Sincerely,

ARLEN SPECTER.

Mr. SPECTER. I thank the Chair.

NOTICES OF HEARINGS

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a hearing of the Senate Committee on Labor and Human Resources will be held on Tuesday, February 24, 1998, 10:00 a.m., in SD–430 of the Senate Dirksen Building. The subject of the hearing is Tobacco Settlement V. For further information, please call the committee, 202/224–5375.

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a hearing of the Senate Committee on Labor and Human Resources will be held on Wednesday, February 25, 1998, 9:30 a.m., in SD–430 of the Senate Dirksen Building. The subject of the hearing is The Non-School Hours: Mobilizing School and Community Resources. For further information, please call the committee, 202/224–5375.

COMMITTEE ON VETERANS' AFFAIRS

Mr. SPECTER. Mr. President, the Committee on Veterans' Affairs would like to request unanimous consent to hold a hearing on the nomination of Togo D. West, Jr., to be Secretary, Department of Veterans Affairs.

The hearing will take place on Tuesday, February 24, 1998, at 9:30 a.m., in room 216 of the Hart Senate Office Building.

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a hearing of the Senate Committee on Labor and Human Resources will be held on Thursday, February 26, 1998, 9:30 a.m., in SD–430 of the Senate Dirksen Building. The subject of the hearing is Health Care Information Confidentiality. For further information, please call the committee, 202/224–5375.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. GRAMS. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to hold a meeting during the session of the Senate on Monday, February 23, 1998. The committee will be having a hearing, 1:00 to 5:00 p.m., on ''Caring for America's Children.''

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

SUBCOMMITTEE ON SECURITIES

Mr. GRAMS. Mr. President, I ask unanimous consent that the Subcommittee on Securities of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Monday, February 23, 1998, to conduct a hearing on S. 1260, The Securities Litigation Uniform Standards Act of 1997.

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

ADDITIONAL STATEMENTS

NATO EXPANSION

● Mr. D'AMATO. Mr. President, I rise today to urge my colleagues to leave the door to NATO open. Others, whose wisdom I respect, have come before the Senate to urge that we legislatively adopt a policy that would close the door to NATO membership to candidate countries, regardless of their qualifications. While the reasons advanced in support of that view carry weight, I do not believe that they outweigh the reasons for leaving the door open.

Last year, as Chairman of the Commission on Security and Cooperation in Europe, I chaired a series of hearings at which ambassadors of candidate countries appeared and testified concerning their respective countries' reasons and qualifications for joining NATO. At the end of that series of hearings, we issued a report urging that Poland, the Czech Republic, Hungary, Romania, and Slovenia be included in the first round of NATO expansion. Since that time, ten months ago, I believe that subsequent developments have supported strongly the conclusion that we drew in favor of NATO expansion.

Now, the Senate is close to voting on the admission of Poland, Hungary, and the Czech Republic. I intend to vote for expansion. These countries have each proven that they share our democratic and free enterprise values, that they want to be members of NATO, and that they are willing to join us in bearing the burdens that Alliance membership imposes.

Mr. President, I want to take particular note that each of these countries, contrary to the positions taken by some of our allies of longer standing, have not hesitated to publicly state their support for our effort to persuade, and if necessary, compel Saddam Hussein to comply with the United Nations Security Council resolutions adopted after Iraq's unprovoked military aggression against Kuwait. One of the tests of alliance is the political will to take risks for the common

good of the group. Poland, the Czech Republic, and Hungary have met this test.

As I stated earlier, our recommendation ten months ago was that Slovenia and Romania be included in the first group of countries considered for NATO membership. That did not happen. But neither Slovenia nor Romania recoiled from their rejection by NATO. In fact, both have persisted in policies readying their countries and their militaries for NATO membership, and have been vocally enthusiastic about the prospect.

On July 8th, 1997, the ''Madrid Declaration on Euro-Atlantic Security and Cooperation'' was issued by the Heads of State and Government of NATO. Paragraph 8 of the Madrid Declaration stated that, and I quote:

> We reaffirm that NATO remains open to new members under Article 10 of the North Atlantic Treaty. The Alliance will continue to welcome new members in a position to further principles of the Treaty and contribute to security in the Euro-Atlantic area. The Alliance expects to extend further invitations in coming years to nations willing and able to assume the responsibilities and obligations of membership, and as NATO determines that the inclusion of these nations would serve the overall political and strategic interests of the Alliance and that the inclusion would enhance overall European security and stability. To give substance to this commitment, NATO will maintain an active relationship with those nations that have expressed an interest in NATO membership as well as those who may wish to seek membership in the future. Those nations that have previously expressed an interest in becoming NATO members but that were not invited to begin accession talks today will remain under consideration for future membership. The considerations set forth in our 1995 Study on NATO Enlargement will continue to apply with regard to future aspirants, regardless of their geographic location. No European democratic country whose admission would fulfill the objectives of the Treaty will be excluded from consideration. Furthermore, in order to enhance overall security and stability in Europe, further steps in the ongoing enlargement process of the Alliance should balance the security concerns of all Allies.

Mr. President, those words sound like a promise to me. Perhaps more importantly, they recognized a central fact. That fact is that by setting an artificial limit to NATO enlargement, we are drawing a new dividing line across Europe. Whether that line is geographic or temporal does not matter. When such a line is drawn, in the present environment it creates a gray area. History teaches us that gray areas are not solutions, they are problems waiting to happen.

Other candidate NATO members do not want to be consigned to gray areas. They know that bad things happen to small countries left alone in gray areas. We know that we do not want to create situations that invite anti-democratic forces to grow and plan and act.

At the Commission, we pay very close attention to human rights concerns in Europe. Our experience with NATO enlargement has been that the requirements countries must meet for consideration for NATO membership have very strongly influenced their domestic politics. While all human rights problems are not resolved, most of them are. Also, disputes between ethnic majority and minority groups are given prominence and progress is made toward solutions. Some of these problems have existed for centuries and, in my view, would have continued unaddressed but for the necessity each country has seen to ''put its house in order'' before applying for NATO membership.

Moreover, international cross-border disputes that in the past have triggered at least hostility if not military conflict have been formally resolved, with the support of democratic majorities in the countries involved. This is not a trivial development in a part of the world where such disputes have given repeated rise to brutal conflicts that are incomprehensible to most Americans.

For these reasons, it is vitally important that the door to NATO membership not be closed, especially not by the United States. Proponents argue that a ''delay'' is necessary as a period of consolidation of the Alliance, and for the Russians to accommodate themselves to the changed European landscape.

I believe that ''delay'' in this case could become denial, with very grave consequences to those nations shut out by such a decision. Moreover, Russia is one of the nations I have in mind when I make this statement. Regardless of rhetoric by Russian Communists like Zhirinovsky, and others of the so-called ''red-brown'' extreme nationalist fringe, Russia itself has a very real interest in NATO expansion. And that interest is not in blocking, delaying, or limiting it.

In fact, to the extent that NATO expansion is delayed or limited, the radical forces in Russia's political equation will be strengthened. For the United States to provide them with a victory they could not have secured by any other means would be a terrible mistake. Radical forces in Russia cannot be appeased by throwing them a bone. All it does is embolden them and add to their power, allowing them to say to Russian voters, ''See what we can do, and we are not yet in charge of the government.'' Our policy should be to do what is best for us, and that means to give hope, support and security to small states trying to become democratic capitalist members of the Western community, and treat anti-democratic forces with implacable opposition.

Mr. President, the citizens of Lithuania, Latvia, and Estonia were given hope when we refused for the duration of the Cold War to recognize their forcible and illegal incorporation into the Soviet Union. Ukraine is now a NATO ''Partner for Peace.'' The President of Bulgaria, Petar Stoyanov, was here recently, seeing President Clinton to make the case that Bulgaria is a credible candidate for NATO membership. The people of these countries do not deserve to have the door to NATO slammed shut on their fingers.

While some states with serious human rights and democratization problems do not look like possible NATO members at any time in the near future, as states around them make major efforts to put their domestic and international affairs in order to quality for membership, this has an influence and an impact. If we do as we have pledged, and allow candidate countries to join when they demonstrate that they meet the qualifications, those who choose not to make the effort will be more and more isolated. This process will undermine and weaken anti-democratic forces that have stirred back to life in some former Warsaw Pact states after the fall of Communism.

I want to make one other point. When the Commission issued its report, I reminded the Senate that NATO is a military alliance. A look at the map will refresh my colleagues' understanding of the need to include Romania and Slovenia in the next round of expansion. After Poland, Hungary, and the Czech Republic are admitted, we will have an Alliance with a member, Hungary, which lacks a land corridor connecting it with other Alliance members. This is a weakness of major importance, one whose significance can only be magnified if we artificially ''delay'' accession of other qualified candidates. This point also focuses attention on Bulgaria's desire to become, when it is qualified, an Alliance member.

The Washington Post's Wednesday, February 11, 1998 edition contains an editorial and a separate article that support my perspective on this issue. The editorial entitled ''Opening NATO's Door,'' states that, and I quote:

> There is a moral heart to the case for enlargement, and it is to bind the democracies, refreshing the old, strengthening the new. The first three candidates have demonstrated they are committed to assuming alliance responsibilities. Their accession would, as Secretary of State Albright put it Monday, 'make us all safer by expanding the area of Europe where wars do not happen.' The resulting increments of stability would benefit not only NATO members but the Russians, who remain opposed to the development but are unable to stop it.
>
> The serious American objection to enlargement comes from strategists who fear the political and military dilution of an alliance once focused laser-like on territorial defense against a single dangerous foe. These strategists would have the European Union do the main work of easing the path of the new democracies, leaving NATO to deal with a still-problematic Russia and its huge residual nuclear resource. But the would leave the now-free pieces of the old Soviet empire marooned in strategic ambiguity. The new democracies need better and deserve it.

The article, entitled ''NATO Candidates Urge Senators to Back Expansion,'' by Edward Walsh, is also important. It quotes the foreign ministers of

Poland, the Czech Republic, and Hungary as supporting the continued expansion of NATO when other candidate states are ready to join. Here is the description of what they said, and I quote:

Geremek said other Central and Eastern European countries that hope to join NATO were disappointed to be left out of the first proposed expansion round but ''they are happy that the expansion will take place and feel it will increase their security.''

Enacting legislation requiring a three- to five-year wait before others could join NATO, as some have suggested, would send a discouraging message to these countries, the officials argued. ''The purpose of the enlargement is to diminish the dividing lines [in Europe], not to create new lines of division between the new members of NATO and those who stay outside,'' Kovacs said.

Mr. President, I ask that the full text of both the editorial and the article from which I have just quoted be included in the RECORD at the conclusion of my remarks.

I urge my colleagues to support NATO expansion. It is the right thing to do for America, the right thing to do for the Alliance, and the right thing to do for the people of Central and Eastern Europe who struggled so long in a seemingly hopeless quest for freedom and independence. We supported them then, and we must continue to support them now.

The material follows:

[From the Washington Post, Feb. 11, 1998]

OPENING NATO'S DOOR

As the Senate moves to the question of ratifying NATO enlargement, the debate is in a curious place. It is generally accepted that adding Poland, Hungary and the Czech Republic to the 16-nation Atlantic Alliance will be approved by well over the necessary two-thirds when the vote comes probably next spring. Yet several years of intense discussion have not removed all serious doubts about the step. Even among supporters, misgivings about adding further members later are evident.

There is a moral heart to the case for enlargement, and it is to bind the democracies, refreshing the old, strengthening the new. The first three candidates have demonstrated they are committed to assuming alliance responsibilities. Their accession would, as Secretary of State Albright put it Monday, ''make us all safer by expanding the area of Europe where wars do not happen.'' The resulting increments of stability would benefit not only NATO members but the Russians, who remain opposed to the development but are unable to stop it.

The serious American objection to enlargement comes from strategists who fear the political and military dilution of an alliance once focused laser-like on territorial defense against a single dangerous foe. These strategists would have the European Union do the main work of easing the path of the new democracies, leaving NATO to deal with a still-problematic Russia and its huge residual nuclear resource. But that would leave the now-free pieces of the old Soviet empire marooned in strategic ambiguity. The new democracies need better and deserve it. The EU should move more quickly but cannot fairly be asked to satisfy the full range of their wish to be of the West. Their insecurity could rub events raw and unsettle the region.

The different currents of resistance to enlargement meet in common opposition to taking in any more than Central Europe's favored three. This is the impulse behind suggestions of a legislated ''pause.'' Such a maneuver, tying the hands of executive-branch foreign policymakers, is a truly bad idea. It could generate nervousness verging on desperation among the unfavored of Central Europe, and tempt others to throw their weight around.

The better way surely is, with Secretary Albright, to leave the NATO door open. Other democracies, as they meet the rigorous political as well as military standards for alliance membership, will then be able to assert their claim to be brought into the charmed circle. Time will let the allies show that enlargement, far from simply moving a military bloc menacingly closer to Russia's borders, calms the region as a whole.

[From the Washington Post, Feb. 11, 1998]

NATO CANDIDATES URGE SENATORS TO BACK EXPANSION

(By Edward Walsh)

Pressing for Senate ratification of an agreement to admit their countries to NATO, senior officials from three Central European countries said yesterday that enlarging the military alliance would enhance stability in that region.

Foreign Ministers Laszlo Kovacs of Hungary and Bronislaw Geremek of Poland and Deputy Foreign Minister Karel Kovanda of the Czech Republic visited key senators yesterday and Monday as part of the campaign to win the two-thirds Senate vote necessary for ratification. President Clinton is scheduled to send the expansion agreement, formally known as Protocols of Accession, to the Senate today. The Senate Foreign Relations Committee has scheduled at least one more hearing on the agreement for Feb. 24 before a full Senate vote, probably this spring.

At a breakfast meeting with Washington Post reporters and editors, the officials said Senate concerns about the agreement center on the cost of the expansion and its impact on U.S.-Russian relations. Russia last year agreed to the expansion, which NATO officials have estimated will cost $1.5 billion over 10 years, with the United States paying about 25 percent of that amount. Other estimates have set the figure significantly higher.

Pointing to numerous potential ''trouble spots'' in the region, Kovacs said NATO and the United States ''have two options—to stay idle and wait for the next crisis, then to intervene and try to enforce peace, which is more expensive and certainly more risky, or to enlarge NATO, projecting stability. The new members will further project stability.''

Kovacs and Geremek said public opinion in their countries supported joining NATO. Polls in the Czech Republic, Kovanda said, show 55 percent to 60 percent support, but also 15 percent to 20 percent who are ''diehard opponents.''

Geremek said other Central and Eastern European countries that hope to join NATO were disappointed to be left out of the first proposed expansion round but ''they are happy that the expansion will take place and feel it will increase their security.''

Enacting legislation requiring a three- to five-year wait before others could join NATO, as some have suggested, would send a discouraging message to these countries, the officials argued. ''The purpose of the enlargement is to diminish the dividing lines [in Europe], not to create new lines of division between the new members of NATO and those who stay outside,'' Kovacs said.

Sen. John W. Warner (R-Va.), a senior member of the Armed Services Committee, said in a statement to the Senate yesterday he intends to propose a three-year moratorium on further NATO expansion as a condition to the resolution of ratification for the admission of Poland, Hungary and the Czech Republic.●

TRIBUTE TO STEVE DAHL

● Mr. DURBIN. Mr. President, I rise to pay special tribute to a legendary radio personality, Steve Dahl, who today is celebrating his twentieth anniversary of broadcasting in Chicago, Illinois.

At age sixteen, Steve launched his career into radio broadcasting. At the time, he was considered somewhat of a rebel on the airwaves, but over the years, Chicagoans have come to love his unique style and personality.

With his afternoon talk-show, ''The Steve Dahl Show,'' on WCKG FM Chicago, Steve continues to entertain and inform more than a half million listeners everyday. As his loyal audience tunes in daily to hear his commentary on life in the Windy City, Steve's popularity continues to grow.

Steve Dahl has made a lasting contribution to the Chicago radio industry. Today, I join his colleagues, listeners, friends and family to commend Steve for his impressive tenure on the Chicago airwaves.●

A BUDGET THAT SLAMS THE MIDDLE CLASS

● Mr. KYL. Mr. President, in his State of the Union Address last month, President Clinton urged Congress to approve his request to pump billions of dollars into the International Monetary Fund (IMF) to help stabilize Asian economies. He justified his request by saying that ''preparing for a far off storm that may reach our shores is far wiser than ignoring the thunder 'til the clouds are just overhead.''

There is something to be said for trying to deal with problems before they grow too large—before they engulf us. We will have a debate about the propriety of the IMF request in the weeks ahead. But I would suggest that it is not just the IMF that is attempting to deal with an approaching storm.

Mr. President, millions of Americans are also looking ahead to be sure they can cope with unforeseen threats to their own family's future financial security. Some people are trying to create a nest egg for their retirement years. Some take out a life-insurance policy or buy an annuity to ensure that a spouse or child is taken care of when they are gone. Others are looking for a way to pay death taxes without creating too much hardship for their families. Whatever the coming storm might be, they are trying to find a way to prepare. And most of us would consider that to be good planning—something the federal government would want to encourage.

Unfortunately, while the Clinton administration eagerly argues the benefits of pouring billions of dollars into the IMF to help other countries, it cannot seem to see a benefit in helping our

own citizens to ward off their own personal storm clouds. I am referring to the provisions in the President's proposed budget that would impose significant tax increases on people who try to save and invest for the future, including people who take out life insurance or buy annuities to protect themselves and their families.

President Clinton's budget calls the existing tax treatment of life insurance and annuities ''unwarranted.'' But the Washington Post has identified the President's proposed changes as an effort to ''slam [the] middle class.''

Let us put this issue in context. Personal savings rates in our country have been on the decline since 1981, when they stood at 9.4 percent. Some say that was respectable by international standards. By 1992, the savings rate had declined to 6.2 percent, and it has plunged during the Clinton years. As of last November, the personal savings rate stood at 3.8 percent—the lowest since the Great Depression. In other words, people are not setting much aside for their future needs, including retirement.

Add to that the problems we all know are coming in the Social Security system. The experts are telling us that Social Security recipients currently receive, on average, benefits equal to 43 percent of their pre-retirement earnings. But then they point out that only 70 percent of that amount is fully funded for future retirees, which means that unless taxes are raised substantially or additional funding is found, retirees in the future will only get a benefit that amounts to less than 30 percent of their pre-retirement income.

In other words, retirees in the future are likely to experience a significant decline in their standard of living unless they find some way to supplement their Social Security benefits. That means saving and investing more, contributing to an IRA, buying an annuity, or taking out a good life insurance policy. We ought to make it as easy as possible for people to do that.

However, the Clinton budget means to take us in the opposite direction. For example, it would impose new taxes on individuals who substitute one insurance policy for another policy that better meets their needs. We are talking here about new taxes, primarily on households with incomes under $75,000. Many people in this group work for employers who do not offer, or who have terminated, a retirement plan. So unless they find some other way to protect themselves, they could be out in the cold when they retire.

The proposed budget would make it harder for businesses to protect themselves with business life insurance. It seems to me entirely reasonable that a business would want—and need—insurance to minimize the costs that would result from the death of a key employee. That is particularly true of small businesses, whose size means that so much of its success depends upon a few individuals.

The Clinton budget would overturn so-called Crummey powers, making it harder for moderate income families to even pay death taxes. That alone sets up a major confrontation with many of us in Congress who believe that death taxes ought to be eliminated altogether.

These substantive problems with the Clinton plan come on top of what many of us consider a reneging by the President on last year's budget agreement. Only seven months after entering into that agreement, which provided for very modest tax relief—relief amounting to $95.3 billion over five years—the President is proposing a net tax increase of $98.1 billion. In other words, the entire amount of tax relief approved just seven months ago would be reclaimed in one fell swoop.

Not only does that back track on the promise to provide tax relief, but it comes at the same time that the President is proposing to bust the spending limits that were established in last year's agreement. Spending levels would exceed the agreed-upon limits by more than $37 billion.

Mr. President, the federal government is collecting record amounts of tax revenue, primarily as a result of robust economic growth. We do not need another tax increase, let alone a tax increase that singles out the very tools people need to protect themselves against threats to their personal security. We must reject the unwarranted tax increases proposed in this budget, and instead consider tax policies that will make it easier for people to save and invest. Families need tax relief, not new burdens.●

NATIONAL CHARACTER COUNTS WEEK RESOLUTION

● Mr. DORGAN. Mr. President, I am pleased to again join Senator DOMENICI as an original cosponsor of S. Res. 186, a resolution designating the week of October 18–24, 1998, as ''National Character Counts Week.'' As he does every year, Senator DOMENICI again introduced this resolution on behalf of the bipartisan membership of the Senate Character Counts Group, and I want to thank him for his continuing leadership on this important effort.

For those of you who are not familiar with Character Counts, the national Character Counts Coalition is an alliance of hundreds of groups, communities, and individuals who share a concern about the moral compass of our country. I know a lot of us here in the Senate share this concern about the wrong direction that many of our young people seem to be headed.

Character Counts was born out of a meeting of some of our country's best thinkers and doers about five years ago. Character Counts is an effort that says to all of us, parents, educators, church and youth leaders, community and business leaders, let us constantly by action and example reinforce six basic values, or pillars of character. These pillars of character are so important and so basic that I do not think anyone could question them. They are: trustworthiness, respect, responsibility, fairness, caring, and citizenship.

I have two young children, so I know firsthand how difficult it is for kids to make the right choices when they are constantly being bombarded by messages from our popular culture about how cool it is to drink alcohol, or smoke, or use vulgar language. By the time they finish elementary school, most kids have seen 8,000 murders on television.

To counteract these messages, it is more important than ever that we instill in our young people the integrity and good character to stand up for what is right. Children are not born with good character. They learn by example, and if they have good role models all around them, I am confident they will make the correct choices for themselves. Perhaps Teddy Roosevelt said it best: ''To educate a person in mind and not morals is to educate a menace to society.''

We often tell our kids to do what is right, but unfortunately, kids witness adult actions that do not reinforce that message. For example, I have spoken on this floor several times about the case of Juan C., a 15-year-old New York high school student who brought a gun to school in 1992.

The facts of this case stand common sense on its head and send a terrible message to students. In 1992, Juan C. was stopped by a school security guard who saw a bulge resembling the handle of a gun inside Juan's leather jacket. The guard grabbed for the bulge, which was indeed a loaded .45 semiautomatic handgun.

Juan was charged with criminal weapon possession violations. He was also expelled from school for one year, as is consistent with the ''zero tolerance'' law written by Senator FEINSTEIN and me to prevent guns in our schools.

The family court that heard Juan's criminal case ruled that the security guard did not have reasonable suspicion to search this student. As a result, the court refused to admit the gun as evidence of Juan's court. The New York appellate court then took this decision to ridiculous lengths by applying the same reasoning to the internal school disciplinary action against the student to expel him for a year.

This was a ludicrous decision from a court. It sent a message to students that there will be no consequences for bringing a loaded gun to school, even though that is clearly against school rules and the law. In some cases, like this one, it tells school officials that they ought to look the other way when they know a student is carrying a loaded weapon.

With these kinds of messages, it is no wonder that our children are confused about what is right and wrong. Fortunately, this case was ultimately overturned, and I have also taken the step

of introducing the Safer Schools Act, along with Senators FEINSTEIN, CLELAND, COVERDELL, JOHNSON, and LANDRIEU, to send a clear message to school officials, parents, and students that guns seized from students on school premises can and will be used as evidence in a school disciplinary hearing. I hope the Congress will act on my bill soon so that the confusing messages the courts have been sending on this issue are cleared up.

We all have a role in ensuring that our children are given the ethical tools they need to make difficult choices in today's world. Quite simply, that is what the Character Counts effort is all about.

Before closing, I want to take a few minutes to highlight the Character Counts efforts that have been occurring in North Dakota. Less than two years ago, Character Counts in North Dakota was borne out of a meeting I hosted to bring together parents, educators, young people, and other concerned citizens to introduce them to what the Character Counts program is all about. In the last year, under the vigorous and capable leadership of 4–H youth leader Geri Bosch, Character Counts has blossomed. More than 800 people in North Dakota have participated in Character Counts training so that they could take this program, or a variation of it, back to their communities. Several communities in North Dakota are considering adopting a comprehensive Character Counts program. Service clubs are adopting Character Counts among their projects, and Character Counts was even used as the platform for one of our state's Miss North Dakota candidates last year. Most importantly, the lives of thousands of young people in North Dakota have been influenced for the better directly and indirectly.

I have been proud to play some small role in supporting Character Counts in North Dakota and our nation. It is through these kinds of efforts that we can build a better future for our kids, and I pledge my continued help and support for teaching the pillars of good character.●

THE LIFE OF STANLEY O. McNAUGHTON

● Mr. GORTON. ''People need a vision greater than themselves. Without a vision, there is no goal. This vision has to be larger than yourself. It has to dignify you. Then, goals become the navigational stars to guide you in the vision.''—Stanley O. McNaughton.

These are the words Stanley O. McNaughton lived by until his sudden death on January 19th.

Stan McNaughton was a man who rose from modest beginnings in a small British Columbia town, who would later become the CEO of PEMCO Financial Services and who would leave behind one of the greatest legacies of goodwill Washington state will ever see.

I could spend an evening recounting Stan's business successes. I could spend even greater time speaking of Stan's dedication to community service, his exceptional character, integrity and the countless personal accolades. Yet the two worlds are intertwined. The man who was once named Seattle-King County First Citizen and Seattle University alumnus of the year relied on the same values to achieve personal and professional success and improve the lives of others.

As Stan used to say, ''Our security lies in our values. And from values flow principles.''

Stan placed profound importance on family, philanthropy, and leadership.

Stan donated money to causes involving children and education, and often said: ''A corporation is the greatest vehicle ever created to do good. Corporations have a responsibility to raise the quality of life in the communities where they do business.''

I know I can speak for all of us by saying: Stan McNaughton succeeded in leaving his community a better place.

Tomorrow in Olympia, the extraordinary life of Stan McNaughton will be honored with a Medal of Merit, one of the highest awards that the State of Washington can bestow upon a citizen. to quote from the resolution: ''Stanley O. McNaughton exemplified the best characteristics of an employer and community leader by his constant concern and activities for those employed by him and others in the community.''

Stan had the amazing ability to see the potential in everyone, inspiring his employees, friends and family to be the best they could possibly be. There are countless ''Stan stories'': the woman who remembered the time Stan sent her child a birthday card; the man who lost his wallet and Stan offered to reimburse the money; the donations to charities, particularly those that benefitted people disadvantaged through no fault of their own; and his special efforts to know every name of the more than 1,000 PEMCO employees.

Of course, there is the definitive ''Stan story'' of the great lengths he went to for one of his employees, Mark Roberts who had broken his neck and become paralyzed from the neck down. Stan could have sent a card or even a bouquet of flowers, but in true Stan McNaughton fashion, Stan went the extra mile. He assured Mark he would still have a career at PEMCO and went about changing the dynamics of Mark's job. By computerizing much of the workload, Stan made it possible for Mark to succeed and recover from what would have ordinarily been a career ending accident. Stan even went so far as to buy Mark a specialized van, for his professional and personal use.

Stan McNaughton touched the lives of so many different people. His personal philosophy of seeing life as a batting average: ''You must give people enough chances at bat'' represents the spirit of this great leader and sets an example for all of us to follow.

My heart goes out to his wife Clare of 55 years, his six children, and 10 grandchildren.

Stnaley O. McNaughton will be very much missed.●

DAN & WHIT'S

● Mr. LEAHY. Mr. President, if there is one thing that anyone who visits Norwich, Vermont does not forget, it is Dan & Whit's General Store. Dan & Whit's is a Vermont legend, as are its namesakes, Dan Fraser and Whit Hicks, who bought the store back in 1955. Since then it has become the unrivaled nerve center of business, socializing, and political debate for Norwich and the surrounding area. Whit died a while back, Dan has since retired and his wife Eliza, known to all as Bunny, who did the bookkeeping, died not long ago. But the store has not lost any of the Vermont character they gave to it. Fortunately it has stayed in the family. Today it is managed by Dan's sons George and Jack Fraser, with the help of George's wife Susan, Jack's daughter Cheri, George's sons Dan and Matt, and a throng of loyal employees, young and old.

When you first enter Dan & Whit's you think it is just another grocery store. Of course there is a lot more Vermont maple syrup and cheddar cheese. But then you notice winter boots and snowshoes hanging from the ceiling, and boxes of nuts and bolts and nails and screws and every type of hardware. There are pots and pans, outdoor clothing, pens and stationery, guns and ''No Hunting'' signs. Keep walking and you pass piles of the ''New York Times'' and the paint mixing machine, and then you realize you have barely scratched the surface. Through a door and around a corner there are aisles that stretch almost as far as you can see, stacked high with snow shovels, horse feed, half a dozen sizes of stove pipe, sheep fence, sewing pipe, sleds, saws and axes, rakes and wheelbarrows, mail boxes, window glass, there's no end to it. You can even bring in your fire extinguishers for recharging, Jack being the Captain of the Norwich Fire Department. Thus the Dan & Whit's motto, ''if we don't have it, you don't need it.'' Vermont author Noel Perrin once wrote, ''There may be a better general store in the United States. But I haven't heard of it.''

Mr. President, Dan & Whit's General Store is the unbelievable number and variety of things you can buy there, but it is also the extraordinary people who work there. In addition to the Fraser family members, it is people like Larry Smith, Linda Conrad, Al Langlois, Ron Swift, and Perry Wagner, who have been there for years and help make the store the one-of-a-kind place that it is. Dan & Whit's is people like Bill Fitzgerald, who finally retired after more than 30 years. Always in good spirits, always helpful, always finding what you need. And the one time in a million that they don't find

it, they will convince you that you did not need it in the first place.

Recently, ''The Norwich Times'' printed an article about Dan & Whit's that says it better than I can. I ask that the article be printed in the RECORD.

The article follows:

IF WE DON'T HAVE IT, YOU DON'T NEED IT

What has 22,600 square feet of space (but you'd never know it), and is filled with great stuff like aerators, Sorels, and the Sunday Times?

The legendary Dan & Whit's has stretched out along Main Street ever since the Merrill family opened their grain store in this location in 1891. At that time, the wandering building with the now-creaky wooden floors also housed Norwich's post office, town hall, and several small shops. Today, under the diligent management of owners George and Jack Fraser, this nerve center of Norwich is open seven days a week from seven o'clock in the morning until nine o'clock at night, three hundred and sixty four days a year.

ALL IN THE FAMILY

In 1955, Dan Fraser and his partner Whit Hicks bought it from Leon Merrill for whom they had worked since 1933. Dan and Whit plunged right in, expanding their merchandise to include newspapers, guns, beer, and wine. As the line of merchandise and inventory continually expanded, family members helped out. First it was Dan Fraser and his wife Bunny running it with Whit and Grace Hicks. Also at that time, grandfather John pitched in and cemented the basement of the store and stocked shelves, while the younger generation filled in after school. In 1973 when Dan bought out Whit and became sole proprietor, he was joined by his sons, George and Jack. Today, there are eight Frasers working at the store in various capacities.

GOOD PEOPLE

''What has kept me in the business is that I like the people. I would have retired before, but I know it's hard to find good people.''—Bill Fitzgerald, Dan & Whit's employee off and on since 1934.

When two brothers work 60 and 70 hours each per week, one wonders how they can keep the peace. Jack and George say their partnership works very well. ''We seldom fight,'' says Jack despite their grueling work schedules and the constant decisions that have to be made.

If you're looking for the people person, you'll find George up front managing staff, scheduling, hiring and training people and overseeing the Produce Department. Jack, on the other hand, is a product man. From his bench desk in the back of the store, he manages the Hardware and Housewares Departments.

No doubt the brothers are handy and resourceful people. However, working as many hours as they do, they gladly entrust some of the major responsibilities to guys like Larry Smith, one of their longest term employees, who runs the grocery department, and Al Langlois and Ron Swift who have the resourcefulness of a handy-man. Supervisor Linda Conrad oversees the check-out counters and trains many of the new hires. Then there's 82-year-old Bill Fitzgerald, with a white apron over his work attire, who cruises the aisles helping customers. Bill says that he first worked at the store in 1934, then after a number of years in the old drug stores in Hanover, came back in 1964. He's been at Dan & Whit's ever since.

THE STORE

''I use Dan & Whit's as part of my tour when showing property in Norwich. I always tell my customers to look around Dan & Whit's and be sure to go to the back. It's awesome.''—Brian Gardner, Realtor at The Gardner Agency, Main Street, Norwich

In the 22,600 square feet of space, 13,000 of that is devoted to selling. The basement is as large as the main store where vast amounts of goods are stored as is the huge supply of wood for the store's main source of heat—a large wood furnace. In former times, the store was heated by coal and then by oil. Now the Frasers use 16 to 20 cords of wood a year, most of it obtained by various arrangements Matt Fraser makes with loggers and wood lot owners. A back-up supply of split firewood is kept in the yard of Dan Fraser off Turnpike Road. In times of extreme cold, an old railroad stove in the basement is fired up.

THE CUSTOMER IS EVERYTHING

''We have a very serious responsibility to our customers, and if we can't serve them and the community, we are in trouble.''—George Fraser

The very lifeblood of Dan & Whit's is the customer. ''Helping our customers is most important for our business—more than any kind of media advertising,'' said George. ''We train and orient our employees to be nice to them,'' adds Jack.

With so many products, helping the customer adjust to new products and changing technology is a good example of the Dan & Whit's customer-friendly philosophy. Jack tells about the lady who came in to complain that the batteries she bought from Dan & Whit's weren't working. She overlooked the fact that she had to buy a charger for the batteries. ''Customers do get confused,'' he said.

NO CASH REQUIRED

''You know you have gone through an important rite of passage when you get to sign your name at Dan & Whit's—which seems to happen in the 3rd or 4th grade.''—Norwich attorney, Garfield Miller

Local, down-home trust has been a hallmark of Dan & Whit's for years. How many places do you know (and it's practically the year 2000) that still offer customer charge accounts. About 30% of Dan & Whit's customers have charge privileges which used to involve prepayments or deposits of up to $300, but that minor inconvenience has since been dropped.

''Personal trust helped the store develop customer loyalty,'' said George. ''. . . and it was also very convenient. If a customer forgot their checkbook or wallet, the store would carry them until the next time they came in.''●

TRIBUTE TO WOMEN'S SPORTS

● Mr. JEFFORDS. Mr. President, I rise today to pay tribute to the students, journalist, coach and business that have been recently recognized for their achievements in women's sports by the University of Vermont Women's Center in collaboration with the YWCA of Vermont as well as the Women's Sports Foundation. The recipients were selected from a long list of nominations based upon their contributions and support for women's athletics.

Sports play an integral role in the development of our children and help to bring communities together. By participating in sports, student athletes are exposed to a variety of situations that help to develop the skills they will need to succeed. As such, community support for these programs is of the utmost importance.

I am particularly pleased to see that the criteria for these awards included consideration of the students' academic performance, community involvement and leadership qualities.

I am thrilled that these awards acknowledge the contributions made by coaches, journalists and local businesses as well. Each plays a critical role in promoting school athletics. Coaches provide students with mentorship while journalists supply the public recognition and businesses contribute financially. Without the assistance of each, Vermont's student athletes would not have the opportunity to excel that they enjoy today.

In addition to the awards ceremony, the Professional Programs Division of Continuing Education hosted a teleconference for a number of recognized experts to discuss Title IX funding. Through our efforts in this field, significant progress has been achieved in providing women athletes with improved opportunities and better recognition, as is evident in this year's Olympic games.

Once again, I would like to congratulate this year's recipients and wish them luck in their future endeavors. Those recognized include:

HIGH SCHOOL STUDENTS

Katy Perinea—Middlebury
Courtney Swanda—Bennington
Margery Bolton—Bennington
Anne Dean—Burlington
Elizabeth Smith—Burlington
Laura Jagielski—Grand Isle
Erin Mascolino—Jeffersonville
Sara Stanley—Westfield
Heather Moylan—Newport
Elizabeth Smith—Saint Albans
Krista Calano—Saint Albans
Amber Atherton—Williamstown
Elizabeth Burt—Hyderville
Sarah Bourne—Pittsford
Alyse Averill—Barre
Hilary Goddrich—Northfield
Erin Hazen—Richford

COLLEGE STUDENT

Aimee Becker—Southern Vermont College

COACH

Missy Foote—Middlebury

JOURNALIST

Andy Gardiner—Burlington Free Press

BUSINESS

Howard Bank.●

SALUTE TO FUTURE BUSINESS LEADERS OF AMERICA—PHI BETA LAMBDA WEEK

● Mr. BREAUX. Mr. President, I rise today to commend the Future Business Leaders of America—Phi Beta Lambda (FBLA–PBL) for fifty-six years of service to America's students, teachers, businesses, and communities. During the week of February 8–14, educators, students, and business professionals across the country recognized National FBLA–PBL Week. I think this is a wonderful time for us to look back on the accomplishments of this organization, whose legacy leaves a strong foundation for education and the future of American enterprise.

On February 3, 1942, Dr. Hamden L. Forkner spearheaded the effort to create the first FBLA chapter in Johnson City, Tennessee. Dr. Forkner envisioned a national organization that would train high school students in the real-life aspects of the professional business world, and also develop their leadership, self-confidence, and patriotism. The FBLA concept quickly expanded, and membership grew many times over.

In 1958, the benefits of FBLA were extended to postsecondary students with the creation of Phi Beta Lambda. This professional business organization seeks to ease the transition from school to work for thousands of students by providing training in business leadership skills and connecting students with current industry leaders.

Over the years, FBLA–PBL has grown to encompass two additional divisions: a Professional Division, founded in 1989, for their partners, supporters and alumni; and the Middle Level, founded just a few years ago, which connects middle school and junior high students with basic leadership and business principles.

The mission of the FBLA–PBL is to bring business and education together in a positive working relationship through innovative leadership and career development programs. They accomplish this through a variety of national programs, including seven national leadership conferences, over seventy competitive events, strategic business partnerships, career expos, and community service.

Mr. President, in the past fifty-six years, FBLA–PBL has trained literally millions of today's leaders in American business. For fifty years now, Louisiana has benefited from the FBLA–PBL and today, there are approximately 7,000 members in my home state. I am proud to say that the National Phi Beta Lambda President is from Louisiana. This is truly an organization that has made a positive impact on my home state as well as on our country, proving that our youth are ready, willing, and able to take the reins of leadership and help guide us toward a brighter tomorrow. With over 240,000 members annually, FBLA–PBL is a shining example of what makes America great, and I am pleased to have this opportunity to recognize them for their efforts. I would like to take this opportunity for all of us to recognize and remember that FBLA–PBL has done a tremendous service for this country.●

HONORING THE HEROIC EFFORTS OF JOHN BENSCHEIDT

● Mr. CRAIG. Mr. President, all too often, we hear frightening stories about today's young people. I think it's important to remember that not all of them deserve that bad reputation. In fact, many—if not most—of our young people step up to the responsibility of caring for their communities and fellow citizens. I would like to take this opportunity to tell you about a heroic young Idahoan, John Benscheidt, who courageously saved the life of eight year-old Douglas Schedler. This remarkable youth responded to an emergency situation with the speed of a trained professional.

John Benscheidt was the only person to witness the heavy snow pile cascade off a condominium roof at Schweitzer Mountain and quickly bury a small child standing nearby. Without hesitating, John began digging with his snow board, trying to reach little Douglas trapped under five feet of snow. John's calls for help caught the attention of others in the area, who assisted in John's efforts to save the boy. After frantic minutes of searching, the child was retrieved and taken to Bonner General Hospital, where he was treated and released without serious injuries.

We are all grateful that John had the presence of mind to act quickly in a life-threatening situation. The inherent characteristics John demonstrated during this incident reflect a strong upbringing and profound awareness of human value. Let him serve as a reminder to all of us that we have exceptional youth in this country who contribute greatly to our communities and to our lives. It gives me great pleasure to honor such a fine young man.●

RADIATION EXPOSURE

● Mr. HARKIN. Mr. President, today I want to recognize those Americans who were exposed to radiation fallout from government testing of nuclear weapons in the 1950's, the effects of which are still being studied.

I was recently contacted by Karen Anderson and her two children, Leah and Seth, who are constituents of mine from Urbandale, Iowa. Included in their correspondence was a moving and touching tribute to Bob Anderson, their husband and father, who, after a lengthy and courageous battle, succumbed to cancer on September 7, 1996. As someone who grew up in Iowa and lost two sisters and a brother to cancer, I understand and empathize with their situation.

The letters, photos and other personal materials that made up a bound volume memorializing the life and struggle of Mr Anderson displayed the obvious affection and love he felt for everyone and that he received in return. In fact, dozens of friends and relatives signed the notebook in tribute to Bob Anderson. It is always a tragedy when someone is taken from us when they have so much left to offer. There is no doubt he will be greatly missed by all.

The anguish of the Anderson family was compounded by the circumstances surrounding the cause of Mr Anderson's cancer. Atomic bomb tests in Nevada during the 1950's exposed millions of Americans—particulary children—to large amounts of radioactive Iodine-131, which accumulates in the thyroid gland and has been linked to thyroid cancer. ''Hot Spots''—where the Iodine-131 fallout was the greatest—were identified as receiving 5–16 rads of Iodine-131

To put that in perspective, Federal standards for nuclear power plants require that protective action be taken for 15 rads. To further understand the enormity of the potential exposure, consider this—116 million curies of Iodine-131 were released by the above ground nuclear weapons testing in the United States compared with 7.3 million from the Chernobyl nuclear power plant disaster in the former Soviet Union. Exposing our citizens to these risks is unacceptable.

The ''Hot Spots'' included many areas far away from Nevada, including New York, Massachusetts and Iowa. Due to the character of Iodine-131, those exposed to the highest concentrations were those who drank large amounts of milk from cows that grazed in fields with radiation fallout. Because their thyroids are smaller and still growing, children were most vulnerable.

Mr. Anderson grew up in Iowa in Woodbury County , an area noted as a hot spot by the National Cancer Institute (NCI). He also suffered from Thyroid cancer. It is understandable that his family now wonders whether his cancer could have been detected and treated more effectively if the NCI information was known earlier.

This hits very close to home for me. During the 1950's, like Bob Anderson, I was living in a rural Iowa county which has now been identified as a ''Hot Spot'' by the long delayed National Cancer Institute study. Along with many Iowans, I drank milk from cows kept on the farm. This increased the risk faced by myself and my family because of the accumulation of radioactive iodine in milk.

When it comes to the government and nuclear testing, history shows the problem hasn't just been a fallout of radiation, but withholding of facts which may be detrimental to the public health. Information has come to light that government officials were aware that fallout from nuclear testing would contaminate areas that were hundreds, even thousands, of miles away. Additionally, it is outrageous that the government provided maps and forecasts of potential radioactive contamination to the Kodak film corporation during the 1950's and not to the American public. As I've said before, if we could protect a roll of film, we should have protected the parents and children.

On October 1, 1997, the Senate Labor, Health and Human Services Appropriations Subcommittee held hearings where I raised questions about Iodine-131 fallout and its impact on our nation's citizens. I am working with NCI and other federal health agencies to ensure that useful and timely guidelines on the health impacts of radioactive fallout from nuclear weapons testing gets to physicians and concerned scientists. Although NCI has started this process, a lot more needs to be done.

There is strong evidence that exposure to other radioactive isotopes, such as strontium 90, cesium 137, and barium 140, which were also spread by nuclear testing, could lead to bone cancer, leukemia, higher infant mortality, and a host of other illnesses. This needs to be examined. So do the nuclear weapons tests that took place in other parts of the United States and around the world. I am hopeful that my colleagues will support legislation I have introduced, S.1524, which continues the study of the health impacts of nuclear fallout. I feel this is important legislation that needs to become law this year.

I am grateful to the Anderson family for sharing their highly personal and powerful story of the struggle with Bob's illness and the lack of forthcoming information on the potential exposure to radiation fallout in the 1950's. A story like the Anderson's underscores the need for accurate and timely dissemination of information to protect the public health.

Mr. President, I ask to include a letter from the Anderson family in the RECORD.

The letter follows:

Urbandale, IA, January 20, 1997.

Hon. TOM HARKIN,
U.S. Senator, Federal Building, Des Moines, IA.

DEAR SENATOR HARKIN: My name is Bob Anderson. My family has been reading with great interest the newspaper articles that have appeared in the Des Moines Register regarding the radioactive fallout that resulted from the more than 90 atomic bombs detonated above and below ground between 1951 and 1970. I was born in Woodbury County on October 3, 1952 and lived there until I left to attend college in 1970. As you are aware, Woodbury County received moderate levels of radioactive fallout (6.1 rads) from the above-ground atomic bomb tests between 1951 and 1962, and was one of four counties to be repeated in the list of Iowa counties receiving radiation from underground nuclear tests (1960–1970).

In October 1992, at the age of 40, I noticed a large lump in my neck and showed the lump to my family physician during my annual physical exam. He told me that the lump was just a fat deposit and to go home and not worry about it. About six months later, I mentioned the lump to my wife and she advised me to see a specialist as soon as possible. In March of 1993, I went to an ear, nose and throat specialist who spent several weeks performing a needle biopsy with no results. In April of 1993, I underwent a thyroidectomy. The surgeon removed only the side of my thyroid which contained the tumor. Two weeks later the final biopsy confirmed the 2¼ centimeter tumor was malignant. I then saw an oncologist who advised me the other side of my thyroid should be removed immediately so I could start my radioactive iodine treatments to rid my body of any remaining cancerous thyroid tissue. I visited another surgeon the remove the remaining thyroid. He was very apologetic but said that he could not remove the rest of my thyroid until my incision was completely healed which would take six more months. From the time I first showed the lump to a physician until the time that I received my radioactive thyroid treatments for cancer, over one year had elapsed.

My family wonders if the information from the National Cancer Institute had only been released earlier, if my physicians would have taken a more serious approach to the ''fat deposit'' in my neck. The also wonder if this information had been made available to the public earlier, if *I* would have been so trusting of my doctors' opinions. Many wrong choices and assumptions were made in regard to my thyroid cancer. Knowledge is power and without the knowledge of the exposure I had as a youth to the radioactive fallout, I was rendered powerless.

In 1996 I was diagnosed with multiple myeloma, a very deadly cancer. I went to the University of Iowa Hospital and found out that I had had the multiple myeloma at the same time that I had the thyroid cancer. In order to survive, I would have to undergo a bone marrow transplant. Because I was adopted, I could not find a related bone marrow donor. An unrelated donor was located, and in July of 1996 I received my bone marrow transplant. On September 7, 1996, in spite of the love and prayers of family and friends, I died from rejection of the transplant.

After my death, my wife, Karen, saw Dr. Andrea McGuire (nuclear medicine physician) interviewed on TV13. When Dr. McGuire told about her three in-laws from Woodbury County who had all developed thyroid cancer, my wife decided to call her to share my story. One of Dr. McGuire's relatives was born the same year that I had been born (1952) and also developed cancer at age 40 like me. My wife read to Dr. McGuire a portion from a National Cancer Institute publication entitled, ''What You Need to Know About Multiple Myeloma.'' In that publication, under the subheading, ''Possible Causes,'' it states, Some research suggests that certain risk factors increase a person's chance of getting multiple myeloma. * * * In addition, people exposed to large amounts of radiation (such as survivors of the atomic bomb explosions in Japan) have an increased risk for this disease. Scientists have some concern that small amounts of radiation (such as those radiologists and workers in nuclear plants are exposed to) also may increase the risk.'' Dr. McGuire not only agreed my multiple myeloma was caused by the radioactive fallout but even told my wife that the radionuclide strontium 89 would have been directly responsible since it collects in the bone marrow after it is ingested by the body.

The main purpose of my letter is to let you know my family believes that I was a victim of radioactive fallout. I, like millions of others, was an innocent infant when the atomic bomb tests were being conducted. I can't think of anything more evil than a government that would intentionally contaminate their own population, especially babies and small children.

I have enclosed some photos of myself and my family. I want you to see what I looked like as a small child when the atomic bombs were being detonated. I want you to see that I was a caring son, wonderful brother, loving husband, adored father and I treasured friend.

Since I could not write this letter for myself, my family and friends decided to write it for me. I hope you don't mind that they have signed it for me also.

Senator Harkin, please keep fighting for the truth. Only when the American people have the whole truth, will they have the power and control over their own lives. It is my hope that this letter will encourage the release of all information that the government has regarding radioactivity and it's connection with *all* forms of cancers. It is also my prayer that this information may help others.

Senator Harkin, please don't forget me. Please don't let my death be in vain.

In Loving Memory of Bob Anderson,
KAREN ANDERSON, *Widow.*
LEAH ANDERSON, *Daugher.*
SETH ANDERSON, *Sen.*●

TELECOMMUNICATIONS ACT OF 1996

● Mr. THOMAS. Mr. President, Sunday, February 8 marked the second anniversary of the signing of the landmark Telecommunications Act of 1996. As we take this opportunity to reflect on the state of telecommunications reform, I rise to share my concerns with the implementation of a critical provision of the historical law—the provision dealing with universal telephone service.

The Telecommunications Act of 1996 ordered the overhaul of the estimated $23 billion in subsidies currently used to fund universal telephone service. Congress intended all implicit subsidies to universal service to be removed from rates and transferred to a new explicit Universal Service Fund to be supported equally by all carriers.

In the face of declining telephone rate support, through federally mandated access charge reduction and new competitors targeting the most profitable markets and services, a sustainable universal service support mechanism is ever more important. I view with great concern the Federal Communication Commission's (FCC) current formula for universal service support: twenty-five percent of funding from federal sources and seventy-five percent from each state.

Many states, like Wyoming, clearly are not in a position to bear seventy-five percent of the universal service burden alone. Universal service is a shared state-federal responsibility. The best approach to fulfill Congress' intent and ensure affordable phone service in all corners of the country is to create a national universal service fund that ensures support reaches where it is needed most.

The fund should be based on interstate and intrastate telecommunications revenues and cover one-hundred percent of the subsidy needed to keep phone rates affordable for customers in rural and high-cost areas. With a national fund, all telecommunications service providers would contribute a portion of their revenues to support reasonable rates across the country. In other words, service providers in more urban, low-cost areas would help support affordable phone service in rural, high-cost areas.

Leaving seventy-five percent of the funding responsibility to the states would place a disproportionate burden on consumers, service providers and utilities commissions in rural states like Wyoming. Such a burden could result in higher phone rates and reduce network investment—both of which would have a chilling effect on economic development opportunities. Since telecommunications is a vital element of commerce, disparate universal service surcharges on communications services between states

would divert industries and job growth away from the rural areas that need it the most.

Mr. President, I submit for the RECORD a letter I wrote with the other members of the Wyoming delegation to the FCC on this issue. There is still time for the Commission to get this funding problem right. We must ensure that all customers across the country continue to have access to quality local phone service at affordable rates.

The letter follows:

U.S. SENATE,
Washington, DC, July 23, 1997.

Hon. REED E. HUNDT,
Chairman,
Federal Communications Commission,
Washington, DC.

DEAR CHAIRMAN HUNDT: Reforming our nation's universal service system is a tremendous challenge, and one that will have lasting implications for telephone customers in Wyoming and other rural states. In your work on the Joint Board, we encourage you to protect the interests of rural consumers and create a national high-cost fund that sends support dollars where they are needed most. By doing this, you will fulfill the clear mandate of the Telecommunications Act of 1996 and help sustain a truly national communications system available to all citizens.

In the face of declining telephone rate support, through federally mandated access charge reductions and new competitors targeting the most profitable markets and services, a sustainable universal service support mechanism is ever more important. We therefore view with great concern the current formula for universal service support: 25 percent of the funding comes from federal sources and 75 percent from the states.

In Wyoming, with its vast terrain and dispersed and relatively small population, a 75 percent state funding responsibility will have a clear, immediate and detrimental effect on phone rates. Although Wyoming has a universal service funding mechanism, it is beyond the capacity of Wyoming to absorb the huge increases in costs that a 25/75 split would create for it. It is clear to us that a federal universal service fund that pays only 25 cents on every dollar of high-cost telephone service will shortchange thousands of Wyoming telephone customers, and millions of others across the country.

Universal telephone service is a national commitment requiring strong federal support. In that regard, the Telecommunications Act of 1996 envisioned a partnership between the states and the federal government to work together on the nation's telecommunications challenges. We urge you to adopt a national high-cost fund that provides all of the rate support needed to keep Wyoming customers connected to the public telephone network. Only with a national fund available to all high-cost service providers can customers in our state be assured of affordable access to this vital communications link.

Thank you for your consideration of this matter. We hope you will join us in supporting a cooperative national solution for universal service.

Sincerely,

CRAIG THOMAS,
U.S. Senator.
MICHAEL ENZI,
U.S. Senator.
BARBARA CUBIN,
Member of Congress.●

FEBRUARY IS AMERICAN HEART MONTH

● Mr. DORGAN. Mr. President, I stand in observance of American Heart Month. This is an annual event since 1964 resulting from passage of a joint Congressional resolution asking the President to proclaim each February as American Heart Month. In declaring February as American Heart Month for the last 34 years, both the Congress and the President recognize the seriousness of heart disease and the need to continue the battle against this our country's number 1 killer and a leading cause of disability.

American Heart Month takes on an added significance in 1998 because both the National Institutes of Health's National Heart, Lung, and Blood Institute and the American Heart Association are celebrating their 50th anniversaries—50 proud years for both national organizations.

The NHLBI is the federal government's leading supporter of heart research and educational programs. The American Heart Association is the nation's largest voluntary health organization dedicated to the reduction of death and disability from heart attack, stroke and other cardiovascular diseases—the leading cause of death in the United States.

There have been wonderful discoveries made through research and wonderful treatments that are provided in our hospitals in the area of cardiology. Yet there is so much we still do not know. It seems to me more and more research can unlock these mysteries and give us the opportunity to save more and more lives in this country.

Virtually all of us have a friend or a loved one who has been affected by heart attack, stroke or other cardiovascular diseases. As many of my colleagues know, I have a very personal interest in trying to provide additional resources for NHLBI to be used to provide funding vitally needed for heart and stroke-related research.

I have become increasingly concerned, however, with what has been happening to the amount of money spent on heart research by the federal government. Even with the significant increases that Congress has been giving to the NIH over the past decade, funding for heart research has simply not kept pace. In fact, funding for heart research at the NHLBI appears to be losing more and more ground.

In constant dollars from FY 1985 to FY 1995, funding for the NHLBI heart program decreased 4.8 percent.

In constant dollars from FY 1986 to FY 1996 funding for the NHLBI heart program declined 5.5 percent.

And, in figures just released by the NHLBI, funding for the heart program decreased by 7.6 percent in constant dollars from FY 1987 to FY 1997.

We can do better, and we must do better. Our nation must do a better job than this in the battle against America's No. 1 killer.

During the commemoration of this 50th anniversary of the 1948 Heart Act, which created the National Heart Institute, I call on the on the President and every one of my colleagues to take three pivotal steps to make more progress against this insidious disease:

Commit to providing a significant increase in funding for research against heart attack, stroke and other cardiovascular diseases;

Establish a Presidential Commission on Heart Disease and Stroke, similar to the one convened by President Lyndon Johnson in 1964. Today, 34 years after the first Presidential Commission, these diseases remain the first and third largest killers in America; and

Convene a National Conference on Cardiovascular Diseases sponsored by the NHLBI and the Centers for Disease Control and Prevention. The first one was sponsored by the National Heart Institute and the American Heart Association in 1950 to ''summarize current knowledge and to make recommendations concerning further progress against heart and blood vessel diseases.'' I think it is time we take another systematic look at the status of our heart disease research efforts to date and the areas that need further research.

These steps are vital to the health and well being of the more than 57 million Americans with one or more types of cardiovascular disease.

I ask that this year's Presidential proclamation on American Heart Month be printed in the RECORD.

AMERICAN HEART MONTH, 1998

A PROCLAMATION BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

Fifty years ago, a heart attack meant an end to an active lifestyle, and, for a third of those stricken, it meant death. Thankfully, the past half-century has brought us an array of advances in the prevention and treatment of heart disease. Procedures such as balloon angioplasty and coronary artery bypass grafts, noninvasive diagnostic tests, and drugs that treat high blood pressure and clots and reduce high blood cholesterol have enabled Americans to live longer and healthier lives. Equally important, we have become better educated during the past five decades about heart disease risk factors and how to control them.

This year, two of the groups most responsible for this remarkable progress—the National Heart, Lung, and Blood Institute and the American Heart Association—are celebrating their golden anniversaries. The National Heart, Lung, and Blood Institute, part of the National Institutes of Health, leads the Federal Government's efforts against heart disease by supporting research and education for the public, heart patients, and health care professionals. The American Heart Association plays a crucial role in the fight against heart disease through its research and education programs and its vital network of dedicated volunteers.

Despite the encouraging developments in that fight, we still face many challenges. Heart disease continues to be the leading cause of death in this country, killing more than 700,000 Americans each year. The number of Americans with heart disease or a risk factor for it is staggering. Approximately 58 million have some form of cardiovascular disease, about 50 million have high blood pressure, and about 52 million have high

blood cholesterol. Americans are also becoming more overweight and less active—two key factors that increase the risk of heart disease. Most disturbing, for the first time in decades, Americans are losing ground against some cardiovascular diseases. The rate of stroke has risen slightly, the prevalence of heart failure has increased, and the decline in the death rate for those with coronary heart disease has slowed.

Women are particularly hard hit by this disease, in part because public health messages too often have not focused on how this segment of our population can best protect their hearts. The American Heart Association recently discovered that only 8 percent of American women know that heart disease and stroke are the greatest health threats for women, and 90 percent of women polled did not know the most common heart attack signals for women.

For a variety of reasons, including poorer access to preventive health care services, minorities in America have high mortality rates due to heart disease. The American Heart Association reported that, in 1995, cardiovascular disease death rates were about 49 percent greater for African American men than for white men, and about 67 percent higher for African American women than white women. In addition, the prevalence of diabetes—a major risk factor for heart disease—is very high in some of our Native American populations, and Asian Americans have a high mortality rate for stroke.

However, both the National Heart, Lung, and Blood Institute and the American Heart Association have undertaken activities to counter these trends. Both groups have initiated major efforts to better inform women and minorities about the threat of heart disease and the steps that can be taken both to prevent and treat it. These fine organizations also continue their efforts to educate health professionals on improving medical practice in heart health and to inform patients and the public about how to reduce their risk of heart disease. As we celebrate their 50th anniversaries, let us resolve to build on their record of accomplishment. By continuing our investment in research, raising public awareness of the symptoms of heart disease, and educating Americans about the importance of a heart-healthy diet and exercise, we can continue our extraordinary progress in saving lives and improving health.

In recognition of these important efforts in the ongoing fight against cardiovascular disease, the Congress, by Joint Resolution approved December 30, 1963 (77 Stat. 843; 36 U.S.C. 169b), has requested that the President issue an annual proclamation designating February as ''American Heart Month.''

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim February 1998 as American Heart Month. I invite the Governors of the States, the Commonwealth of Puerto Rico, officials of other areas subject to the jurisdiction of the United States, and the American people to join me in reaffirming our commitment to combating cardiovascular disease and stroke.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of January, in the year of our Lord nineteen hundred and ninety-eight, and of the Independence of the United States of America the two hundred and twenty-second.

WILLIAM J. CLINTON.●

CHRISTMAS IN APRIL PROVIDENCE 5–YEAR ANNIVERSARY

● Mr. REED. Mr. President, I rise today to pay tribute to Christmas in April USA, our Nation's oldest volunteer home repair initiative. This program has helped to rehabilitate the homes of over 31,000 elderly, low-income, and disabled individuals nationwide.

I would particularly like to recognize the 5th anniversary of the Christmas in April program's arrival in Providence, Rhode Island, where it is making a difference in many communities. In just five years, Providence's Christmas in April has helped to restore over 100 dwellings, through the efforts and commitment of thousands of volunteers. Indeed, this important initiative has dedicated almost $1 million to improve our communities and to help Rhode Island's less fortunate homeowners. The Christmas in April program exemplifies the true spirit of volunteerism.

Mr. President, I would particularly like to commend Providence College and its President, Reverend Philip A. Smith, for his leadership in creating our nation's first Christmas in April campus chapter. I am convinced that this unique volunteer service organization will continue to better Rhode Island's communities for many years to come.●

JUNIOR LEAGUE OF STAMFORD-NORWALK

● Mr. LIEBERMAN. Mr. President, I rise today to honor the Junior League of Stamford-Norwalk, based in Darien, Connecticut, on their 75th anniversary.

For 75 years the Junior League of Stamford-Norwalk has worked to promote volunteerism, develop the potential of women, and improve the community through the effective action and leadership of trained volunteers. Since Junior League of Stamford-Norwalk was founded in 1923, their members have donated more than 2.5 million volunteer hours to meeting the needs of the area towns it serves. In doing so, they have touched many lives and served innumerable members of the community with their hard work and generous spirit. Their donation of time and money has helped organizations such as the Volunteer Center, the Women's Crisis Center, Lockwood Mathews Mansion, and the Maritime Aquarium at Norwalk to better serve the people of the area. The work of the Junior League of Stamford-Norwalk over the past 75 years had made it a cornerstone of the community, and the people of Connecticut thank them for their service, dedication, and contribution to their communities.●

RENAMING WASHINGTON NATIONAL AIRPORT

● Mr. DORGAN. Mr. President, the proposal in Congress to rename the Washington National Airport for former President Ronald Reagan has caused some to claim that anyone who opposes the change is expressing a partisan view.

I greatly respect and admire former President Reagan. I have supported naming Washington, D.C.'s largest federal office structure the Ronald Reagan Building. The ceremony to do that will be held in the next few months. I also have supported naming the aircraft carrier that is currently under construction the U.S.S. *Ronald Reagan*.

But I did not think it was appropriate for Congress to dictate a name change to the local airport authority. The bill turning over the authority for the airport to a metropolitan airport authority was signed by President Reagan nine years ago. I don't think the spirit of that transfer of control is served by a proposal directing the airport authority to rename the airport.

That airport is now named after America's first President. In fact, the porticos in the architecture of the Washington National Airport were designed to resemble Mount Vernon.

Again, while I admire and respect President Reagan, I believe that it's most appropriate that the principal airport serving our nation's capital retains the name of our first President. However, I did vote for an amendment that would permit renaming it, provided the local airport authority chose to do so. I think that is the appropriate course.●

MEDICARE TRANSFER REPEAL

● Mr. GRASSLEY. Mr. President, on February 4, I joined Senator D'AMATO in introducing legislation to repeal a provision of the Balanced Budget Act of 1997 which penalizes hospitals that provide appropriate and efficient care. This law punishes hospitals that make use of the full continuum of care and discourages them from moving patients to the most appropriate levels of post-acute care.

The current hospital prospective payment system is based on an average length of stay for a given condition. In some cases, patients stay in the hospital longer than the average and in other cases their stay is shorter. Historically, a hospital has been reimbursed based upon an average length of stay regardless of whether the patient remained in the hospital a day less than the average or a day more than the average. When the Balanced Budget Act transfer provision takes effect, however, this will no longer be the case.

This new policy penalizes facilities that transfer patients from the hospital to a more appropriate level of care earlier than the average length of stay. It encourages hospitals to ignore the clinical needs of patients and keep them in the most expensive care setting for a longer period of time. In short, it offers an incentive for hospitals to provide an unnecessary level of care, for an unnecessary length of time.

The transfer policy is particularly hard on hospitals in low-cost states like Iowa, where the cost of implementation has been estimated at $25 million a year. Because Iowa's hospitals

practice efficient medicine, they have average lengths of stay well below the national average. These hospitals will be hit especially hard. This kind of perverse incentive is part of the problem with Medicare, not part of the solution.

I understand that there may be concerns about abuses by some hospitals moving patients to lower levels of care sooner than is clinically appropriate. If that is a problem, let's attack it. But let's not punish all hospitals—especially the most efficient for the sins of a few others.

In addition to the irrational incentives this policy creates, there is the very real problem of administering it. This law holds hospitals accountable for the actions of patients that are no longer under their care. If a Medicare beneficiary were discharged from the hospital without the expectation of a need for further care and circumstances changed, the hospital would not be entitled to the full Medicare payment. But the reality is that, the hospital may or may not know of this change. The law sets hospitals up for accusations of fraud due to events that are completely beyond their control.

This law is a serious roadblock to the provision of appropriate and efficient care. The repeal of this legislation will help ensure that logical coordinated care remains a primary goal of the Medicare program.●

IN MEMORY OF DONALD RUSSELL

● Mr. HOLLINGS. Mr. President, South Carolina lost one of its greatest citizens when former Governor, former U.S. Senator, and Federal Judge Donald Russell passed away Sunday night. I am both greatly saddened and honored to pay tribute today to the exemplary life of this extraordinary man.

In addition to his many years of public service as Governor, U.S. Senator, and Federal Judge, Donald Russell also served as president of the University of South Carolina from 1952 to 1957. During the Second World War, he served in the War Department and as a special assistant to James F. Byrnes until 1943. In 1943, he entered upon active duty in the U.S. Army; he was decommissioned as a major in 1944 after serving with Supreme Allied Headquarters. He was present at Yalta with James Byrnes and President Roosevelt. Following the War, he served for two years as Assistant Secretary of State for Administration.

Some in this Chamber remember Donald Russell as an esteemed colleague who served with great distinction in the United States Senate in 1965 and 1966. During his time in the Senate, Senator Russell was known as a serious, conscientious, and particularly intelligent lawmaker, dedicated to his country and to his state. Both South Carolina and the United States benefitted from Senator Russell's wise and vigorous leadership.

Before entering the Senate, Donald Russell served as Governor of South Carolina. His governorship was one of the most progressive, most active, and most important in my state's history. For example, he strongly supported and helped fund the statewide system of technical colleges that has been essential to South Carolina's dramatic economic growth for the past two decades. But the hallmark of Donald Russell's governorship was his commitment to racial reconciliation and fair treatment for all in South Carolina.

Mr. President, the best way to illustrate Donald Russell's caring, generous, and just nature and his commitment to equitable and progressive policies is to relate a vignette. On his inauguration as Governor, Donald threw a barbecue for the people of South Carolina—all the people. This was unprecedented: never before in South Carolina had a governor thrown a party and invited all the state's people—white and black—to attend. For the first time, the Governor shook many black as well as white hands in his receiving line. Donald's act was as bold as it was wonderful, and it set the tone for his governorship, during which he worked to encourage the citizens of South Carolina to accept the end of the pernicious system of segregation.

After leaving the Senate, Donald was appointed by President Lyndon Johnson to the United States District Court for the District of South Carolina. In 1971, Judge Russell was appointed by President Richard Nixon to the United States Court of Appeals for the Fourth Circuit. For over thirty years, Judge Russell served with great distinction and earned a reputation as one of America's most respected jurists. His intellect remained keen to the end and he never accepted senior status. His years on the bench set a standard for judicial integrity, wisdom, and fairmindedness that will endure for many years. In fact, it was as a jurist that Donald Russell found his true calling. I doubt that I ever have seen or will see another jurist to surpass him.

For more than fifty years, Mr. President, I have known Donald Russell to be one of the most dedicated public servants in South Carolina's rich history. His dedication to improving the lives of everyday citizens has inspired me throughout my own career in public service. I am proud to have been his friend and colleague, and I send his family my sincere condolences.●

TRIBUTE TO THE HONORABLE STAN CAVE: REPUBLICAN LEGISLATOR OF THE YEAR

● Mr. McCONNELL. Mr. President, I rise today to pay tribute to Stan Cave, who represents the 45th district (Lexington) in the Kentucky House of Representatives. Representative Cave has been recognized by the National Republican Legislators Association as one of their ten Legislators of the Year.

I am proud to have joined several of his General Assembly colleagues in nominating Stan for this award. I have worked closely with Stan since his election to the Kentucky House of Representatives in 1993, on a variety of issues of importance to our constituents.

Since his election, Stan has risen quickly in the Republican leadership in the Kentucky House. He currently serves as Chairman of the House Republican Caucus. For the past two years, Stan has played a major role in overhauling Kentucky's Workers' Compensation laws, as well as other important issues ranging from Higher Education Reform to the state budget.

Outside of the General Assembly, Stan has been very generous with his time to both Republican causes and candidates for office. As Recruitment Chairman for the Fayette County Republican Party, Stan has worked tirelessly to find quality candidates for Congress, the state legislature, Mayor and Council in his home community of Lexington, Kentucky.

Mr. President, in just a few short years, Stan Cave has become a respected contributor to Kentucky government and politics. His meteoric rise has now been recognized and rewarded by the National Republican Legislators Association as a 1997 Legislator of the Year, a great and well deserved honor.●

TRIBUTE TO THE CORVETTE: MOTOR TREND'S 1998 CAR OF THE YEAR

● Mr. McCONNELL. Mr. President, I rise today to celebrate the recent recognition of the redesigned Chevrolet Corvette as Motor Trend magazine's 1998 Car of the Year. By recognizing the 1998 Corvette with one of the automobile industry's most prestigious awards, the editors of Motor Trend bestow a great honor, not only on the car, but more importantly on those men and women who design and build the Corvette in Bowling Green, Kentucky.

Motor Trend—in celebrating the radically-redesigned 1998 Corvette—points to the new, cleaner 5.7 liter/345 horsepower V–8 engine, a lighter, more refined chassis, and an impressive 24.9 cubic feet of cargo space, noting that ''the new Corvette will be remembered as one of the greatest cars in American automotive history.''

The selection of the Corvette further signals the resurgence of great American cars. I am proud that the Corvette has been at the forefront of this revival.

This award is a testament to the tireless efforts of those in Bowling Green who have designed and assembled the Corvette since 1981, when the shiny new plant was born from an old Chrysler Air Temps facility. Since Corvette production moved from St. Louis 18 years ago, the people of Bowling Green have been proud to carry on the tradition of America's original roadster.

Mr. President, by honoring the Corvette, the editors of Motor Trend honor all the hard-working men and women

in my home state of Kentucky who have played a role in all stages of the production of the new, 5th generation Corvette. I offer my congratulations to all those who work for Chevrolet in Bowling Green, whose innovative thinking and diligence has resulted in the Corvette winning this prestigious award.●

TRIBUTE TO THE TOYOTA CAMRY: AMERICA'S No. 1 SELLING CAR

Mr. McCONNELL. Mr. President, I rise today to recognize the employees at the Erlanger, Kentucky, headquarters of Toyota's North American manufacturing operations as well as those at the Georgetown Toyota assembly plant whose dedication and hard work have resulted in the Toyota Camry becoming the number one selling car in the United States for 1997.

By recording its best-ever sales month in December, the Camry edged past traditional favorites—the Honda Accord and the Ford Taurus—to become the best selling car in the United States—the first time a Toyota automobile has been so recognized.

Because dealers had a hard time keeping both the Accord and the Camry in stock this year, the primary factor in determining which model sold best was which company could get the most out of its assembly line. I am proud to report that, because of the industriousness of those men and women who work in the Georgetown plant, there were enough Camrys on dealer's lots to outsell both the Accord and the Taurus. And by the way, 80% of all Camrys sold in the U.S. have been assembled in Georgetown.

This past year, the Camry plant in Georgetown increased production by 12% over the previous year, mostly by improving efficiency on the assembly line and pressing suppliers to keep up with their demand for raw materials.

Despite the tremendous growth this year, officials at the Georgetown plant say that they intend to build even more Camrys next year, as they improve the speed of the assembly line and further improve the plant's efficiency.

Mr. President, again, I would like to congratulate all those men and women associated with Toyota Motor Sales, USA, particularly those in Erlanger and Georgetown, whose dedication and hard work made the Camry 1997's top selling car.

SUBMISSION OF SENATE RESOLUTION

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

(The remarks of Mr. SPECTER pertaining to the submission of S. Res. 179 are located in today's RECORD under ''Submissions of Concurrent and Senate Resolutions.'')

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

CAMPAIGN FINANCE REFORM

Mr. MURKOWSKI. Mr. President, the debate that we begin today on campaign finance reform must be prefaced with one question: To what extent, if any, should the Federal Government regulate political speech in our country?

The President has endorsed Senator MCCAIN and Senator FEINGOLD's campaign finance reform legislation. However, I cannot.

Campaign finance reform debate is not just about politicians and their campaigns. At the core of this issue is the First Amendment. The government must tread lightly in attempts to place limitations on speech. The government can no more dictate how many words a newspaper can print than it can limit a political candidate's ability to communicate with his or her constituents

The McCain-Feingold legislation bristles with over a dozen different restrictions on speech—provisions that, I believe, flagrantly violate the First Amendment as interpreted by the Supreme Court.

I cannot overemphasize this point. George F. Will, in a Washington Post editorial stated of the McCain Feingold bill:

> Nothing in American history—not the left's recent campus speech codes,' not the right's depredations during the 1950s McCarthysim or the 1920s 'red scare,' not the Alien and Sedition Acts of the 1790s—matches the menace to the First Amendment posed by campaign 'reforms' advancing under the protective coloration of political hygiene.'

Mr. President, I would point out that the 1996 presidential system of campaign finance clearly reveals that two significant problems exists with our current election process:

1. Too much money is spent on campaigns; and 2. Current laws are not enforced.

Unfortunately, McCain-Feingold would do little to end the vicious cycle of fundraising. In fact, if anything, it would only prolong the campaign calendar. Since McCain-Feingold contains restrictions on express advocacy'' financed by soft money only 60 days before an election—that will mean that money will simply be raised earlier in the calendar year, and the election season will seem virtually unending.

And what is ''express advocacy?'' If this proposal ever becomes law, we can change the name of the Federal Election Commission to the Federal Campaign Speech Police. Every single issue advertisement will be taped, reviewed, analyzed and litigated over. The Speech police will set up their offices in all 50 states to ensure the integrity of political advertising. Is that what we in this chamber really want? I don't think so. But that is what will inevitably happen if we adopt McCain-Feingold.

Mr. President, the political tactics and schemes of the 1996 Presidential election campaign reveal the abuses involved in our current system. Bottom-line, our current election laws are not being enforced.

It's interesting to note that where the lack of law enforcement has become the most apparent is in the one area that receives guaranteed federal funding via a tax subsidy—federal presidential elections.

As grand jury indictments amass with regard to Democratic fundraising violations in the 1996 Presidential election, we learn more and more about President Clinton's use of the perquisites of the Presidency as a fundraising tool. It's important to recall some of those abuses as we begin our debate on campaign reform. And please keep in mind my point here is existing campaign laws are not being enforced.

First, the Lincoln bedroom. During the five years that President Clinton has resided in the White House, an astonishing 938 guests have spent the night in the Lincoln bedroom, and generated at least $6 million to the Democrat National Committee.

Presidential historian, Richard Norton Smith, stated that there has ''never been anything of the magnitude of President Clinton's use of the White House for fundraising purposes. . .it's the selling of the White House.''

Presidential Coffees. President Clinton hosted 103 ''presidential coffees.'' Guests at these coffees, which included a convicted felon and a Chinese businessman who heads an arms-trading company, donated $27 million to the Democrat National Committee.

President Clinton's Chief of Staff, Harold Ickes, recently turned over a large number of documents that show figures for both expected and actual donations from nearly every White House coffee. Mr. Ickes gave the President weekly memorandums which included projected monies he expected each ''Clinton coffee'' would raise. He projected each would raise no less than $400,000.

Here's a comparison: President Bush hosted one ''presidential coffee.'' No money was raised. The cost was $6.24.

Foreign Contributions. Investigations by both the Senate Government Affairs Committee and the Department of Justice into campaign abuses in the 1996 presidential campaign have revealed that the Democrats recklessly accepted illegal foreign donations in exchange for presidential access and other favors. A few examples:

First John Huang. John Huang, raised millions of dollars in illegal foreign contributions for the Democratic National Committee (DNC), which the DNC has already returned.

Huang, despite being wholly unqualified according to his immediate boss, received an appointment to the Department of Commerce, where he improperly accessed numerous classified documents on China.

Huang made at least 67 visits to the White House, often meeting with senior officials on US trade policy.

Senator SPECTER stated that the activities of Mr. Huang at the Commerce Department had ''all the earmarks of. . .espionage.''

Second Charlie Trie.

Longtime friend of Bill Clinton, raised and contributed at least $640,000 contributions to Clinton, GORE and the DNC.

Shortly thereafter, Clinton signed an executive order to increase the size of the US Commission on Pacific Trade and appointed Trie to the Commission.

On January 29th of this year, the Department of Justice indicted Trie on charges that he funneled illegal foreign contributions to the 1996 Clinton-Gore reelection campaign in order to buy access to top Democratic Party and Clinton Administration officials.

MONEY LAUNDERING

Vice President GORE was present at an event at a Buddhist Temple where $80,000 in contributions to the DNC were laundered through penniless nuns and monks.

Vice President GORE offered differing characterizations of the Buddhist Temple event. First, the vice-president described the event as a ''community outreach.'' He later characterized it as a ''donor-maintenance'' event where ''no money was offered or collected or raised at the event.''

However, last week, the Department of Justice determined otherwise. On February 18, veteran Democratic fundraiser Maria Hsia was charged in a six-count indictment by the Justice Department for her part in raising the illegal contributions for the Democrat National Committee at the Buddhist Temple event.

These abhorrent abuses in our current campaign laws must end. Healthy reform can begin with this debate. So my point is that current laws are not being enforced.

Mr. President, there is clearly one area where reform is certainly needed. During the 1996 election, the AFL–CIO spent $35 million to defeat Republican candidates. Where did the AFL–CIO get the resources to fund this campaign? From the dues of both union and non-union members.

Were these hard-working Americans asked by their unions how those dues should be spent? We all know the answer—No. The leaders of the AFL–CIO, headquartered here in Washington, just sat down and decided they would use their members' dues to target Republicans, whether those due-paying workers liked it or not.

I believe this practice should end. I applaud Senator LOTT for offering a sensible alternative. The Lott Substitute requires full public disclosure. Just as someone cannot donate money to a campaign in someone else's name under existing law, the Lott Amendment would close the loophole for labor unions by requiring that members approve of ads that their dues are spent on.

Mr. President, it is my intention to offer amendments to this bill that will address several issues related to campaign finance reform. One of those amendments will address what I believe is a fundamental inequity in the rules governing Senatorial activities.

The amendment I will offer will conform the rules that we have for transportation and lodging in connection with a charitable event with the rules that exist for transportation and lodging in connection with a political event, such as a political fundraiser something we all know.

Under rules we adopted in 1995, private entities cannot reimburse Members for the cost of transportation and lodging to a charitable event. But, members are still permitted to be privately reimbursed if they travel to a fundraising event for another member. In other words, lobbyists and PAC Committee contributions can be used to reimburse members for taking a night off and flying to Hollywood for political fundraisers.

Under the Senate Ethics Committee's Interpretative Ruling No. 193, a Senator may accept travel expenses from an official of a district's political party organization in return for his appearance at a rally sponsored by the organization.

Now, Mr. President, every Member of this body has at one time or another made a campaign appearance for his or her party or for a candidate of his party. Often, that means flying to another Member's home state, attending a party function; maybe making a speech and sharing a meal; maybe attending an entertainment or sports function. And the entire cost is almost always covered by lobbyists and other political contributors.

So we have a situation where a Senator can travel all over the country attending political fundraisers and have lodging and transportation reimbursed, but a Senator can't attend charity events—events that raise money for very worthwhile causes such as breast cancer detection—and have those costs reimbursed. Does that make sense?

Why is it all right for a political action committee to host a $500 a plate political fundraiser, or give a campaign check for $5,000 to an elected official, but there can be no solicitation of corporations and other individuals to participate in a charitable event that only benefits a small community or state? I believe this whole notion of preventing Senators and corporations from sharing in raising money for a worthy cause outside the Beltway, but allowing $5,000 and $10,000 political gifts smacks of sheer hypocrisy.

Since we adopted this change in our rules, it has become far more difficult for Senators to participate in charitable events. A recent article in Roll Call pointed out that charitable golf and ski events have dried up as a result of our rule change. But as Roll Call notes: ''But Members and their staff can still flock to sports tournaments or wine and dine with lobbyists—as long as it's part of a fundraiser.''

Mr. President, the amendment I intend to offer will end this hypocrisy.

My amendment simply provides that Senators would be permitted to be privately reimbursed for the costs of lodging and transportation in connection with charitable fund-raising events in the same manner they can be reimbursed for political travel.

This is a very simple amendment. It merely conforms the charitable travel rules with the political travel rules.

Mr. President, I believe one of the most important responsibilities of a public official is to promote worthwhile charitable causes. Not everything that can be done for the public good derives from government. Private charities play a vital role in servicing many of the needs of our citizens.

In my own case, for the past 4 years, my wife Nancy and I have been the honorary chairs of a fishing tournament in Alaska which has raised $830,000 for a mammogram machine for the Fairbanks Breast Cancer Detection Center and a mobile detection van.

And as a result, the center has been was able to provide free breast cancer examinations and mammograms for 25,000 women who from 81 villages in Alaska.

The units we've been able to finance have been vital in helping preserve the health of Alaska's women, especially the women in the small villages.

The State's cancer mortality is the third highest in the nation—one in eight Alaska women will develop breast cancer. Breast cancer screening can reduce these amounts by 30 percent.

I believe that without the money raised from these two fundraisers, the health of Alaska's women would be severely marginalized. I am proud of the work that my wife Nancy has done to get these units operating. If we change the rules on charitable events, I am convinced that neither of these units would have become a reality.

What we have here is a situation that discriminates against distant States.

Mr. President, even though Senators are permitted to attend charitable events, the rules relating to transportation and lodging clearly discriminate against charitable events in distant States.

Large national charitable organizations have the clout and resources to hold events in Washington, D.C. where Members can easily attend.

But if you are a small organization, like the Fairbanks Breast Cancer Detection Center or you are not going to have the resources or the capability to have your event held in the Nation's Capital. And if Senators cannot receive transportation and lodging reimbursement, events like mine and events sponsored by other Senators in their home states are just going to disappear because it costs too much to get to Alaska and other small States.

Mr. President, I think we have a very clear choice here. Do we want to establish the same lodging and transportation rules for charitable fund raisers

as we have for political fundraising? Or do we want to make it harder to raise money for worthy charities, while at the same time continuing the unlimited reimbursement for political fundraising.

Mr. President, I hope my colleagues will support my amendment when it is offered. And I want to assure my colleagues that should my amendment fail, I will offer an amendment to conform the transportation and lodging rules with the charitable rules so that Members will have to pay out of their own pockets to participate in fund raisers for other political candidates.

Mr. President, I am hopeful that sensible campaign reform will come forth during this debate—reform that:

does not violate free speech rights; provides greater enforcement for current laws; and ends loopholes that circumvent the intent of campaign laws.

Any reform taken by this Body must not infringe upon individual liberties. Reform should limit the elected official—not the electorate. The American public deserves no less.

I defer to my good friend from Iowa.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. I thank the Chair.

(The remarks of Mr. GRASSLEY pertaining to the introduction of S. 1667 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. GRASSLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GRAMS). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

CONGRATULATING SECRETARY GENERAL KOFI ANNAN

Mr. DASCHLE. Mr. President, the last 48 hours have been a very important moment in our diplomatic efforts to achieve Iraqi compliance with U.N. Security Council resolutions. I want to congratulate Secretary-General Kofi Annan of the United Nations for his remarkable mission to Iraq. Obviously, many of us still look forward to being briefed on all of the details of the agreement between U.N. and Iraqi officials. But I think it is fair to say we have made great progress over the course of the last several days in large measure because of his effort.

Just before the February congressional recess, Senator LOTT and I came to the floor to impress upon the world community and our country the Senate's unity with regard to dealing with Saddam Hussein's lack of cooperation.

I believe that unity exists today as well. With this unity we express to Saddam Hussein that his pattern of intransigence is unacceptable; that his willingness now to agree once more to open up his facilities for complete inspection is commendable.

The question we now face is, when and under what circumstances will UNSCOM now be allowed to reenter the country to carry on its mission. But I believe that the willingness on the part of Saddam Hussein to negotiate with the U.N. leadership and to reach this agreement is a direct result of this administration's willingness to demonstrate to him that we will use force if necessary to accomplish our goals.

I commend President Clinton and his administration for their efforts, while facing criticism in some circles, to make it abundantly clear to Saddam Hussein, that with or without successful negotiations, we will open up those facilities, we will inspect every questionable location to our satisfaction.

This message of our determination to see Iraqi compliance and the unity we demonstrated in showing our determination to use force, along with the successful diplomatic efforts of Kofi Annan, have brought us the results today.

We are not there yet. U.N. weapons inspectors still have to reenter the country and be permitted to go to each location. We still have to be confident that whatever questions we have regarding Iraq's intentions on the manufacture of weapons of mass destruction will be completely answered.

I hope that until and unless we have all of those questions answered, our forces will be kept in the Persian Gulf to demonstrate our willingness to use force, if necessary, to accomplish our mission.

So, again, Mr. President, I commend the administration, I commend Mr. Annan, I commend all of those who have had so much to do with our success today. We will watch with interest, we will watch with the expectation of complete success, but we will also watch with the knowledge that if we need to use force, that force will be every bit as available in the future as it has been for the last 2 weeks. I yield the floor.

Mr. GRASSLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

ORDERS FOR TUESDAY, FEBRUARY 24, 1998

Mr. GRASSLEY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Tuesday, February 24, and that immediately following the prayer, the routine requests through the morning hour be granted. I further ask unanimous consent that the Senate then begin a period for the transaction of morning business until 10:30 a.m., with Senators permitted to speak for up to 10 minutes each, with the following exceptions: Senator BROWNBACK, 10 minutes; Senator HUTCHISON, 15 minutes; Senator BOND, 5 minutes; Senator CONRAD, 30 minutes.

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

Mr. GRASSLEY. Mr. President, I also ask unanimous consent that at 10:30 a.m., the Senate resume consideration of S. 1663, the campaign finance reform bill.

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

Mr. GRASSLEY. I further ask unanimous consent that the Senate recess from 12:30 p.m. until 2:15 p.m. for the weekly policy conferences to meet.

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

PROGRAM

Mr. GRASSLEY. Mr. President, tomorrow, the Senate will be in a period for morning business from 9:30 a.m. to 10:30 a.m. As under a previous consent agreement, at 10:30 a.m., the Senate will resume consideration of S. 1663, the campaign finance reform bill, and as under the consent agreement, the time from 10:30 a.m. to 12:30 p.m. will be equally divided between the opponents and proponents of the legislation. In addition, by consent, from 12:30 p.m. to 2:15 p.m., the Senate will recess for the weekly policy luncheons to meet. Following the policy luncheons at 2:15 p.m., the Senate will resume consideration of the campaign finance reform bill, with the time until 4 p.m. being equally divided between the opponents and proponents. Following that debate, at 4 p.m., the Senate will proceed to a vote in relation to the pending McCain-Feingold amendment. Therefore, the first rollcall vote tomorrow will occur at that time at 4 p.m. Senators can also anticipate additional votes following the vote in relation to the McCain-Feingold amendment to the campaign finance reform bill.

ADJOURNMENT UNTIL TOMORROW AT 9:30 A.M.

Mr. GRASSLEY. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:15 p.m., adjourned until Tuesday, February 24, 1998, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate February 23, 1998:

DEPARTMENT OF COMMERCE

PATRICK A. MULLOY, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE CHARLES F. MEISSNER.

DEPARTMENT OF LABOR

RAYMOND L. BRAMUCCI, OF NEW JERSEY, TO BE AN ASSISTANT SECRETARY OF LABOR, VICE TIMOTHY M. BARNICLE, RESIGNED.

SETH D. HARRIS, OF NEW YORK, TO BE ADMINISTRATOR OF THE WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR, VICE MARIA ECHAVESTE, RESIGNED.

WITHDRAWALS

Executive message transmitted by the President to the Senate on February 23, 1998, withdrawing from further Senate consideration the following nomination:

FEDERAL ELECTION COMMISSION

JOHN WARREN MCGARRY, OF MASSACHUSETTS, TO BE A MEMBER OF THE FEDERAL ELECTION COMMISSION FOR A TERM EXPIRING APRIL 30, 2001, WHICH WAS SENT TO THE SENATE ON JANUARY 7, 1997.