Instead, they have announced that intention to rewrite the bill in conference. Apparently the Senate process has little meaning in this regard. It was just a ticket to a conference committee and a free hand in drafting a partisan bill.

The Nation needs a progressive, forward-looking energy policy that strengthens our national energy security, safeguards consumers and taxpayers, and protects the environment. Unfortunately, I believe passage of this legislation has put us on a fast track towards creation of an extreme Energy bill in conference that abandons each and every one of those core principles.●

(At the request of Mr. DASCHLE, the following statement was ordered to be printed in the RECORD.)

OUR DEMOCRACY, OUR AIRWAVES ACT

● Mr. DURBIN. Mr. President, I am pleased to join my colleagues, Senators JOHN MCCAIN and RUSS FEINGOLD, in introducing S. 1497, the Our Democracy, Our Airwaves Act of 2003. This legislation complements the reforms accomplished through the Bipartisan Campaign Reform Act of 2002 by addressing an essential element omitted from the law: the demand side of fundraising.

As I emphasized during the Senate debate two years ago, simply dealing with the supply side of political campaigns—the sources of campaign contributions—misses the point. If we truly want to reform political campaigns in America, we must address the role of television. Television was once a tiny part of political campaigns, but it has grown exponentially.

Spending on television in political campaigns has skyrocketed. The $1 billion spent in 2002 by candidates, parties, and issue groups for political spots set a record for any campaign year and doubled the amount spent in the 1998 midterm election. It represented a four-fold increase in what was spent in 1982, even adjusting for inflation. What we are witnessing is ever more intensive efforts by candidates of both political parties to raise money for television and radio stations to deliver their messages to the American people.

What is often overlooked in this discussion is that the airwaves belong to the American people. Broadcasting stations are trustees of the lucrative electromagnetic spectrum. Broadcasters pay nothing for their exclusive licenses and are allowed to use the publicly-owned airwaves on one condition: that they serve the public interest.

Since 1971, Federal law has required that in the 45 days preceding a primary election and the 60 days prior to a general election, candidates are entitled to the lowest unit charge for broadcast media rates for the same class and amount of time for the same period. But for all practical purposes, this mandate has been meaningless. In order to secure their preferred time slots and guarantee that their ads are not bumped to a less desirable time, many candidates in competitive races end up paying premium prices instead of the lowest unit charge.

Television stations have taken this law, intended to benefit public discourse and to ensure that candidates are not penalized prior to an election, and have turned it upside down. Candidates end up paying dramatically more than the lowest unit rate. And as the costs to campaigns balloon, candidates, incumbents and challengers alike, must scramble for funds so they can give them right back to the television stations.

A $200,000 media program buys a few 30-second slivers of time to deliver ideas and views on the public airwaves. It takes just a moment to broadcast it, and if a viewer-voter gets up to get a sandwich in the kitchen when it airs, they miss it. But raising the funds to pay for the ill-fated spot still requires asking 4,000 people to make a $50 campaign contribution. As former Senator Bill Bradley observed several years ago: Today's political campaigns are collection agencies for broadcasters. You simply transfer money from contributors to television stations.

And as time ticks down to election day and the demand for television ads goes up, the stations raise their rates dramatically. Not only are rate costs for political ads inflated, stations are not covering the campaigns in their news segments in any significant way. Last week, findings from two instructive studies were published, which amplify these problems and underscore why enacting the Our Democracy, Our Airwaves Act is so important.

A study published by the Alliance for Better Campaigns based on a survey of more than 37,000 political ads on 39 local television stations in 19 states found that the average price of a candidate ad rose by 53 percent from the end of August through the end of October of last year. According to findings in another nationwide survey released last week by the Lear Center Local News Archive, a collaboration between the University of Southern California Annenberg School's Norman Lear Center and the Wisconsin NewsLab at the University of Wisconsin-Madison, viewers looking for campaign news during the height of the election season last year were four times more likely, while watching their top rated local newscast, to see a political ad rather than a political story. At the same time, those stations took in record-breaking amounts of political advertising revenue.

The Our Democracy, Our Airwaves Act addresses these concerns in three ways. First, it requires that television and radio stations, as part of the public interest obligation they incur when they receive a free broadcast license, air at least two hours a week of candidate-centered or issue-centered programming during the period before elections. Second, it enables qualifying federal candidates and national parties to earn limited ad time by raising funds in small donations. Up to $750 million worth of broadcast vouchers would be made available to be used to place political advertisements on television and radio stations in each two-year election cycle. As conceived in our bill, this system will be financed by a spectrum use fee of not more than one percent of the gross annual revenues of broadcast license holders. And third, it closes loopholes in the ''lowest unit rate'' statute in order to ensure that candidates receive non-preemptible time at the same advertising rates that stations give to their high-volume, year-round advertisers.

Until we get to the heart of what is driving up the cost of political campaigns, we cannot achieve real campaign finance reform. And at the heart of skyrocketing campaign costs is the cost of television. Our legislation will help reduce the amount of money in politics by making the public airwaves more accessible for political speech. The airwaves belong to America and to the taxpayers, and the network stations simply must give time back to challengers and incumbents across the United States if we're going to succeed in putting a stop to the money chase and the millions of dollars being spent on campaigns.

Only by providing candidates an opportunity to purchase time at affordable rates and imposing a modest and reasonable obligation on broadcasters to air at least two hours per week of candidate or issue-centered programming in the weeks before election day can we hope to return Our Democracy, Our Airwaves to the American people.●

NOMINATION OF DANIEL BRYANT

Mr. GRASSLEY. Mr. President, I rise today to state before this body that I object to proceeding to the consideration of Daniel Bryant, executive nominee to the Department of Justice. Mr. Bryant is nominated to be Assistant Attorney General, Office of Legal Policy at DOJ. I have placed a hold on this individual because I have numerous outstanding issues that have yet to be resolved by the Department of Justice. More specifically, I have several outstanding written requests before the Department of Justice. Some of these requests are more that 6 months overdue. In addition, I am presently working with the Department of Justice to overcome a number of procedural issues directly affecting my ability, as a member of the Judiciary Committee to, among other things, conduct oversight of the Department of Justice, and the Federal Bureau of Investigations.

ADDITIONAL STATEMENTS

J. MARC WHEAT

● Mr. LEAHY. Mr. President, I rise today to pay tribute to Marc Wheat, who is leaving the State Department's Bureau of Legislative Affairs after 2