

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Georgia [Mr. COVERDELL] proposes an amendment numbered 1152.

Mr. COVERDELL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of title III, add the following:

SEC. . SENSE OF THE SENATE REGARDING THE COSTS OF THE NATIONAL VOTER REGISTRATION ACT OF 1993.

It is the sense of the Senate that within the assumptions under budget function 800 funds will be spent for reimbursement to the States for the costs of implementing the National Voter Registration Act of 1993.

Mr. COVERDELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. DOMENICI. Mr. President, the Coverdell amendment is a sense-of-the-Senate resolution stating that the funds within this resolution should be spent for reimbursement to States for motor-voter mandates.

Mr. HATFIELD. Mr. President, as the lead Republican sponsor of the National Voter Registration Act, I was very interested in a recent New York Times article reporting on the progress of voter registration since the bill's implementation in January of this year. Over 2 million new voters have been registered in the first quarter of 1995 and the National Motor-Voter Coalition estimates that approximately 20 million new voters will be registered by the 1996 Presidential election.

It is very gratifying to hear that this important program is being implemented successfully and that the results are exceeding our expectations. I realize there are concerns about this law being a burden to the States and its financial impact on them. However, I would remind my colleagues that many innovative States, including Oregon, led the way for the Federal Government by adopting State motor-voter laws and supported a national law. Additionally, according to the Congressional Budget Office study on the implementation costs of motor-voter, the aggregate costs for States would be 20 to 25 million annually for 5 years. Mr. President, this does not meet the requirements of the Federal unfunded mandate legislation passed earlier this year by the Senate—which I supported.

It is our obligation as policy-makers to protect the voting process and, at the same time, to make it accessible. The motor-voter law effectively achieves both of these important responsibilities and, therefore, I voted against the Coverdell amendment to the budget resolution.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Georgia. On

this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 51, nays 49, as follows:

[Rollcall Vote No. 192 Leg.]

YEAS—51

Abraham	Gorton	McConnell
Bennett	Gramm	Murkowski
Bond	Grams	Nickles
Brown	Grassley	Packwood
Burns	Gregg	Pressler
Campbell	Hatch	Roth
Coats	Helms	Santorum
Cochran	Hutchison	Shelby
Cohen	Inhofe	Simpson
Coverdell	Kassebaum	Smith
Craig	Kempthorne	Snowe
D'Amato	Kohl	Specter
DeWine	Kyl	Stevens
Dole	Lott	Thomas
Domenici	Lugar	Thompson
Faircloth	Mack	Thurmond
Frist	McCain	Warner

NAYS—49

Akaka	Feingold	Levin
Ashcroft	Feinstein	Lieberman
Baucus	Ford	Mikulski
Biden	Glenn	Moseley-Braun
Bingaman	Graham	Moynihan
Boxer	Harkin	Murray
Bradley	Hatfield	Nunn
Breaux	Heflin	Pell
Bryan	Hollings	Pryor
Bumpers	Inouye	Reid
Byrd	Jeffords	Robb
Chafee	Johnston	Rockefeller
Conrad	Kennedy	Sarbanes
Daschle	Kerrey	Simon
Dodd	Kerry	Wellstone
Dorgan	Lautenberg	
Exon	Leahy	

So the amendment (No. 1152) was agreed to.

Mr. COVERDELL. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. EXON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1153

(Purpose: To maintain public funding for Presidential campaigns)

Mr. EXON. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nebraska [Mr. EXON], for Mr. KERRY, proposes an amendment numbered 1153.

Mr. EXON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 64, strike lines 17 through 19 and insert the following: "\$2,000,000 in fiscal year 1996, \$37,000,000 for the period of fiscal years 1996 through 2000, and \$72,000,000 for the period of fiscal years 1996".

On page 66, line 6, decrease the amount by \$70,000,000.

On page 66, line 13, decrease the amount by \$70,000,000.

On page 66, line 14, decrease the amount by \$28,000,000.

On page 66, line 20, decrease the amount by \$70,000,000.

On page 66, line 21, decrease the amount by \$215,000,000.

On page 67, line 2, decrease the amount by \$70,000,000.

On page 67, line 3, decrease the amount by \$4,000,000.

On page 67, line 9, decrease the amount by \$70,000,000.

Mr. EXON. Mr. President, this removes instructions to the Rules Committee that repeals spending limits and public financing for Presidential campaigns, returning to pre-Watergate rules for those campaigns. Offset approximately \$250 million over 7 years, of reduced overhead and administrative costs spread across Government by the Appropriations Committee.

PRESIDENTIAL CAMPAIGN FUND

Mr. FEINGOLD. Mr. President, and I would like to thank the junior Senator from Massachusetts for offering his amendment that would derail this misguided effort to eliminate the Presidential election campaign fund.

It came as a surprise—and a disappointment—to many of us that when the Republican Party announced last fall their new Contract With America and declared their commitment to reforming the Congress and ending business as usual in Washington, that they did not even bother to mention campaign finance reform in their contract.

Well, we are now out from under the first 100 days of the contract, and there is still no indication that the Senate will be turning to campaign finance reform anytime soon.

But not only are we going to be prevented from taking a step forward, the budget resolution before us today would push us back—20 years back—to the days before Congress recognized how fundamentally flawed our system of Presidential campaigns was.

Mr. President, what in the world is the logic behind this? As far as I know, even the most vocal opponents of the Presidential campaign system are not willing to suggest that we have had a single unfair Presidential election in the past 20 years. Nor has any general election candidate for President, to my knowledge, ever said in the past 20 years that their loss was attributable to the lack of financial resources.

That is because the Presidential campaign finance system is based on simple principles. One principle is that money should not determine the outcome of elections. Another is that elected officials should not be spending inordinate amounts of time on the phone soliciting campaign funds.

That is what the Presidential system is about. If there is a problem of inadequate funding of the Presidential campaign fund, then that should be addressed. We did it 2 years ago and we can do it again.

But instead, this resolution is trying to fix a wristwatch with a sledgehammer, preferring to discard the one

Federal campaign system that has produced fair and competitive elections during the last 20 years rather than finding a targeted solution to ensuring the solvency of the Presidential fund.

Finally, I have to ask why the Republicans are trying to do this under the camouflage of the budget resolution. If opponents of the Presidential system want to eliminate it, then let us have public hearings in the Rules Committee and have an intelligent discussion about it.

If opponents of public financing are so convinced that the American people are also opposed to public financing, why are the opponents so reluctant to have a public debate on this issue on the floor of the U.S. Senate?

There is not a single word in the budget resolution about what we are going to replace the Presidential system with.

But again, I have not heard anyone in the nearly 20 years of this system's existence criticize it for being unfair to challengers, unfair to either party, or dominated by special interests.

This is a system we need to emulate, not eliminate.

I thank the Senator from Massachusetts for his leadership on this issue and I yield the floor.

Mr. BIDEN. Mr. President, since I was elected to the Senate in 1972, one of my central themes has been to get special-interest money out of political campaigns. The first testimony I ever gave as a U.S. Senator was before the Senate Rules Committee in favor of public funding—instead of special-interest funding—of political campaigns.

Unfortunately, we have not moved forward as much as I would have liked or as much as I have repeatedly advocated. And, what little we have done is now on the chopping block.

The Republican budget would eliminate the only positive step we have taken in the last 20 years to clean up our political campaign system—getting special-interest money out of the general election campaigns for President and limiting the amount Presidential candidates can spend. Now, the Republicans are trying to let the special-interest, big money back in.

The Republican budget would repeal the Presidential campaign check-off system. It is a rather simple system. When you file your income taxes each year, you can check off the box at the top of the tax form to have \$3 of your taxes go to finance Presidential campaigns. It is a voluntary system. No one has to check it off. No ones taxes are affected by the decision. And, the only money that goes to Presidential campaigns is the money that people check off voluntarily. In exchange for taking the money, Presidential candidates must limit how much they spend.

A simple system. A voluntary system. And, yet the system has worked. No more special interest money in the general election, and no more runaway spending.

In the last 20 years, very few people have accused Presidential candidates of being beholden to special interest. Less than 1 percent of the money in Presidential campaigns comes from PAC's—political action committees. And, once the Presidential primaries are over, the quest for money essentially ends. Candidates can spend their time debating the issues—not catering to special-interests.

Meanwhile, spending has been held down. Consider this: in the 1992 Presidential election, President Clinton and President Bush combined spent less in constant dollars than President Nixon spent all by himself in the Watergate election of 1972—before there were spending limits and before there was the Presidential check-off system.

What has been the result of all of this compared to the old system? Cleaner campaigns, fairer campaigns, more competitive campaigns, campaigns more focuses on the issues, and campaigns with limited spending.

Mr. President, I urge my colleagues to support the Kerry amendment, which I have cosponsored. It would keep the Presidential check-off system in tact. Now is not the time to return Presidential campaigns to the days of runaway spending controlled by special interests.

This system is not broken. We should not break it.

AMENDMENT NO. 1154 TO AMENDMENT NO. 1153
(Purpose: To express the Sense of the Senate on use of the Presidential Election Campaign Fund in regard to sexual harassment.)

Mr. McCONNELL. Mr. President, I send a second-degree amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] proposes an amendment numbered 1154 to amendment No. 1153.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, insert the following:

SEC. .SENSE OF THE SENATE.

It is the sense of the Senate that the assumptions underlying function 800 include the following: that payments to presidential campaigns from the Presidential Election Campaign Fund, as authorized by the Federal Election Campaign Act of 1974, should not be used to pay for or augment damage awards or settlements arising from a civil or criminal action, or the threat thereof, related to sexual harassment.

Mr. McCONNELL. Mr. President, today—on C-SPAN—we answer the question: can we ever get rid of any government program?

Even if the program is wasteful, even if it is a proven failure, even if we've been spending taxpayers' money on it

against their will—will we put a stop to it?

Even if the program is a complete boondoggle for politicians—in fact, politicians receive every dime from it—can Congress bring itself to kill such a program? Stay tuned.

The Budget Committee, under the able leadership of Chairman DOMENICI, wisely chose to end the failed Presidential Election Campaign Fund program. Make no mistake: the Presidential Election Campaign Fund is not simply troubled or fraught with problems—it is an utter failure.

It has not achieved any of its stated objectives. It does not limit special interests. It does not lessen the money chase. It does not even limit spending. On the other hand, it does distort the political process, by causing campaigns to employ battalions of lawyers to seek out and exploit loopholes. It does fork over millions of taxpayer dollars to fringe candidates like Lenora Fulani, and even criminals like Lyndon LaRouche.

It was the reformers' dream. It has become the taxpayers' nightmare.

From beginning to end, the Presidential system of spending limits and voluntary taxpayer funding is a hoax that 85 percent of American taxpayers are not falling for. The tax return checkoff mechanism, which feeds the fund, is itself a fraud. The checkoff appropriates money out of the Treasury. It gives a tiny minority—14.5 percent of filers checked "yes" on their 1993 returns—the power to appropriate tax dollars paid by all Americans.

The system is not voluntary for the 85 percent of American taxpayers who choose not to check "yes," but are forced to pay for the few who do. These checkoff dollars don't come out of the pocket of those who check "yes"—any more than appropriations bills come out of the pockets of the Senators who vote for them.

Democracy would be aided—not imperiled—by the demise of the Presidential fund. Every year, Americans vote on this fund, via the tax checkoff. It is the largest single public opinion poll conducted annually in this country, on the popularity of taxpayer financing of campaigns.

The high water-mark—28.7 percent checking "yes"—was realized on the 1980 tax returns. It's been a downward trajectory since, even though the dollar checkoff has itself been eroded by inflation and presumably would be an increasingly inexpensive proposition. Therefore, to get more money out of fewer people, President Clinton's 1993 budget/tax bill tripled the checkoff to \$3. The result was a 23-percent decrease in the checkoff rate—fewer people than ever supporting it—while the total amount diverted from the Treasury increased 258 percent, from \$28 million to \$71 million.

I can tell you there is no outpouring of support among Kentuckians, or residents of any other State, for this program. In fact, they are crying out that

they do not want their tax dollars paying for anyone's campaign. Not the President's. Not Lenora Fulani's. Not anybody's.

And certainly they aren't interested in paying for a campaign that Lyndon LaRouche ran from his prison cell. Nevertheless, LaRouche received Federal matching funds for the Presidential campaign he conducted while serving a 15-year sentence for fraud. Having run in 1980, 1984, 1988, and 1992, he's now planning another run in 1996—courtesy of the taxpayers. Maybe the fifth time's a charm.

And then there's Lenora Fulani—I'm hoping to make Ms. Fulani as famous as Senator GRAMM has made Dicky Flatt; because no one knows who she is. Well, you may not know Ms. Fulani, but you're paying her campaign bills through the presidential fund.

Lenora Fulani is with the New Alliance Party, another household word in politics. Ms. Fulani is the lucky recipient of over \$3.5 million in taxpayer dollars over the course of three elections—1994, 1988, 1992.

In fact, she's gotten so good at the game that she was the first candidate—ahead of George Bush, Bill Clinton, and all the rest—to qualify for matching funds for the 1992 campaign. Anyone want to bet there will be another Fulani candidacy in 1996? Who could resist millions of dollars in taxpayer largesse?

As these fringe candidates proliferate, I can imagine the Presidential fund enlisting Ed McMahon to notify all those who qualify that they have won the grand prize: an all-expense-paid Presidential election campaign—not from Publishers Clearinghouse, but from the American taxpayers.

Some proponents of taxpayer-financed campaigns say it is inappropriate—even hypocritical—for those who have participated in the Presidential system to oppose it. That is absurd. If that were the case—that participating in the system is tantamount to endorsing it—then what should be said about all those from the other side who run for the Senate under a system they want to replace with taxpayer financing and spending limits?

Mr. President, playing by the rules as they exist does not, nor should it, preclude anyone from trying to change them for the better. I haven't seen anyone from the other side volunteer to abide by spending limits because they think they're such a great idea. Is that what is being suggested?

In the same way, Presidential candidates must participate in the system as it is, not as they would like it to be. That being the case, every single candidate running for President but two has decided, quite logically, to accept the funding—because not to do so would cede a huge financial advantage to other candidates.

Not surprisingly, the only two major candidates who have turned down this generous subsidy were extremely wealthy: millionaire John Connally in 1980 and billionaire Ross Perot in 1992.

So the notion that you are precluded from reforming a program that you have almost no choice but to participate in is absolutely ludicrous, and should be ignored.

But there is another argument against reforming the Presidential system that should not just be ignored—it should be condemned.

Common Cause—which has perfected the art of hysterical, money-grubbing direct-mail appeals—issued a letter on May 11 in which it said that opposition to taxpayer financing of Presidential campaigns is an endorsement of corruption. It went on to charge that a vote for the budget resolution—as is—is a vote for corruption.

Over the years, Common Cause has dished up so much disinformation on campaign finance reform, under the guise of good government, that even the Democrats ignore them—or barely tolerate them. They have become a parody of their former selves—just another self-interested Washington lobby, adding to the cacophony of government-bashing, while making a tidy sum in the process. But this goes beyond the pale.

The Presidential Election Campaign Fund is a failed relic from the post-Watergate reform era. In fact, most of the proposals that were enacted in that era were struck down by the Supreme Court as wholesale trampling of constitutional freedoms. So the fact that this system was conceived in the wake of Watergate is not necessarily an impressive pedigree.

But since the proponents of taxpayer financing like to invoke Watergate, I'd like to read directly from the report prepared by the Senate Select Committee on Watergate, which was charged with making legislative recommendations to deal with the issues raised by this scandal.

Recommendation No. 7, which appears on page 572 of that report, reads as follows:

The committee recommends against the adoption of any form of public financing in which tax moneys are collected and allocated to political candidates by the Federal Government. * * * [t]he committee takes issue with the contention that public financing affords either an effective or appropriate solution. Thomas Jefferson believed 'to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors, is sinful and tyrannical.'

The Committee's opposition is based, like Jefferson's, upon the fundamental need to protect the voluntary right of individual citizens to express themselves politically as guaranteed by the first amendment. Furthermore, we find inherent dangers in authorizing the Federal bureaucracy to fund and excessively regulate political campaigns.

The abuses reexperienced during the 1972 campaign and unearthed by the Select Committee were perpetrated in the absence of any effective regulation of the source, form, or amount of campaign contributions. In fact, despite the progress made by the Federal Election Campaign Act of 1971, in requiring full public disclosure of contributions, the 1972 campaign still was funded through a system of essentially unrestricted, private financing.

What now seems appropriate is not the abandonment of private financing, but rather the reform of that system in an effort to vastly expand the voluntary participation of individual citizens while avoiding the abuses of earlier campaigns.

That is what the Watergate Select Committee had to say about the matter. So you can call taxpayer financing of campaigns a Common Cause reform, but don't call it a Watergate reform, because the Senate committee in charge of formulating a response to the crisis rejected the idea, flat-out.

The fact that the Presidential Election Campaign Fund slipped through, thereby putting the Government in the business of bribing people to forfeit their constitutional rights, is an unfortunate legacy of those tumultuous years. But just because the fund has barely survived for two decades—teetering on the brink of bankruptcy before President Clinton bailed it out 2 years ago with taxpayers' money—does not justify its perpetuity.

It is the myopia of big-Government liberals that prevents them from seeing that anything could possibly replace a Government program. So we need to answer the question: What would exist after the Presidential fund's demise?

Why, a system in which private citizens voluntarily contribute publicly disclosed and limited donations to the candidates of their choice—in other words, the system contemplated by the Watergate Select Committee.

Perhaps now, 20 years after Watergate, Congress can finally get it right.

Of course, I expect the professional government-bashers like Common Cause to say that reverting to a privately funded Presidential system is somehow a guarantee of corruption. They have been calling the privately financed congressional system corrupt for years. In their view, the only clean money is the taxpayers' money.

You see, they have this theory that your hard-earned money is dirty and corrupting until it's been laundered by the Internal Revenue Service. It's a very interesting theory, to say the least.

However, we have already pumped nearly a billion dollars of the taxpayers' money into the Presidential system, and it has not achieved any of the purported goals of that system. The congressional system, on the other hand, doesn't use a dime of taxpayers' money for political campaigns, and if there are instances where it has bred corruption, then—as chairman of the Senate Ethics Committee—I would like to hear about them and we will investigate them to the fullest.

If the issue really is corruption, then contribution limits and public disclosure are the best preventive measures—not another taxpayer-funded Government program.

But I think the charge of corruption here is just a convenient smoke-screen to maintain the status quo and to let this failed and wasteful system continue in perpetuity.

I think the real issue before us is whether this Congress, faced with a \$4.7 trillion-dollar debt, will step up to the challenge of eliminating any Government program, even one with as dismal a record as the failed Presidential system.

As I said at the outset: despite the expenditure of millions of tax dollars, this system has not curbed special interests. It has not ended the money chase. It has not reduced the emphasis on fundraising. It has not even limited campaign spending, as misguided a goal as that is.

In fact, this Government program is an utter embarrassment: the Federal Election Commission can't even finish its audits of candidates until they're ready to run again. Every candidate except one has been cited for inadvertent violations. Accountants and lawyers are blowing open new loopholes every election that hold the entire system up to ridicule.

And what is the money being spent on? Convenient balloons. Negative ads. Consultants. Opposition research. Just the things that American taxpayers are telling us they want more of.

Will Congress step up to the plate and put at least one wasteful Government program out of business? Will Congress let the taxpayers off the hook—just once? Will Congress get rid of this exclusive perk for politicians?

Inquiring taxpayers want to know. It's time to pull the plug on the taxpayer-financed Presidential system. It should surprise no one that this Republican Congress, in pursuit of a balanced budget, should seek to abolish a proven failure like the Presidential Election Campaign Fund. This is one entitlement program on which the sun should have set—a long time ago.

SECOND-DEGREE—SEXUAL HARASSMENT

However, if the Senator from Massachusetts prevails in his quest to continue taxpayer-financing of Presidential campaigns, then at the least we should take some steps to reassure taxpayers that their money is used for legitimate campaign purposes. The Presidential Election Campaign Fund should not be used to quash scandals such as allegations of sexual harassment. Such abuse of taxpayer funds itself impairs public confidence in Government.

The second-degree amendment that I am putting forth simply states:

It is the sense of the Senate that the assumptions underlying function 800 include the following: that payments to presidential campaigns from the Presidential Election Campaign Fund, as authorized by the Federal Election Campaign Act of 1974, should not be used to pay for or augment damage awards or settlements arising from a civil or criminal action, or the threat thereof, related to sexual harassment.

Mr. President, this is not a hypothetical. It came to light—2½ years after the fact—that President Clinton's 1992 taxpayer-funded Presidential campaign used \$37,500 to settle a sexual harassment suit against one of the then-candidate's top aides.

This expense item was discovered during the course of an audit of the Clinton campaign which resulted in a recommendation that the campaign repay to the Treasury a record \$4 million. The Commission ultimately scaled back the repayment. Along with items including \$180,000 in questionable petty cash disbursements, \$70,000 for lost rental cars, computers and other equipment, was the \$37,500 to settle what the campaign termed an "employment dispute."

The Clinton campaign had listed the expense as consulting fees. How much of it was in fact for consulting and how much was for keeping quiet, is unclear. The Washington Post reported on February 15 of this year that "... given the dearth of information the campaign provided, the FEC has ordered it to repay \$9,675 in Federal funds that were used in the payment."

Mr. President, the confidentiality clause in the agreement between the claimant and the Clinton campaign impeded the audit and with repayment of part of the money the Federal Election Commission has reportedly closed the investigation. Considering that taxpayer funds intended for Presidential campaigning are involved, perhaps the matter should be revisited. In any event, the Senate should make clear that taxpayer funds drawn from the Presidential Election Campaign Fund should not be used to coverup charges of sexual harassment.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, Senator MCCONNELL's second-degree amendment is a sense of the Senate that Presidential campaign fund monies should not go toward settling sexual harassment suits.

Mr. MCCONNELL. I ask for the yeas and nays.

Mr. KERRY. Mr. President, I simply would like to say to the manager, we are prepared to accept this. We can save the Senate time and proceed to the underlying amendment.

Mr. MCCONNELL. Mr. President, I would like to have a vote on this.

Mr. DOMENICI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment No. 1154 offered by the Senator from Kentucky [Mr. MCCONNELL]. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 193 Leg.]

YEAS—100

Abraham	Biden	Breaux
Akaka	Bingaman	Brown
Ashcroft	Bond	Bryan
Baucus	Boxer	Bumpers
Bennett	Bradley	Burns

Byrd	Harkin	Moynihan
Campbell	Hatch	Murkowski
Chafee	Hatfield	Murray
Coats	Heflin	Nickles
Cochran	Helms	Nunn
Cohen	Hollings	Packwood
Conrad	Hutchison	Pell
Coverdell	Inhofe	Pressler
Craig	Inouye	Pryor
D'Amato	Jeffords	Reid
Daschle	Johnston	Robb
DeWine	Kassebaum	Rockefeller
Dodd	Kempthorne	Roth
Dole	Kennedy	Santorum
Domenici	Kerrey	Sarbanes
Dorgan	Kerry	Shelby
Exon	Kohl	Simon
Faircloth	Kyl	Simpson
Feingold	Lautenberg	Smith
Feinstein	Leahy	Snowe
Ford	Levin	Specter
Frist	Lieberman	Stevens
Glenn	Lott	Thomas
Gorton	Lugar	Thompson
Graham	Mack	Thurmond
Gramm	McCain	Warner
Grams	McConnell	Wellstone
Grassley	Mikulski	
Gregg	Moseley-Braun	

So the amendment (No. 1154) was agreed to.

The PRESIDING OFFICER. At this time, we will proceed to the vote on the adoption of amendment No. 1153, as amended.

Mr. DOMENICI. Mr. President, is the pending amendment the Glenn amendment?

The PRESIDING OFFICER. No, it is the Exon for Kerry amendment No. 1153.

Mr. DOMENICI. I do not need to say anything. I am going to sit down.

VOTE ON AMENDMENT NO. 1153, AS AMENDED

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1153, as amended.

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 56, nays 44, as follows:

[Rollcall Vote No. 194 Leg.]

YEAS—56

Akaka	Feinstein	Lugar
Baucus	Ford	Mikulski
Biden	Glenn	Moseley-Braun
Bingaman	Graham	Moynihan
Boxer	Harkin	Murray
Bradley	Heflin	Nunn
Breaux	Hollings	Pell
Bryan	Inouye	Pryor
Bumpers	Jeffords	Reid
Byrd	Johnston	Robb
Campbell	Kassebaum	Rockefeller
Chafee	Kennedy	Sarbanes
Cohen	Kerrey	Simon
Conrad	Kerry	Snowe
Daschle	Kohl	Specter
Dodd	Lautenberg	Stevens
Dorgan	Leahy	Thompson
Exon	Levin	Wellstone
Feingold	Lieberman	

NAYS—44

Abraham	Cochran	Faircloth
Ashcroft	Coverdell	Frist
Bennett	Craig	Gorton
Bond	D'Amato	Gramm
Brown	DeWine	Grams
Burns	Dole	Grassley
Coats	Domenici	Gregg

Hatch	Mack	Santorum
Hatfield	McCain	Shelby
Helms	McConnell	Simpson
Hutchison	Murkowski	Smith
Inhofe	Nickles	Thomas
Kempthorne	Packwood	Thurmond
Kyl	Pressler	Warner
Lott	Roth	

So the amendment (No. 1153), as amended, was agreed to.

Mr. FORD. Mr. President, I move to reconsider the vote.

Mr. EXON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1155

(Purpose: To restore the IRS compliance initiative)

Mr. EXON. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The VICE PRESIDENT. The clerk will report.

The legislative clerk read as follows:

The Senator from Nebraska [Mr. EXON], for Mr. GLENN and Mr. SIMON, proposes an amendment numbered 1155.

The amendment is as follows:

On page 79, strike lines 1 through 3.

Mr. EXON. Mr. President, this amendment would restore the budget structure of the IRS compliance initiative which now is established in last year's budget resolution with bipartisan support. The initiative was established off budget because of its return of \$5 for every \$1 spent. This budget resolution would change that structure, placing the IRS initiative under the spending caps.

The amendment strikes that language to ensure that the compliance initiative will be fully funded at \$9.2 billion over 5 years and delinquent taxes brought to the Treasury.

The VICE PRESIDENT. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I do not object to the statement, but frankly I hope we will exchange statements in the future. That statement is a little more editorialized comment than I thought we would have, but nonetheless it has been done.

AMENDMENT NO. 1156

(Purpose: To retain the budget resolution's prohibition against off-budget funding for the IRS and add a Sense of the Senate that the Senate should pass the "Taxpayers Bill of Rights 2")

Mr. DOMENICI. Mr. President, I send an amendment in the nature of a substitute on behalf of myself and Senator GRASSLEY to the desk and ask for its immediate consideration.

The VICE PRESIDENT. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for himself and Mr. GRASSLEY, proposes an amendment numbered 1156.

Mr. DOMENICI. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

The amendment is as follows:

In lieu of the language proposed to be stricken insert the following:

SEC. 209. REPEAL OF IRS ALLOWANCE.

(a) Section 25 of House Concurrent Resolution 218 (103d Congress, 2d Session) is repealed.

(b) It is the sense of the Senate that the revenue levels contained in the budget resolution should assume passage of the "Taxpayers Bill of Rights 2" and that the Senate should pass the Taxpayers Bill of Rights 2 this Congress.

(c) It is the sense of the Senate that funding for tax compliance efforts should be a top priority and that the assumptions underlying the functional totals in this resolution include the administration's full request for the Internal Revenue Service.

The VICE PRESIDENT. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, this amendment repeals the special off-budget treatment of the IRS compliance initiative. The budget resolution already provides full funding of the initiative within the discretionary caps.

I ask for the yeas and nays.

The VICE PRESIDENT. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Several Senators addressed the Chair.

The VICE PRESIDENT. The Senator from Ohio.

AMENDMENT NO. 1157 TO AMENDMENT NO. 1156

Mr. GLENN. Mr. President, I send an amendment to the desk in the second degree and ask for its immediate consideration.

The VICE PRESIDENT. The clerk will report.

The legislative clerk read as follows:

The Senator from Ohio [Mr. GLENN] proposes an amendment numbered 1157 to amendment No. 1156.

Mr. GLENN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

The amendment is as follows:

In the pending amendment, strike lines 1-3.

The VICE PRESIDENT. The majority leader is recognized.

UNANIMOUS-CONSENT AGREEMENT

Mr. DOLE. Mr. President, I have had discussion with the distinguished Democratic leader. I would like to enter into a unanimous-consent agreement. I understand the amendments have climbed to 50, so there will be 50 votes. We started at 31, got down to 20, and now it has gotten up to 50.

So I ask unanimous consent that the only first-degree amendments in order to the budget resolution be those submitted by 5:15 this evening.

Is there objection to that?

Mr. FORD. What about second degree?

Mr. DOLE. This only applies to first degree.

Mr. DASCHLE. We have been discussing this agreement. This would not preclude second-degree amendments. The sponsors of the amendments would have to turn them in to the managers

prior to 5:15. I think it is a good suggestion and I hope we can accommodate it.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

Mr. STEVENS. Which one are we voting on now?

The VICE PRESIDENT. The Senator from Nebraska.

Mr. EXON. Mr. President, the second-degree amendment strikes language in the Grassley-Domenici amendment which would restructure the IRS compliance initiative placing it within the budget caps.

The VICE PRESIDENT. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, the second-degree amendment returns the situation to where it was before I offered my amendment, which means that if this amendment is adopted, the IRS will continue to have special off-budget treatment of their budget instead of it being included in the budget like others.

The VICE PRESIDENT. The question is on the second-degree amendment.

VOTE ON MOTION TO TABLE AMENDMENT NO. 1157 TO AMENDMENT NO. 1156

Mr. DOMENICI. I move to table the second-degree amendment. Mr. President, I ask for the yeas and nays.

The VICE PRESIDENT. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 58, nays 42, as follows:

[Rollcall Vote No. 195 Leg.]

YEAS—58

Abraham	Feingold	McConnell
Ashcroft	Frist	Murkowski
Baucus	Gorton	Nickles
Bennett	Gramm	Packwood
Bingaman	Grams	Pressler
Brown	Grassley	Pryor
Bumpers	Gregg	Roth
Burns	Hatch	Santorum
Campbell	Hatfield	Shelby
Chafee	Heflin	Simpson
Coats	Helms	Smith
Cochran	Hutchison	Snowe
Cohen	Inhofe	Specter
Coverdell	Kassebaum	Stevens
Craig	Kempthorne	Thomas
D'Amato	Kyl	Thompson
DeWine	Lott	Thurmond
Dole	Lugar	Warner
Domenici	Mack	
Faircloth	McCain	

NAYS—42

Akaka	Ford	Levin
Biden	Glenn	Lieberman
Bond	Graham	Mikulski
Boxer	Harkin	Moseley-Braun
Bradley	Hollings	Moynihan
Breaux	Inouye	Murray
Bryan	Jeffords	Nunn
Byrd	Johnston	Pell
Conrad	Kennedy	Reid
Daschle	Kerrey	Robb
Dodd	Kerry	Rockefeller
Dorgan	Kohl	Sarbanes
Exon	Lautenberg	Simon
Feinstein	Leahy	Wellstone

So the amendment (No. 1157) was agreed to.

Mr. GORTON. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. LOTT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1156

The VICE PRESIDENT. The question recurs on amendment No. 1156 offered by the Senator from New Mexico.

The question is on agreeing to the amendment.

The amendment (No. 1156) was agreed to.

The VICE PRESIDENT. The adoption of the Domenici amendment renders the underlying amendment moot.

Mr. GORTON addressed the Chair.

The VICE PRESIDENT. The Senator from Washington.

Mr. GORTON. I am authorized to make an announcement by the majority leader that there will be no further votes until 5 p.m.

RECESS

The VICE PRESIDENT. Under the previous order, the Senate will stand in recess until 5 p.m.

Whereupon, at 4:19 p.m., the Senate recessed until 5 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. JEFFORDS).

The PRESIDING OFFICER. The majority manager of the bill is recognized.

AMENDMENT NO. 1158

Mr. EXON. Mr. President, on behalf of Senators BOXER, MURRAY, LAUTENBERG, and FEINSTEIN, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nebraska [Mr. EXON], for Mrs. BOXER, for herself, Mrs. MURRAY, Mr. LAUTENBERG, and Mrs. FEINSTEIN, proposes an amendment numbered 1158.

Mr. EXON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place add the following: "It is the sense of Congress that no Member of Congress may use campaign funds to defend against sexual harassment lawsuits."

Mr. EXON. Mr. President, this a sense of the Congress that no Member of Congress may use campaign funds to defend against sexual harassment lawsuits.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DOMENICI. Are we prepared to vote?

Mr. EXON. We are prepared for the vote. I asked for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. DOMENICI. Mr. President, I move to lay the amendment on the table.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

VOTE ON MOTION TO LAY ON THE TABLE

AMENDMENT NO. 1158

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table amendment No. 1158.

The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 1, nays 99, as follows:

[Rollcall Vote No. 196 Leg.]

YEAS—1

Packwood

NAYS—99

Abraham	Feingold	Lott
Akaka	Feinstein	Lugar
Ashcroft	Ford	Mack
Baucus	Frist	McCain
Bennett	Glenn	McConnell
Biden	Gorton	Mikulski
Bingaman	Graham	Moseley-Braun
Bond	Gramm	Moynihan
Boxer	Grams	Murkowski
Bradley	Grassley	Murray
Breaux	Gregg	Nickles
Brown	Harkin	Nunn
Bryan	Hatch	Pell
Bumpers	Hatfield	Pressler
Burns	Heflin	Pryor
Byrd	Helms	Reid
Campbell	Hollings	Robb
Chafee	Hutchison	Rockefeller
Coats	Inhofe	Roth
Cochran	Inouye	Santorum
Cohen	Jeffords	Sarbanes
Conrad	Johnston	Shelby
Coverdell	Kassebaum	Simon
Craig	Kempthorne	Simpson
D'Amato	Kennedy	Smith
Daschle	Kerrey	Snowe
DeWine	Kerry	Specter
Dodd	Kohl	Stevens
Dole	Kyl	Thomas
Domenici	Lautenberg	Thompson
Dorgan	Leahy	Thurmond
Exon	Levin	Warner
Faircloth	Lieberman	Wellstone

So the motion to lay on the table the amendment (No. 1158) was rejected.

AMENDMENT NO. 1159 TO AMENDMENT NO. 1158

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. DOLE. I send a second-degree amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kansas [Mr. DOLE] proposes an amendment numbered 1159 to amendment No. 1158.

The amendment is as follows:

In the pending amendment strike all after the words "It is the sense-of-the-Congress" and insert the following: "That no member of Congress or the executive branch may use campaign funds or privately donated funds to defend against sexual harassment lawsuits."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. DOLE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 55, nays 45, as follows:

[Rollcall Vote No. 197 Leg.]

YEAS—55

Abraham	Frist	McCain
Ashcroft	Gorton	McConnell
Bennett	Graham	Murkowski
Bond	Gramm	Nickles
Brown	Grams	Pressler
Burns	Grassley	Roth
Byrd	Gregg	Santorum
Campbell	Hatch	Shelby
Chafee	Hatfield	Simpson
Coats	Helms	Smith
Cochran	Hutchison	Snowe
Cohen	Inhofe	Specter
Coverdell	Jeffords	Stevens
Craig	Kassebaum	Thomas
D'Amato	Kempthorne	Thompson
DeWine	Kyl	Thurmond
Dole	Lott	Warner
Domenici	Lugar	
Faircloth	Mack	

NAYS—45

Akaka	Feinstein	Lieberman
Baucus	Ford	Mikulski
Biden	Glenn	Moseley-Braun
Bingaman	Harkin	Moynihan
Boxer	Heflin	Murray
Bradley	Hollings	Nunn
Breaux	Inouye	Packwood
Bryan	Johnston	Pell
Bumpers	Kennedy	Pryor
Conrad	Kerrey	Reid
Daschle	Kerry	Robb
Dodd	Kohl	Rockefeller
Dorgan	Lautenberg	Sarbanes
Exon	Leahy	Simon
Feingold	Levin	Wellstone

So the amendment (No. 1159) was agreed to.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. DOMENICI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BROWN. Parliamentary inquiry, Mr. President. Is it true that the unanimous consent agreement that we are operating under required any further amendments to be considered by this body—first-degree amendments—to be considered by this body to be presented to the managers of the bill by 5:15?

The PRESIDING OFFICER. The Senator is correct.

Mr. BROWN. Is it then true that because none of those amendments have