

that the lobbyists ought to get this tax break back.

Now, Mr. President, I understand the view of some that say that lobbying should be considered like any other cost of doing business, and so it should be deducted. That is a view that apparently many in the other body believe. Based on the feedback that I have heard from constituents, the American people would strongly disagree. In their view, I think it is a matter of basic fairness, a matter of priorities.

Mr. President, if an ordinary citizen writes a letter to their Member of Congress to express their concern about proposed cuts in education, that is not deductible. If an ordinary citizen takes the train or a plane or drives down to Washington from New Jersey or other places to meet with Senate staff about the high cost of Federal taxes, the cost of that train ride or the plane ride are not, generally, deductible. If a senior citizen, concerned about Medicare cuts, drives across his or her State to collect signatures on a petition, these costs are not deductible.

Now, Mr. President, if ordinary citizens like these cannot deduct their lobbying expenses, neither should a special interest group who hires a lobbyist to protect its favorite Government subsidy and neither should a billionaire who hires a lobbyist to protect his favorite tax break or his special opportunity to grow his profits.

It is a question of fairness. It is a question of priorities. Think of it this way, Mr. President. Reinstating the deduction for lobbying would cost the Government over \$100 million a year for the next 5 years—in fact, \$650 million. Even if we think that lobbying expenses should be deducted, is this really a priority in these times of fiscal austerity, in these times of extreme sacrifices by many of our citizens who work hard and are barely treading water?

How can we in good conscience spend \$650 million for a tax break for lobbyists and then severely cut Medicare? How can we spend \$650 million for a tax break for lobbyists and then turn around and cut education? How can we spend \$650 million for a tax break for lobbyists and then turn around and increase taxes on ordinary Americans, lower income citizens, by cutting back on the earned income tax credit?

Mr. President, with all the problems facing this country, we simply have to set our priorities straight. And giving a tax deduction to lobbying just should not be high on that list.

I want to be clear about something. I am not here to bash lobbyists. Not by any means. In fact, I would be the first to say that they often get a bum rap. Most are top-notch professionals—some of them trained in postgraduate courses, law school, Government, et cetera—and they perform important functions. They have every right, under the first amendment to the Constitution, to petition Government officials. What they do not have as a right

is the ability to have their expenses deductible.

Now, this is not a radical idea, Mr. President. Congress reached the same conclusion 2 years ago. My point today is simply that we should not reverse that earlier decision, that, in fact, we ought to reaffirm that earlier decision so there cannot be any mistake about what this Congress stands for in terms of that deduction. This is a declaration of fealty, of loyalty, that we are going to preserve the nondeductibility of those expenses.

It would only strengthen the public cynicism about the Congress, which they already see as controlled by lobbyists and special interests. We cannot wonder why. It is quite apparent.

I want to add this point. I appreciate, Mr. President, there is some controversy about some of the details of the current law and how it is administered. My amendment is not intended to address these issues. I am not here to endorse every dot and comma in the IRS regulations, or to oppose minor modifications to current law in the area. I am here to make a more general point. If ordinary Americans are not allowed to deduct the costs of communicating with their elected representatives, lobbying expenses should not be deductible, either. It is a basic matter of fairness and priorities.

So, to repeat, Mr. President, my amendment simply expresses the sense of the Senate that lobbying expenses should not be tax deductible. Present law ought to continue. I hope that my colleagues on both sides of the aisle intend to continue the present policy. That is what we are going to see by the vote that we will be requesting, Mr. President.

Mr. President, as I understand, any opposition to this amendment has half an hour to express their opposition.

I suggest the absence of a quorum, and ask that the time be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LAUTENBERG. 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. LAUTENBERG. Mr. President, I interrupt the quorum call simply to make certain that we are ordering the yeas and nays.

I ask the distinguished manager of the bill on the Republican side whether he will join me in calling for the yeas and nays.

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

The PRESIDING OFFICER. Does the Senator seek consent to have the time divided between the two sides?

Mr. LAUTENBERG. As was requested, unless it expedites the process further by yielding back?

Mr. MCCONNELL. Mr. President, my indication from floor staff is they prefer the two votes to occur at 12. I am unaware of any speakers on this side.

If Senator LAUTENBERG would like additional time, I will be happy to yield it.

Mr. LAUTENBERG. Mr. President, the case was made, I hope clearly and sufficiently.

I therefore will yield all time and just have the vote occur as planned at 12 o'clock.

Mr. MCCONNELL. We are planning on the vote occurring at 12. So my suggestion would be for us to just put in a quorum call and let the time run and the two votes will occur at 12.

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

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

The time will be equally deducted from both sides.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

THE BOSNIA RESOLUTION

Mr. DOLE. Mr. President, let me indicate to my colleagues that at 2:15 we will return to the Bosnia resolution which we will complete today. We hope we can do that without a number of amendments. I know there are 4 hours of debate, and we have debated this issue over and over and over again. I think it is—maybe not ironic, but another safe haven has fallen as we begin the debate. It seems to me that it is going from bad to worse on a daily basis.

I believe it is time that we lift the arms embargo. We have strong bipartisan support. Senator LIEBERMAN will lead the effort this afternoon. So I appreciate his willingness to cooperate.

THE LEGISLATIVE AGENDA

Mr. DOLE. Mr. President there will also be, for those who have an interest, a joint leadership meeting of House and Senate leaders at noon today where we will discuss the legislative effort between now and the so-called August recess, whenever that begins. And we will try to go over matters of mutual interest.

CONGRESSIONAL GIFT REFORM ACT

Mr. DOLE. Finally, Mr. President, let me say with reference to the gift ban,

that has been debated this morning. It started at 9 o'clock, it would be my hope that during the debate on Bosnia we could continue our bipartisan efforts to reach some agreement on a gift ban.

I do not know of anybody here that will live or die based on what happens on the gift ban. I think what we want to make certain of is that you do not have someone in this body who gets in trouble for some unintentional act.

I received five birthday cakes last week. I am not certain what the value of the cakes were. I only ate one piece. But I might be in trouble because I am certain that the value of some of those cakes was in excess of \$20.

I was in Ocala, FL, on Sunday. They gave me a very nice piece of artistic work from wood. I do not know the value of it. The artist is not well known but well known in that part of Florida. Are we to say we cannot take that? There was not any lobbying group there. There were about 400 people there. For some reason they were happy I was there, and they gave me this gift.

I believe that the thing we want to make certain of is that we do not go over the cliff here. I know there are 23 exemptions, as I understand it, for "nonlobbyists." But I would hope my friend from Kentucky, who is present on the floor, would make certain, in our effort to make certain we are all simon pure, that we do not unintentionally involve one of our colleagues in some difficulty down the road if somebody in an election year, particularly if somebody did not register this birthday cake, they did not register this or that. I think it is easy to go to the extreme.

If you do not have any friends they do not give you any gifts, and you do not have any problem. But most of us have friends, and they are good people. They are people from our home State, and people from other States which we visit.

I am talking about minimal gifts, not anything of any great substance.

If we can work out a bipartisan agreement, then obviously we will take it up tomorrow. If not, we may delay it for a while because we want to start on the State Department authorization bill. Hopefully, we can finish that in 2 or 3 days. That would still leave DOD authorization and appropriations, also foreign operations, welfare reform bill, four appropriations bills, the Ryan White bill, and a few other things before we recess for August.

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

The PRESIDING OFFICER. Without objection, the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

LOBBYING DISCLOSURE ACT OF 1995

The Senate continued with the consideration of the bill.

VOTE ON AMENDMENT NO. 1846

The PRESIDING OFFICER. Under the previous order, the Senate now resumes deliberation of amendment 1846, offered by the Senator from New Jersey, Senator LAUTENBERG.

The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Florida [Mr. GRAHAM] is necessarily absent.

Mr. LOTT. I announce that the Senator from Utah [Mr. BENNETT] is necessarily absent.

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

The result was announced—yeas 72, nays 26, as follows:

[Rollcall Vote No. 327 Leg.]
YEAS—72

Abraham	Feinstein	McConnell
Akaka	Frist	Mikulski
Baucus	Glenn	Moseley-Braun
Biden	Grassley	Moynihan
Bingaman	Gregg	Murkowski
Boxer	Harkin	Murray
Bradley	Hatfield	Nunn
Breaux	Heflin	Pell
Bryan	Hollings	Pressler
Bumpers	Hutchison	Pryor
Burns	Inhofe	Reid
Byrd	Inouye	Robb
Campbell	Jeffords	Rockefeller
Chafee	Kassebaum	Santorum
Cohen	Kennedy	Sarbanes
Conrad	Kerrey	Shelby
D'Amato	Kerry	Simon
Daschle	Kohl	Simpson
DeWine	Kyl	Smith
Dodd	Lautenberg	Snowe
Domenici	Levin	Thomas
Dorgan	Lieberman	Thompson
Exon	Lugar	Warner
Feingold	McCain	Wellstone

NAYS—26

Ashcroft	Ford	Lott
Bond	Gorton	Mack
Brown	Gramm	Nickles
Coats	Grans	Packwood
Cochran	Hatch	Roth
Coverdell	Helms	Specter
Craig	Johnston	Stevens
Dole	Kempthorne	Thurmond
Faircloth	Leahy	

NOT VOTING—2

Bennett Graham

So the amendment (No. 1846) was agreed to.

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

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

The motion to lay on the table was agreed to.

LOBBYING REFORM

Mr. DOLE. Mr. President, earlier this year, Congress took an important step forward in reforming the way we conduct the Nation's business by passing congressional coverage legislation. Now, we will think twice before imposing new regulatory burdens on the private sector because these burdens will be imposed on Congress, too.

Today, we will pass another key element of the reform agenda—lobbying reform.

Unlike last year's bill, this legislation strikes the right balance: it tightens up the registration and disclosure requirements for the Washington-based lobbyists, without infringing upon the rights of ordinary citizens at the grassroots to petition their Government. This was the main bone of contention during last year's debate, and I believe we have resolved our disagreements.

While I was hopeful that we could have made a number of additional changes, including codifying President Clinton's executive order which imposes a 5-year ban on postemployment lobbying by executive branch officials, I am nonetheless pleased that the bill includes my amendment restricting the postemployment activities of our Nation's top trade negotiators.

This amendment will prohibit anyone who has served as U.S. Trade Representative or Deputy U.S. Trade Representative, from ever representing, aiding, or advising any foreign government, foreign political party, or foreign business entity with the intent to influence a decision of any officer or employee of an executive agency.

Current law prohibits the U.S. Trade Representative from aiding or advising a foreign entity for a period of 3 years after his service has ended. My amendment transforms this 3-year ban into a lifetime ban and applies the ban to the Deputy Trade Representative as well.

The real problem here is one of appearance—the appearance of a revolving door between government service and private-sector enrichment. This appearance problem becomes all the more acute when former high Government officials work on behalf of foreign interests.

Service as a high Government official is a privilege, not a right. This amendment may discourage some individuals from accepting the U.S.T.R. job, but in my view, this is a small price to pay when the confidence of the American people is at stake.

Finally, Mr. President, I want to congratulate my distinguished colleagues, Senators LEVIN, COHEN, McCONNELL, and LOTT, for all the hard work they have put into this effort.

I know they have been working a number of days—in fact weeks—in trying to come to some agreement. And because of their efforts, and because of their willingness on a give-and-take proposition, I believe they have crafted a very clear and a very sensible bill. And it should go a long way toward helping restore the trust of the American people in their elected representatives.

I think the vote yesterday reflects broad support. The vote for the McConnell-Levin substitute was 98 to 0. There were two Senators absent, or it would have been 100 to 0. And I predict the vote today will probably be unanimous. Every Senator present will vote in favor of it.