day; count the lives that will be lost if we don't act; count on our responsibility in the Senate and the House to move this legislation as quickly as possible.

I yield the remainder of my time.

Mr. TORRICELLI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

CAMPAIGN FINANCE REFORM

Mr. TORRICELLI. Mr. President, 2 weeks ago, all of our hopes for campaign finance reform in this session of the Congress were once again frustrated. A year of investigations, legislative proposals, and public debate were met with a filibuster led by the Republican leadership. Perhaps it really should not have come as much of a surprise to any of us. In the last decade, this Senate has considered 321 different pieces of legislation for campaign finance reform, which filled 6,742 pages of the CONGRESSIONAL RECORD—and all of this with no change.

So now, for the 117th time in 10 years, the Senate has voted on an element of campaign finance reform to absolutely no avail. It is a problem of near-crisis proportions, not simply because of the burden it places on candidates for public office, not simply because of the compromises it seems to make in public policy. There is a problem far more fundamental. As evidenced in the confidence of our own people in their system of Government, the United States remains perhaps the only developed democracy in the world where its leadership is chosen by a minority of its citizens. Americans are expressing themselves in our system of Government not with their voices but with their feet, because they choose not to walk into a voting booth.

If it was bad enough that this Congress would not act, now this frustration with reform is in an entirely different form. President Clinton has challenged the FCC to institute at least one element of reform—in my judgment, perhaps the most important element of reform—by mandating a reduction in the cost of television advertising, on the simple theory that if the cost of advertising is less, candidates will be raising less. If the cost of advertising is less, candidates without great financial resources will still seek public office and not find a barrier to expression. It is not a perfect answer, but it is at least a contribution. This was the President's challenge. The FCC has before it that question.

But it was not enough to have a filibuster to defeat the McCain-Feingold reform legislation. Now an effort is being made to include in the President's supplemental funding request in the appropriations process a prohibition on the FCC actually ordering a reduction in rates. The scale of the problem the FCC would deal with is enormous. Since 1977, the cost of congressional campaigns has risen over 700 percent. The central element of this rising spiral of costs is television advertising. In 1996, candidates spent over $400 million to purchase television advertising on federally licensed, public airwaves. Hundreds of candidates were traveling to virtually every State, thousands of communities, to raise hundreds of millions of dollars to buy time on federally licensed airwaves that belong to the American people. It is almost incredible to believe.

There has been, since 1988, a 76 percent increase in this financial burden on public candidates for television advertising. Political advertising on the public airwaves dominates all other forms of campaign spending. President Clinton and Senator Dole spent nearly two-thirds of all their financial resources to buy television time. One half of all the money raised by U.S. Senate candidates was similarly spent on television advertising. In the larger industrial States for the principal media markets, the numbers are far greater—in Los Angeles, Chicago, New York, Miami, or Boston. In my own State of New Jersey, in the Senate race in 1996, fully 80 percent of all financial resources went to buy television advertising. Some 30 seconds of access to the voting population on television could cost in excess of $50,000.

Can it be any wonder that candidates are spending all of their time raising money rather than discussing issues? Can there be any question why candidates without great financial resources, simply possessing a desire to serve and a creativity for dealing with public policy, do not feel they can enter the electoral process? The principal barrier is the public airwaves themselves—something the people of the United States already own. Yet, it's being denied to our own people to discuss issues about our country's own future.

Congress has had a chance to deal with this problem, and it has not. The original version of the McCain-Feingold reform legislation contained reductions in television advertising. It was removed. A challengers' amendment was offered to the McCain-Feingold reform bill that would have provided for a reduction. It was not adopted. I introduced an amendment that would have allowed for a 75 percent reduction. My amendment could not be offered. These are the reasons why I believe President Clinton challenged the FCC to act. To this Congress, our responsibility should be clear. Since the Congress failed to enact campaign finance reform, at least get out of the way so that the FCC can act responsibly and institute at least one element of reform. The Congress has had a decade, hundreds of opportunities, and did nothing. At least now remain silent so that others who will act responsibly can do something to deal with this mounting national problem.

It is not as if we do not have in the FCC the legal ability to require the television networks to reduce the cost of advertising. And it is not as though this request is without precedence. In 1952, the FCC set aside 12 percent of all television channeling time for education purposes, for noncommercial use. In 1967, President Johnson set aside part of the spectrum for public broadcasting. For the FCC now to require a reduction in rates has not only precedence but overwhelming precedence. Candidates for public office now pay a reduced rate, albeit insufficiently reduced. Perhaps even greater, however, is that the FCC is providing up to $20 billion worth of free licenses to broadcasters for digital television, a part of the spectrum on a digital basis, requiring the broadcasters to pay nothing, and probably the greatest grant to private industry since the opening of Federal lands to the railroads. The broadcasters were provided this license on a single basis, on a single request that they fulfill a public obligation to the people of this country.

I can think of no greater opportunity to fulfill that public obligation in meeting a more serious national problem than the FCC now—after the granting of these digital television licenses to broadcasters, asking them to provide reduced rates or free television time. The scale of the burden is so minimal.

Last year, television networks billed, for commercial and other advertising, $42 billion. Of this total advertising expenditure, 1.2 percent was for political advertising. The cost of reducing the rates for political advertising, that 1.2 percent, would still allow for a growth in the overall advertising revenue of the networks next year. So if the FCC acted on any reasonable basis, it would not result in less broadcaster revenues next year and, in year-to-year terms, it would be simply a small reduction in the rate of growth. This we would hesitate to ask after providing $20 billion worth of free new licenses to the networks that are already operating on publicly owned airwaves of the people of the United States?

Perhaps it isn't that the burden isn't too great; perhaps it isn't a legal problem at all; perhaps it is that there are Members of this institution of the Congress that like the idea that there is a threshold price for entry to public office in the United States. The price of entering public office in the United States is not an academic degree; it is not a command of the issues; it is not a given level of commitment to public service; it is the ability to buy television time to communicate views. Increasingly, that means people of great personal wealth use their own resources. If it is not their own resources, it is the ability to use those resources of great financial interests in the United States that command all of the candidate's time and attention. Perhaps it is that people like this threshold price of entry and what it means for certain interests in the Senate, partisan or otherwise.

Well, it leaves us with this simple situation: The Congress had its chance

for campaign finance reform and, after a decade of effort, it has failed. President Clinton has made a request for the FCC to consider reductions in television advertising rates. That issue is now before Chairman Kennard. The Commissioners of the FCC and its new chairman, Mr. Kennard, have a historic opportunity—an opportunity that goes to the very issue of confidence in this Government, the ability for people to feel they identify with these institutions, with their futures and the welfare of their families. They have an extraordinary opportunity to institute reform.

I hope the FCC will act, and I hope this Congress, having failed to be responsible in dealing with this problem, at least has the good grace to remain silent, to not amend the supplemental appropriations legislation so that others can meet a responsibility that was not met on the floor of this Senate.

Mr. President, I yield the floor, and 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. CHAFEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SMITH of Oregon). Without objection, it is so ordered.

INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT OF 1997

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 1173, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1173) to authorize funds for construction of highways, for highway safety programs, and for mass transit programs, and for other purposes.

The Senate resumed consideration of the bill, with a modified committee amendment in the nature of a substitute (Amendment No. 1676).

AMENDMENT NO. 1951 TO AMENDMENT NO. 1676

(Purpose: To make additional allocations, with an offset)

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

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. CHAFEE] proposes amendment numbered 1951 to amendment No. 1676.

Mr. CHAFEE. 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:

On page 136, after line 22, in the section added by Chafee Amendment No. 1684 on page 18, between lines 19 and 20, insert the following:

(g) ADDITIONAL ALLOCATIONS.—

(1) IN GENERAL.—For each of fiscal years 1999 through 2003, after making apportionments and allocations under sections 104 and 105(a) of title 23, United States Code, and section 1102(c) of this Act, the Secretary shall allocate to each of the following States the following amount specified for the State:

(A) Arizona: $7,016,000.

(B) Indiana: $9,290,000.

(C) Michigan: $11,158,000.

(D) Oklahoma: $6,924,000.

(E) South Carolina: $7,109,000.

(F) Texas: $20,804,000.

(G) Wisconsin: $7,699,000.

(2) ELIGIBLE PURPOSES.—Amounts allocated under paragraph (1) shall be available for any purpose eligible for funding under title 23, United States Code, or this Act.

(3) AUTHORIZATION OF CONTRACT AUTHORITY.—

(A) IN GENERAL.—There shall be available from the Highway Trust Fund (other than the Mass Transit Account) such sums as are necessary to carry out this subsection.

(B) CONTRACT AUTHORITY.—Funds authorized under this paragraph shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code.

(4) LIMITATIONS.—

(A) APPLICABILITY OF OBLIGATION LIMITATIONS.—Funds made available under this subsection shall be subject to subparagraphs (A) and (B) of section 118(e)(1) of that title.

(B) LIMITATION ON AVAILABILITY.—No obligation authority shall be made available for any amounts authorized under this subsection for any fiscal year for which any obligation limitation established for Federal-aid highways is less than the obligation limitation established for fiscal year 1998.

On page 415, strike lines 10 through 15 and insert the following:

(other than the Mass Transit Account) to carry out sections 502, 507, 509, and 511 $98,000,000 for fiscal year 1998, $31,000,000 for fiscal year 1999, $34,000,000 for fiscal year 2000, $37,000,000 for fiscal year 2001, $40,000,000 for fiscal year 2002, and $44,000,000 for fiscal year 2003.

Mr. CHAFEE. Mr. President, the amendment that I have submitted would assist seven States—Arizona, Indiana, Michigan, Oklahoma, South Carolina, Texas, and Wisconsin. This assistance would be in addition to the increases already provided to these States in the Chafee amendment that the Senate adopted last week.

The Chafee amendment provided allocations to the States in three categories—the Appalachian Regional Commission program, the density program, and the bonus program for donor States—to bring their minimum up to 91 cents on the dollar. Six of the seven States to be assisted by this proposal did not qualify for either the Appalachian Regional Commission program or the density program in the Chafee amendment. The other State—South Carolina—that would receive assistance under this proposal received only $1.4 million per year from the ARC program in the Chafee amendment. Thus, the proposal is to provide an additional amount to donor States that received no, or very little, money from the ARC and density programs in the Chafee amendment.

The proposal is to take $70 million per year for 5 years—1999 through 2003—from the Federal research program and distribute that amount among the seven States. Thirty percent of the new funds would be distributed equally among the States—$3 million per State—and 70 percent would be distributed according to the share of payments to the trust fund in 1996.

The States would be added to the density program, giving each State almost complete discretion in the use of the money. The research program is authorized at approximately $100 million per year in the underlying bill and would be reduced to approximately $30 million per year by the amendment.

Mr. BAUCUS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, this is a balancing amendment to make the bill fair to all regions of the country. When the committee took up the bill in the first place—actually there were several major bills—it was intended to represent different parts of the country. We in the committee melded these bills together. One is a donor States bill; one is a New England States, Eastern States, bill; one is a Western States bill.

Because of the leadership of the chairman, Senator CHAFEE, as well as the composition of the committee, which is balanced, we came up with a very balanced bill. Now, balance is in the eyes of the beholder. When we finished, there were some States that felt that although treated fairly, they perhaps could have been treated more fairly.

The effect of this bill is to make sure that all parts of the country are treated evenly, fairly. The effect of this amendment will help accomplish that. It will also help speed passage of this bill. It is my hope, and even expectation, that we can finish this bill today with the passage of this amendment, because the remaining business before the Senate is various amendments, matters that, as important as they are, are not as much of a consequence as this amendment, which is the one that has been worked out in the last couple, 3 days—actually last week, with the chairman and others and interested Senators.

So I urge that this amendment be agreed to. It is going to speed passage of the bill and can get some highways built.

Mr. LEVIN. Mr. President, first, let me thank the managers of the bill. I support this amendment. We have worked very hard on it. It represents a step towards greater fairness for some donor States who did not receive any benefits from other parts of changes in this bill. It is a long road, still, towards fairness—from our perspective, I emphasize—but this represents a step along the road and could not have been made without the help of our good friends from Rhode Island and Montana. I want to thank them for that.

Mr. BAUCUS. Mr. President, I want to thank the very able distinguished Senator from Michigan.