Security and Military/Commercial Concerns with the People's Republic of China, which was referred to the House Calendar and ordered to be printed.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 4 o'clock and 03 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1638

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. NEY) at 4 o'clock and 38 minutes p.m.

## PERSONAL EXPLANATION

Ms. LOFGREN. Mr. Speaker, yesterday United Airlines Flight 200, the 8 a.m. flight from San Francisco, took off 2 hours late. All the passengers were delayed 2 hours. I missed 2 rollcall votes as a consequence and would ask the RECORD to show had I been present I would have voted yes on Rollcall 232 and 233.

□ 1638

## BIPARTISAN CAMPAIGN INTEGRITY ACT OF 1997

The SPEAKER pro tempore (Mr. NEY). Pursuant to House Resolution 442 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2183.

□ 1639

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2183) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes, with Mr. PEASE (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore (Mr. PEASE). When the Committee of the Whole House rose on Friday, May 22, 1998, all time for general debate had expired.

Pursuant to House Resolution 442, the bill is considered read for amendment under the 5-minute rule.

The text of H.R. 2183 is as follows:

H.R. 2183

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Bipartisan Campaign Integrity Act of 1997''.

**TITLE I—SOFT MONEY AND CONTRIBUTIONS AND EXPENDITURES OF POLITICAL PARTIES**

**SEC. 101. BAN ON SOFT MONEY OF NATIONAL POLITICAL PARTIES AND CANDIDATES.**

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 new section:

''BAN ON USE OF SOFT MONEY BY NATIONAL POLITICAL PARTIES AND CANDIDATES

''SEC. 323. (a) NATIONAL PARTIES.—A national committee of a political party, including the national congressional campaign committees of a political party, and any officers or agents of such party committees, may not solicit, receive, or direct any contributions, donations, or transfers of funds, or spend any funds, which are not subject to the limitations, prohibitions, and reporting requirements of this Act. This subsection shall apply to any entity that is established, financed, maintained, or controlled (directly or indirectly) by, or acting on behalf of, a national committee of a political party, including the national congressional campaign committees of a political party, and any officers or agents of such party committees.

''(b) CANDIDATES.—

''(1) IN GENERAL.—No candidate for Federal office, individual holding Federal office, or any agent of such candidate or officeholder may solicit, receive, or direct—

''(A) any funds in connection with any Federal election unless such funds are subject to the limitations, prohibitions and reporting requirements of this Act;

''(B) any funds that are to be expended in connection with any election for other than a Federal office unless such funds are not in excess of the amounts permitted with respect to contributions to Federal candidates and political committees under section 315(a)(1) and (2), and are not from sources prohibited from making contributions by this Act with respect to elections for Federal office; or

''(C) any funds on behalf of any person which are not subject to the limitations, prohibitions, and reporting requirements of this Act if such funds are for the purpose of financing any activity on behalf of a candidate for election for Federal office or any communication which refers to a clearly identified candidate for election for Federal office.

''(2) EXCEPTION FOR CERTAIN ACTIVITIES.—Paragraph (1) shall not apply to—

''(A) the solicitation or receipt of funds by an individual who is a candidate for a non-Federal office if such activity is permitted under State law for such individual's non-Federal campaign committee; or

''(B) the attendance by an individual who holds Federal office at a fundraising event for a State or local committee of a political party of the State which the individual represents as a Federal officeholder, if the event is held in such State.

''(c) PROHIBITING TRANSFERS OF NON-FEDERAL FUNDS BETWEEN STATE PARTIES.—A State committee of a political party may not transfer any funds to a State committee of a political party of another State unless the funds are subject to the limitations, prohibitions, and reporting requirements of this Act.

''(d) APPLICABILITY TO FUNDS FROM ALL SOURCES.—This section shall apply with respect to funds of any individual, corporation, labor organization, or other person.''.

**SEC. 102. INCREASE IN AGGREGATE ANNUAL LIMIT ON CONTRIBUTIONS BY INDIVIDUALS TO POLITICAL PARTIES.**

(a) IN GENERAL.—The first sentence of section 315(a)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(3)) is amended by striking ''in any calendar year'' and inserting the following: ''to political committees of political parties, or contributions aggregating more than $25,000 to any other persons, in any calendar year''.

(b) CONFORMING AMENDMENT.—Section 315(a)(1)(B) of such Act (2 U.S.C. 441a(a)(1)(B)) is amended by striking ''$20,000'' and inserting ''$25,000''.

**SEC. 103. REPEAL OF LIMITATIONS ON AMOUNT OF COORDINATED EXPENDITURES BY POLITICAL PARTIES.**

(a) IN GENERAL.—Section 315(d) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(d)) is amended by striking paragraphs (2) and (3).

(b) CONFORMING AMENDMENTS.—Section 315(d)(1) of such Act (2 U.S.C. 441a(d)(1)) is amended—

(1) by striking ''(d)(1)'' and inserting ''(d)''; and

(2) by striking '', subject to the limitations contained in paragraphs (2) and (3) of this subsection''.

**TITLE II—INDEXING CONTRIBUTION LIMITS**

**SEC. 201. INDEXING CONTRIBUTION LIMITS.**

Section 315(c) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(c)) is amended by adding at the end the following new paragraph:

''(3)(A) The amount of each limitation established under subsection (a) shall be adjusted as follows:

''(i) For calendar year 1999, each such amount shall be equal to the amount described in such subsection, increased (in a compounded manner) by the percentage increase in the price index (as defined in subsection (c)(2)) for each of the years 1997 through 1998.

''(ii) For calendar year 2003 and each fourth subsequent year, each such amount shall be equal to the amount for the fourth previous year (as adjusted under this subparagraph), increased (in a compounded manner) by the percentage increase in the price index for each of the four previous years.

''(B) In the case of any amount adjusted under this subparagraph which is not a multiple of $100, the amount shall be rounded to the nearest multiple of $100.''.

**TITLE III—EXPANDING DISCLOSURE OF CAMPAIGN FINANCE INFORMATION**

**SEC. 301. DISCLOSURE OF CERTAIN COMMUNICATIONS.**

(a) IN GENERAL.—Any person who expends an aggregate amount of funds during a calendar year in excess of $25,000 for communications described in subsection (b) relating to a single candidate for election for Federal office (or an aggregate amount of funds during a calendar year in excess of $100,000 for all such communications relating to all such candidates) shall file a report describing the amount expended for such communications, together with the person's address and phone number (or, if appropriate, the address and phone number of the person's principal officer).

(b) COMMUNICATIONS DESCRIBED.—A communication described in this subsection is any communication which is broadcast to the general public through radio or television and which mentions or includes (by name, representation, or likeness) any candidate for election for Senator or for Representative in (or Delegate or Resident Commissioner to) the Congress, other than any communication which would be described in clause (i), (iii), or (v) of section 301(9)(B) of the Federal Election Campaign Act of 1971 if the payment were an expenditure under such section.

(c) DEADLINE FOR FILING.—A person shall file a report required under subsection (a) not later than 7 days after the person first expends the applicable amount of funds described in such subsection, except that in the

case of a person who first expends such an amount within 10 days of an election, the report shall be filed not later than 24 hours after the person first expends such amount. For purposes of the previous sentence, the term ''election'' shall have the meaning given such term in section 301(1) of the Federal Election Campaign Act of 1971.

(d) PLACE OF SUBMISSION.—Reports required under subsection (a) shall be submitted—

(1) to the Clerk of the House of Representatives, in the case of a communication involving a candidate for election for Representative in (or Delegate or Resident Commissioner to) the Congress; and

(2) to the Secretary of the Senate, in the case of a communication involving a candidate for election for Senator.

(e) PENALTIES.—Whoever knowingly fails to—

(1) remedy a defective filing within 60 days after notice of such a defect by the Secretary of the Senate or the Clerk of the House of Representatives; or

(2) comply with any other provision of this section,

shall, upon proof of such knowing violation by a preponderance of the evidence, be subject to a civil fine of not more than $50,000, depending on the extent and gravity of the violation.

**SEC. 302. REQUIRING MONTHLY FILING OF REPORTS.**

(a) PRINCIPAL CAMPAIGN COMMITTEES.—Section 304(a)(2)(A)(iii) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(2)(A)(iii)) is amended to read as follows:

''(iii) monthly reports, which shall be filed no later than the 20th day after the last day of the month and shall be complete as of the last day of the month, except that, in lieu of filing the reports otherwise due in November and December of the year, a pre-general election report shall be filed in accordance with clause (i), a post-general election report shall be filed in accordance with clause (ii), and a year end report shall be filed no later than January 31 of the following calendar year.''.

(b) OTHER POLITICAL COMMITTEES.—Section 304(a)(4) of such Act (2 U.S.C. 434(a)(4)) is amended to read as follows:

''(4)(A) In a calendar year in which a regularly scheduled general election is held, all political committees other than authorized committees of a candidate shall file—

''(i) monthly reports, which shall be filed no later than the 20th day after the last day of the month and shall be complete as of the last day of the month, except that, in lieu of filing the reports otherwise due in November and December of the year, a pre-general election report shall be filed in accordance with paragraph clause (ii), a post-general election report shall be filed in accordance with clause (iii), and a year end report shall be filed no later than January 31 of the following calendar year;

''(ii) a pre-election report, which shall be filed no later than the 12th day before (or posted by registered or certified mail no later than the 15th day before) any election in which the committee makes a contribution to or expenditure on behalf of a candidate in such election, and which shall be complete as of the 20th day before the election; and

''(iii) a post-general election report, which shall be filed no later than the 30th day after the general election and which shall be complete as of the 20th day after such general election.

''(B) In any other calendar year, all political committees other than authorized committees of a candidate shall file a report covering the period beginning January 1 and ending June 30, which shall be filed no later than July 31 and a report covering the period beginning July 1 and ending December 31, which shall be filed no later than January 31 of the following calendar year.''.

(c) CONFORMING AMENDMENTS.—(1) Section 304(a) of such Act (2 U.S.C. 434(a)) is amended by striking paragraph (8).

(2) Section 309(b) of such Act (2 U.S.C. 437g(b)) is amended by striking ''for the calendar quarter'' and inserting ''for the month''.

**SEC. 303. MANDATORY ELECTRONIC FILING FOR CERTAIN REPORTS.**

(a) IN GENERAL.—Section 304(a)(11)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(11)(A)) is amended by striking the period at the end and inserting the following: '', except that the Commission shall require the reports to be filed and preserved by such means, format, or method, unless the aggregate amount of contributions or expenditures (as the case may be) reported by the committee in all reports filed with respect to the election involved (taking into account the period covered by the report) is less than $50,000.''.

(b) PROVIDING STANDARDIZED SOFTWARE PACKAGE.—Section 304(a)(11) of such Act (2 U.S.C. 434(a)(11)) is amended—

(1) by redesignating subparagraph (C) as subparagraph (D); and

(2) by inserting after subparagraph (B) the following new subparagraph:

''(C) The Commission shall make available without charge a standardized package of software to enable persons filing reports by electronic means to meet the requirements of this paragraph.''.

**SEC. 304. WAIVER OF ''BEST EFFORTS'' EXCEPTION FOR INFORMATION ON OCCUPATION OF INDIVIDUAL CONTRIBUTORS.**

Section 302(i) of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(i)) is amended—

(1) by striking ''(i) When the treasurer'' and inserting ''(i)(1) Except as provided in paragraph (2), when the treasurer''; and

(2) by adding at the end the following new paragraph:

''(2) Paragraph (1) shall not apply with respect to information regarding the occupation or the name of the employer of any individual who makes a contribution or contributions aggregating more than $200 during a calendar year (as required to be provided under subsection (c)(3)).''.

**TITLE IV—EFFECTIVE DATE**

**SEC. 401. EFFECTIVE DATE.**

This Act and the amendments made by this Act shall apply with respect to elections occurring after January 1999.

The CHAIRMAN pro tempore. Before consideration of any other amendment, it shall be in order to consider the amendments in the nature of a substitute specified in House Report 105–545. Each amendment shall be considered in the order specified, may be offered only by the Member who caused it to be printed in the CONGRESSIONAL RECORD or his designee, shall be considered read, and shall not be subject to a substitute amendment or to a perfecting amendment carrying a tax or tariff measure.

Consideration of each amendment specified in the report shall begin with an additional period of general debate, which shall be confined to the subject of the amendment and shall not exceed 1 hour, equally divided and controlled by the Member causing the amendment to be printed in the CONGRESSIONAL RECORD or his designee and an opponent.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

If more than one of the amendments specified in the report is adopted, only the one receiving the greater number of affirmative votes shall be considered as finally adopted. In the case of a tie for the greater number of affirmative votes, only the last amendment to receive that number of affirmative votes shall be considered as finally adopted.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

It is now in order to debate the subject matter of the amendment printed in the CONGRESSIONAL RECORD as number 16.

Pursuant to House Resolution 442, the gentleman from Washington (Mr. WHITE) and a Member opposed each will control 30 minutes.

Mr. GEJDENSON. Mr. Chairman, I rise in opposition to the bill and claim the 30 minutes in opposition.

The CHAIRMAN pro tempore. The gentleman from Connecticut will be recognized for 30 minutes.

Mr. GEJDENSON. Mr. Speaker, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Evidently, a quorum is not present.

Members will record their presence by electronic device.

The call was taken by electronic device.

The following Members responded to their names:

[Roll No. 240]

ANSWERED ''PRESENT''—392

| | | |
|---|---|---|
| Abercrombie | Bliley | Capps |
| Ackerman | Blumenauer | Cardin |
| Aderholt | Blunt | Carson |
| Allen | Boehlert | Castle |
| Andrews | Boehner | Chabot |
| Armey | Bonilla | Chambliss |
| Bachus | Bonior | Chenoweth |
| Baesler | Bono | Clay |
| Baker | Borski | Clayton |
| Baldacci | Boswell | Clement |
| Ballenger | Boucher | Clyburn |
| Barcia | Boyd | Coble |
| Barr | Brady (PA) | Coburn |
| Barrett (NE) | Brown (CA) | Collins |
| Barrett (WI) | Brown (FL) | Combest |
| Bartlett | Brown (OH) | Condit |
| Barton | Bryant | Conyers |
| Bass | Bunning | Cook |
| Bateman | Burr | Costello |
| Bentsen | Burton | Cox |
| Bereuter | Buyer | Coyne |
| Berman | Callahan | Cramer |
| Berry | Calvert | Crane |
| Bilbray | Camp | Crapo |
| Bilirakis | Campbell | Cubin |
| Bishop | Canady | Cummings |
| Blagojevich | Cannon | Cunningham |

Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Hooley
Horn
Hostettler
Houghton
Hoyer
Hutchinson
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Shimkus
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn

□ 1705

The CHAIRMAN pro tempore (Mr. PEASE). Three hundred ninety-two Members have answered to their names, a quorum is present, and the Committee will resume its business.

It is now in order to debate the subject matter of the amendment printed in the CONGRESSIONAL RECORD as Amendment Number 16.

Pursuant to House Resolution 442, the gentleman from Washington (Mr. WHITE) will control 30 minutes, and the gentleman from Connecticut (Mr. GEJDENSON) will control 30 minutes.

Mr. GEJDENSON. Mr. Chairman, I ask unanimous consent that the gentleman from Ohio (Mr. NEY) control 7 minutes of my time.

The CHAIRMAN. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

The CHAIRMAN pro tempore. The gentleman from Ohio (Mr. NEY) will be recognized for 7 minutes, and the gentleman from Connecticut (Mr. GEJDENSON) will be recognized for 23 minutes.

The Chair recognizes the gentleman from Washington (Mr. WHITE).

Mr. WHITE. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I waited for this day for a long time, and I think many of us in this Chamber have waited for a long time for the day where we would have a full, fair and open debate on campaign finance reform. I feel like I have waited a particularly long time though because the bill that we are considering now, my substitute to the base bill, was the first bill I introduced as a Member of Congress.

Mr. Chairman, it was about 3 years ago that a group of citizens from my district came into my office and said, ''You know, you guys just don't get it back in Washington, D.C. There is so much disgust at the way this process develops. We need to take a better approach to campaign finance reform, and you need to introduce a bill.''

So we did something that probably was unusual at the time. I was a new Member of Congress; I really did not know any better; so we went out and tried to find all the people we could who knew something about campaign finance reform, and we talked to a bunch of academics, we talked to people at the Federal Election Commission, talked to lots of different people, and at the end of the day we came up to a conclusion that has guided everything I have done since that time and guides this bill.

Mr. Chairman, that is the fact that the last people we can trust to reform our campaign laws are the Members of this body, the Members of the Senate, the people who got elected under the very laws we are trying to change.

Mr. Chairman, when we made that discovery, one that was not really a surprise to any of us, we drafted a bill that would take the power away from this Chamber to a bipartisan-nonpartisan group to recommend to us how we should reform our campaign finance laws. That was the commission bill. I introduced it with great pride and fanfare in 1995, and at the end of the 104th Congress, about a year later, I had two cosponsors of that bill. It was not really a very good effort in the last Congress.

So when we came back in this Congress, in the 105th Congress, we decided to take a different approach. We talked to everybody who had any sort of commission bill of any kind that they had ever introduced or ever cosponsored, we got together with lots of Democrats and lots of Republicans, and we put together one joint commission bill among Republicans and Democrats that all of us could support. That process took us a while.

Once we got the bill that we could agree on, we went out and started getting cosponsors, and I am proud to say, Mr. Chairman, that as of today we have 119 cosponsors of our bill, more bipartisan cosponsors than any other bill in the House.

That is a record of progress.

But, Mr. Chairman, a funny thing happened on the way to this floor because a bill that was designed to take politics out of this process, to give it to a neutral body, all of a sudden started to become perhaps a victim of politics, and there are lots of editorial boards, lots of special interest groups who said,

> You know what? We don't like the commission bill. We've got a bill that we like better. In fact, we know how to write the campaign finance laws better than a commission would, we don't want to give up that control, and so we think that not only do we want to change our mind about voting for the commission bill, we want to oppose any bill except our particular way of doing it.

And we heard from a number of our cosponsors that they decided not only not to speak for our bill, not only not to vote for our bill, but that they are going to vote present for our bill, kind of as a matter of protest, and we will have some more discussion about that later.

Let us talk for a moment about what this bill would do. As I said, the entire premise of this bill is that we cannot let Members of this House or of Congress write the rules that govern their own election. It is a fairly simple concept. The personal self-interest of every single Member of Congress is at stake, and it is frankly asking a lot of anyone, especially a Member of Congress, to write the rules in a way that would make it easier for them to lose their jobs.

So it is a recognition of reality. Let us set up a commission of independent people to make this choice.

Now who would be on this commission? Well, we have four Republicans,

four Democrats and four independents composing the commission of 12 people who would have 180 days to sit down and write a bill with their recommendations for what our campaign finance bills would be like. We have a procedure for picking the members of this commission that is very similar to the Base Closure Commission process designed to be as neutral as we can be in this town. We have some Republicans making some decisions, some Democrats making some decisions, the President making some decisions, but each one of them has to at least name one independent to the commission so we really do come up with an independent body.

As I said, once that happens, the commission has 180 days after the adjournment of this Congress to come back with recommendations to this House, and at that time this House and the Senate both have to vote up or down on the commission's recommendations. No amendments are allowed.

□ 1715

And I have to tell my colleagues, Mr. Chairman, that of all of the proposals that are out there, this is the only one that is going to give us real reform.

Mr. Chairman, I reserve the balance of my time.

Mr. GEJDENSON. Mr. Chairman, I yield myself 4 minutes.

(Mr. GEJDENSON asked and was given permission to revise and extend his remarks.)

Mr. GEJDENSON. Mr. Chairman, we are in a process, trying to avoid a straightforward discussion of campaign finance reform. I know there are some people that believe in a commission, and commissions are not the worst things in the world, but we all get paid a salary and we are elected here to make decisions about legislation, and if we believe in representative government, we are here to represent our constituents to try to address one of the fundamental issues gnawing at the confidence of how their government operates by the American people.

Now, 157 weeks ago the Speaker of the House shook hands with the President of the United States and says, we are going to do campaign finance reform. Mr. Chairman, 157 weeks of dodging and weaving to try to avoid a vote. And then we had one day where we had this sham set up that all the papers basically wrote off as a sham, and then we came up with as convoluted a process as we could possibly come up with, and here we are today. We are passing rule upon rule, we are doing a section of debate today and a section tomorrow. Some people may validly believe in a commission, but a vote on a commission today is a vote to end the process of stepping forward with campaign finance reform.

I think Shays-Meehan, or McCain-Feingold is wholly inadequate. It does not have spending limits; it does not address some of the fundamental issues that I think are important. But in a legislative process, we either go forward or we kill the process and stop dead in our tracks.

The Republican leadership is intent on stopping the campaign finance reform process. It is astounding that they could go to such lengths, because we have to remember, they have been able to filibuster the bill to death in the Senate. So even if by some miracle we are able to get through this Congress, we are confronted with a continuing filibuster in the other body.

Mr. Chairman, 157 weeks, and what we want here is a straight up-and-down vote to at least address some of the fundamentals; the fundamentals on soft money, on independent expenditures. I think we ought to be doing more on all of these. I think the Democratic record here is one we can be proud of. We established the FEC. The Federal Elections Commission, as inadequate as that body is, there was no real review until we overrode Richard Nixon's veto.

Democrats put forth and passed the 1974 Campaign Act. Was it not for a wrong-headed Supreme Court decision, we would have better law on the books today.

In the 102nd and 103rd Congress I had the privilege of passing bills that limited PACs, that limited the amount of contributions wealthy people could give, and that limited campaign spending, one vetoed by President Bush, one filibustered to death by the Republicans in the Senate. The American people want campaigns to go back to a debate of what we believe in, of what we stand for, of what we have done, and not a race for dollars.

I had a candidate tell me a couple of days ago that he was informed by a member of the Republican Party in a race that they actually spent 3 times the money that was published in the FEC by using independent expenditures and issue advocacy. The American people want an honest accounting. They want to know where the money comes from, and they want to hear us talk about what we believe in, and not have Members of Congress spending inordinate amounts of time trying to raise money.

Defeat this proposal. Go forward with the only thing that keeps the process going.

Mr. WHITE. Mr. Chairman, I yield myself just 1 minute to respond to the gentleman from Connecticut.

I would simply make 2 points. The gentleman said that we are paid a salary to make decisions and that is absolutely right, so why in the world would anyone vote present on this bill? I ask that question. Number 2.

Mr. GEJDENSON. Mr. Chairman, I would be happy to answer that question.

Mr. WHITE. Regular order, Mr. Chairman. Regular order.

Mr. GEJDENSON. Mr. Chairman, I thought the gentleman asked me a question and wanted an answer. I am sorry.

Mr. WHITE. Mr. Chairman, the gentleman can respond on his own time.

I actually agree with the gentleman from Connecticut, there actually was a handshake between the President and the Speaker, but it was a handshake on setting up a commission. If we want to do what the President and the Speaker agreed to, we have to vote for this bill.

Mr. Chairman, I yield 7 minutes to the gentleman from New Jersey (Mr. FRANKS).

(Mr. FRANKS of New Jersey asked and was given permission to revise and extend his remarks.)

Mr. FRANKS of New Jersey. Mr. Chairman, I sincerely hope that the process that we have begun this week will result in us delivering to the American people a campaign finance system that they can trust. The public is tired of talk and is demanding action.

Since the first day that I entered this House some 6 years ago, there is no other issue that has been the subject of more discussion off this floor than the need to change the rules under which congressional campaigns are financed. My colleagues have regularly told me they spend too much of their time raising money. They say they do not like relying so heavily on PAC contributions, and most importantly, they hate going back home and having constituents question whose agenda is at work in the Nation's capital, theirs or the special interests.

Our failure over some 20 years to meaningfully address this issue hurts all of us. It undermines public confidence in this institution and casts a cloud over every action that we take.

We now have an opportunity to put this issue behind us and begin restoring public confidence. But first, we all need to face a harsh reality. When it comes to an issue like this one, one in which all of us as Members have a vested interest in the outcome, the traditional legislative process just will not work.

Let us take a look at the long and sorry history of congressional efforts at campaign finance reform. Between 1987 and 1996, there have been 6,742 pages of hearings on campaign finance reform. There have been 3,361 floor speeches, and 29 sets of hearings have been held by 8 different congressional committees. Yet, after all of this, we find ourselves today back where we first began, talking about the need to change the system of financing campaigns.

Even on those rare occasions when this House has gone so far as to actually pass a campaign reform bill, we often acted knowing full well that it would never see the light of day in the other body.

Mr. Chairman, today we find ourselves at a crossroads. We can once again follow the failed path of relying on the traditional legislative process and hope that in contrast to all past history, this time we will be successful, or, we can bravely follow a new path.

Our independent commission would develop a legislative package of reforms that must be voted upon by both

Houses, up or down, no amendments, no tricks, no procedural barriers. There could be no delay, no stalling tactics. Our bill establishes a strict time frame for the commission to deliver its recommendations and for both Houses to actually vote on it. The commission would have 180 days from the adjournment of this Congress to deliver a legislative proposal to the floor of this House.

Some have called the commission approach a cop-out, an effort to thwart what some call real reform. Nothing could be further from the truth. In fact, the Reform Party led by Ross Perot, the man who more than any other American brought this issue to the forefront of the public's agenda, has endorsed our bill creating an independent commission.

Let me read from a letter we recently received, and I quote:

> The Reform Party agrees that true reform can only come when an outside body is convened to draft meaningful, comprehensive legislation to fix a system that is frequently abused. Current Members of Congress are too often unwilling or unable to fix this system and form the consensus needed to reform it, this system that they alone benefit from.

Our commission bill would force both Houses to act on precisely the same measure. It holds out the only real hope that we can achieve comprehensive campaign reform. For this House to pass only a proposal that has already been rejected by the Senate does not qualify us as reformers. Under that scenario, Members would go back home and take credit for addressing the issue, but in reality, they will have voted merely to place campaign finance reform in eternal limbo between 2 legislative bodies.

If we are really serious, let us stop playing the same old game, which only serves to fuel cynicism and contempt among those who are concerned about the integrity of our electoral process.

This Congress has answered a similar call in a similar situation a number of years ago when we faced another politically sensitive issue: the need to close military bases. While we all agreed with the goal of eliminating surplus military bases, no Member wanted to be in the position of voting to close down a facility in his or her district. By creating an independent base realignment and closure commission, Congress successfully completed that important mission.

The independent commission approach works. It is the best hope of restoring sanity to our campaign finance system and rebuilding public trust in this institution.

With more bipartisan cosponsors than any other campaign finance bill, the independent commission is the last, best chance for real reform in this Congress.

Mr. GEJDENSON. Mr. Chairman, it is my privilege and pleasure to yield 3 minutes to the gentleman from Missouri (Mr. GEPHARDT), the minority leader of the House.

Mr. GEPHARDT. Mr. Chairman, I rise to state that this is a good idea. The commission has much to be said for it. I have been for this proposal in the past, and I would hope that we could add this to the Shays-Meehan bill, which I believe we will be able to do. But I also rise to say that the way this procedure as written, if this bill gets the most votes, it would in effect defeat the Shays-Meehan proposal.

So I rise tonight to ask Members on both sides of the aisle to vote ''no'' on this proposal, because we will get a chance to add it, if we get that far, to the Shays-Meehan proposal, so it rightly could be added to that proposal. All of us know that while Shays-Meehan is good reform and has a lot of the elements that we think is the first big step of reform, there is a lot more that needs to be done, and this commission could start as we pass Shays-Meehan and could look at other reforms that we could do in the future.

I want to especially commend the Members in the Republican Party who have worked so hard with Members in our party to try to get Shays-Meehan to be the bill that comes out of this process. As the last speaker said, campaign reform is hard to do. It is complicated. Everybody is an expert here because we all run in our own campaigns, and we all have a little bit different idea of what the right reforms are.

But in my mind, I believe that Shays-Meehan is the best bill that we can do at this point in time. It is supported by many, many outside organizations. It does attack both soft money and independent expenditures which I think most Members and observers believe are the major areas that have been abused.

We can do it now. We can do it this month. We can get it off to the Senate and try to get a bill out of the Senate that would be similar. By voting ''no'' on the commission or voting ''present,'' we are not really voting ''no'' for it on the last chance we will have. We can put it onto the Shays-Meehan bill and have the best of both worlds.

So in the spirit of bipartisanship, in the spirit of reform, in the spirit of getting something meaningful done, which I think the American people desperately want us to do in this Congress, I urge Members to vote ''no'' or ''present'' on this very good commission proposal; I urge Members to add it to the Shays-Meehan bill when we get the chance, and I urge Members on both sides of the aisle to vote for Shays-Meehan to give it the greatest vote so that under this process, it is the bill we vote on last and it is the bill that we send to the Senate.

□ 1730

Mr. WHITE. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, it was very interesting to listen to the previous speaker, and I recognize his sincere desire to try to reform the campaign finance laws. But I would say to the gentleman, and I would say to the Members on the other side, it is a perfect example of the reason we will not have campaign finance reform because the reason he wants to vote ''present'' on this bill, or even against it, is because he wants to do it his way. He cannot bear to give up the ability to write the rules himself, to write the rules in this House so that we get to control the process by which we get elected.

Mr. Chairman, we have been down that path so many times before. The list of failed efforts at campaign finance reform that we have had since 1974 fills a whole column in the Washington Post.

Mr. Chairman, I include for the RECORD the following list:

FAILED EFFORTS—SUMMARY OF ATTEMPTS AT CAMPAIGN FINANCE REFORM

1974.—Reacting to Watergate abuses, Congress passed bill that set contribution and spending limits for candidates in federal elections and provided for public financing of presidential elections. Signed by President Gerald R. Ford.

1976.—The Supreme Court ruled that the 1974 law's spending limits violated the First Amendment.

1977.—President Jimmy Carter's proposal for spending limits and public matching funds for congressional elections was blocked by a Senate filibuster and House committee opposition.

1979.—Legislation to limit contributions from political action committees (PACs) was passed by the House but stalled in the Senate, threatened by a Republican filibuster. Public funding legislation died in the House.

1985.—Sens. David L. Boren (D-Okla.) and Barry Goldwater (R-Ariz) proposed legislation to limit PAC contributions; the Senate delayed action on it.

1986.—The Senate approved the Boren-Goldwater proposal as part of legislation that failed to pass.

1987.—A broader bill was introduced by Boren and Majority Leader Robert C. Byrd (D-W. Va), calling for voluntary spending limits, some public funding and restrictions on PAC contributions. Republicans filibustered, and Democrats failed in seven attempts to end the stalling tactics.

1988.—The bill was shelved after Democrats failed in an eighth attempt to end the GOP filibuster.

1990.—The House and Senate passed separate bills with voluntary spending limits, public funding and limits on contributions from special interests, including PACs. House-Senate conferees never met.

1991.—Both houses again approved separate bills, and President George Bush promised a veto, saying the legislation would favor Democrats.

1992.—The House and Senate agreed to a compromise on the 1991 bill and passed it, but it was vetoed by Bush. The veto was sustained.

1993.—President Clinton supported reform efforts but did not give them high priority. Both houses once again passed different bills, with the Senate favoring stronger PAC curbs than the House did.

1994.—House Democrats delayed an agreement with the Senate on the 1993 bill until fall, and Senate Republicans filibustered it to death.

1996.—A bipartisan group of senators introduced a scaled-back bill, including voluntary spending limits, a ban on PAC contributions and other curbs on special-interest giving

but without any provision for public funding. It was killed by a Republican filibuster June 25. House action on an even more limited bill is possible later this month, but chances of reconsideration by the Senate are dim.

Mr. Chairman, I would implore this House not to miss the opportunity to at least try to do the right thing. The fact is, we are going to have lots of debate on lots of different campaign finance bills. Lots of them are going to be designed simply to hurt the other party or to hurt challengers so that incumbents' positions are safer.

Mr. Chairman, I would say to my friends, go ahead and have those fights. Go ahead and try to do it their way. Go ahead and try to get 218 votes to do it their way to make sure incumbents stay in and that we get to write the rules. If it turns out their position wins, that is fine.

But, I would tell them, do not miss the opportunity to actually do it the real way. Do not miss the opportunity to actually have a fair bill. The opportunity, for once, to have somebody who does not have an axe to grind, who is not part of the inside-the-Beltway circle to write some rules that will be fair to everyone.

Mr. Chairman, I would implore all Members on both sides of the aisle not to miss the one opportunity we have today for real campaign finance reform.

Mr. Chairman, I reserve the balance of my time.

Mr. NEY. Mr. Chairman, I yield 4 minutes to the gentleman from Arkansas (Mr. HUTCHINSON).

Mr. HUTCHINSON. Mr. Chairman, I thank the gentleman from Ohio (Mr. NEY) for yielding me this time.

Mr. Chairman, I want to state that I rise in opposition to the commission bill, but I want to express my deep appreciation to the gentleman from Washington (Mr. WHITE), my friend, for his leadership on this issue. I believe that he has been unfairly attacked by people who say that he is not genuine about reform. I do not believe there is anyone more genuine in this body about campaign finance reform than the gentleman from Washington. I want to thank him for his commitment to this issue, his dedication, and his hard work.

Mr. Chairman, under any other circumstances, I would be supporting the gentleman's bill. But they used to call Reggie Jackson ''Mr. October,'' because he hit home runs in October. This is an October bill, and yet this is June and we still have time to accomplish reform in this Congress. For that reason, I do not want to give up a present opportunity for a promise down the road.

I do believe that the commission bill is a recipe for reform, but it is a very slow-cooking recipe. And so let us not make excuses for inaction today by saying that we are going to work on it in the future or we are going to give this responsibility to a commission.

If we look at what can happen down the road if we enact the commission bill, the Senate might not pass it, which is a danger in any legislation. But whenever the commission is created, the commission members may not agree. But, most significantly, when the result is finished by the commission, it comes back to this body which could once again reject the reform which is offered by the commission.

So here at the present time, at this moment in history, we have a present alternative, an alternative we can vote on. It is on this floor for a vote. And so when we have reform on this floor for a vote, you do not take it off and indicate we are going to give it all to a commission.

Mr. Chairman, the American public expects us, this body, the elected representatives in this country, to take action. And the present alternative is the base bill, the Hutchinson-Allen freshman bill. It does a number of good things. It bans soft money. It strengthens the role of the individual in our political process. It provides for more disclosure, more information to the public. But, very importantly, it is constitutional. It respects free speech. It does not federalize State elections, and it is bipartisan.

For that reason, the gentleman from Missouri (Mr. GEPHARDT) indicated that he wanted everybody to vote for Shays-Meehan. I think it is important to remember that there are going to be a couple of significant reform votes as we go along in this process. And it might not be tomorrow, but the end game of this reform process is the freshman bill which will be voted on in the final vote.

Mr. Chairman, we hope that people who are committed to reform will respect the Constitution, will respect the role that we have in the Federal elections process and vote for the Hutchinson-Allen freshman bill.

Let me say a word about the process. I hope that we have an open debate. I think we are going to have that. I do not believe we ought to complain about this open debate. But I hope that we who are interested in reform will withdraw the amendments that we have offered to the various bills so that we can move this process through a little bit quicker and save some floor time. This is true for the Republicans and the Democrats.

Mr. Chairman, I noted that the Democrats requested before the Committee on Rules 74 amendments to the different substitutes that have been offered. I think that we ought to calm down. We ought to pull the requests down. Let us speed up the process. Let us work together to get a vote on the main substitutes that are being proposed.

I want to thank the gentleman from Washington (Mr. WHITE), compliment him and respectfully ask my colleagues to vote against the commission bill and support the freshman bill, the Hutchinson-Allen bill, which represents constitutional but real reform.

Mr. GEJDENSON. Mr. Chairman, I yield 3 minutes to the gentlewoman from New York (Mrs. MALONEY).

(Mrs. MALONEY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY of New York. Mr. Chairman, I rise in opposition to my own bill. As one of the principal sponsors of the commission bill, I really am asking all of my colleagues on both sides of the aisle to vote against the bill, or to vote ''present,'' because it is now in competition with the Shays-Meehan bill, a real reform bill that will accomplish many of the things that many of us wanted to accomplish through a commission bill.

First of all, I would like to thank all of my colleagues who worked very hard on this legislation, particularly the gentleman from Michigan (Mr. DINGELL), who is a leader not only on campaign finance, but so many important issues before this body. He has often said that the best legislation is bipartisan, and we had a sincere bipartisan effort.

I also thank the gentleman from Washington (Mr. WHITE), the gentleman from California (Mr. HORN), and the gentleman from New Jersey (Mr. FRANKS) for all their hard work and commitment.

But what has happened with the way the rule is in place, the prospects for passage of Shays-Meehan is weakened with each competing vote. And now the commission bill is in competition with Shays-Meehan.

I have always called the commission bill a fall-back position, one that we would go to if we could not achieve a vote in this Congress on meaningful reform.

But Shays-Meehan is a strong vehicle for change. It addresses two of the greatest abuses. It bans soft money and brings into accountability the so-called independent expenditure groups. And so now is not the time to vote for a fall-back position, but to vote for real reform.

Mr. Chairman, we cannot let the commission bill be used as a trump or a way to kill Shays-Meehan. We have an historic opportunity to pass real reform. That is Shays-Meehan. I call upon my colleagues on both sides of the aisle to vote ''present.''

Mr. GEJDENSON. Mr. Chairman, will the gentlewoman yield?

Mrs. MALONEY of New York. I yield to the gentleman from Connecticut.

Mr. GEJDENSON. Mr. Chairman, I got this sheet from my colleague here. It is interesting. In 1974, it starts, the Democrats passed campaign finance reform. In 1979, it is a Republican filibuster. In 1988, it is a GOP filibuster. In 1991, Bush promises a veto. In 1992, Bush vetoes. In 1993, Senate Republicans filibuster. In 1996, Republicans filibuster.

There is a difference in the two parties. Democrats have generally been for this. Not perfect, but for this. And the very sheet my colleague brought up

here time and time again talks about Republicans filibustering and killing the process, and I would say the gentleman's bill would kill the process again.

Mr. Chairman, I reserve the balance of my time.

Mr. WHITE. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, that is exactly what I am talking about. This is not a political issue. Why do we always make it a political issue? It is not about Republicans and Democrats. It is not about who killed it last time. It is not about who brought up the bill and passed it, when they knew that the President would veto it.

It is about trying, for once, to get a real fair bill done, not pointing fingers at other side, simply voting for a bill that is designed to take politics out of this system.

Mr. Chairman, I yield 3 minutes to the gentleman from Kentucky (Mr. WHITFIELD).

Mr. WHITFIELD. Mr. Chairman, all of us have been clamoring for debate on campaign finance for some time. In fact, that has been the issue that most people have been talking about, particularly on that side of the aisle, since the beginning of this Congress, and rightfully so.

But I find it interesting that every time they talk about we need full and open debate on all these issues, so we have time to talk about every issue, and yet in a minute we may vote on a rule that would allow us also to address some nongermane amendments to Shays-Meehan. And that is really where the problem began in the first place because, for example, the way the presidential elections are financed, that is where all of this problem started.

If my colleagues will remember, the Clinton-Gore campaign came close to violating about every Federal election law there is to violate. I am reading from the Washington Post, the Federal page, and it talks about campaign finance probe, 94 witnesses who will not talk, 94 witnesses who take the Fifth Amendment. Many of them, it has been verified, have broken campaign finance laws. Yet this rule is going to be coming up, and I bet everyone on that side of the aisle will vote against the rule, even though we need also, if we are going to have full disclosure and full debate, we need to look at nongermane amendments as well as germane amendments.

So, Mr. Chairman, in the spirit of the way my Democrat colleagues were talking and asking for full and open debate, I would urge them to vote for this rule that we will be considering a little bit later.

Mr. GEJDENSON. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Michigan (Mr. DINGELL), a leader of this House and a leader on this issue.

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. Mr. Chairman, I thank the gentleman from Connecticut (Mr. GEJDENSON) for yielding me this time.

Mr. Chairman, I would like to say that the amendment before us is a good one. And I want to commend the gentleman from Washington (Mr. WHITE) and the gentleman from New Jersey (Mr. FRANKS) for their efforts on behalf of this, as well as the gentleman from California (Mr. HORN) and the gentlewoman from New York (Mrs. MALONEY). They had the vision to understand that this is a good approach. It is one which affords us an opportunity for doing something.

Unfortunately, the way the situation has been crafted, we now find that we have another very important opportunity, and that is one which, in my view, is a better opportunity to address quickly the real problems we confront in terms of campaign financing.

For that reason, I am going to vote ''present'' on the amendment that is offered by my good friends, and I do it with a great deal of regret. I have never done this in all the years that I have had the privilege of serving in this body, and it is with profound regret that do I that. But it is my view that Shays-Meehan is the best and most immediate tool that we have that is possible for us to use to correct the serious problems that we confront with regard to campaign financing.

A little history: When I first ran for Congress some 40 years ago for $19,000, I beat 23 candidates, one of whom was former mayor of Detroit, and a sitting city councilman, a past Commander of the American Legion, and a large number of other influential citizens. Ten years later I beat an incumbent in his own district with $35,000.

There is no way on God's green Earth, unless we reform this intolerable situation of campaign financing, that anybody will ever have that opportunity to do those kinds of things again. One of the most disgusting and degrading events that takes place in our life is the tremendous amount of money that we have to raise to hold this job.

□ 1745

That is not something which I applaud.

I think all my colleagues find this same thing equally distressing. I would tell my colleagues I intend to vote for the rule when it comes up, and I intend to support the idea that we should be able, at that time, to offer the commission bill to Shays-Meehan.

Shays-Meehan offers us, with that amendment and without it, a superb opportunity to do something immediate about cleaning up the mess that is campaign financing in the United States.

I want to commend my colleagues who worked with me on the commission bill. It was a bipartisan effort. Shays-Meehan is a bipartisan effort. I urge all of my colleagues to join me in a bipartisan effort to clean up the campaign situation in this country at the earliest possible moment and to do so through the device of supporting Shays-Meehan and then later to also support the rule and to support the bill with an amendment which we will offer, which will be supported by its sponsors, the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) to add the commission to it so that we can expand further what needs to be done in terms of cleaning up the campaign situation in this country.

I do not want any of my colleagues to feel that in any way they are demeaned by this. This is one of the unfortunate choices that Members of Congress have to make because of the way the rules work in a situation where we have a large body, where the process is disorderly, and where, unfortunately, constraints and time are necessary in order for us to serve the public good.

Mr. WHITE. Mr. Chairman, I yield 3½ minutes to the gentleman from Louisiana (Mr. TAUZIN).

Mr. TAUZIN. Mr. Chairman, I thank my friend, the gentleman from Washington, for yielding to me.

Mr. Chairman, let me relate an incident in Louisiana where I once asked a local politician why he thought we spent so much money in political campaigns. His answer was, well, you know, Billy, the other candidate always goes on television before you are ready to go on television. They start telling lies about you, and then you have got to go on television to answer those lies much sooner than you wanted to go on television or you probably could afford to go on television.

Then as the campaign draws closer to election day, they go back on television, and they start telling the truth about you, and then you have really got to spend a lot of money to answer those ads.

The bottom line is, whether that is true or not, we spend an extraordinary amount of money in campaigns across America for State, local, and Federal elections. The rules by which we raise that money and spend it inevitably get written by whom, by the incumbents, by those of us who have been fortunate enough to win an election and to serve in public office.

Inevitably, the campaign practice rules we write in the State legislatures and here on the floor of the House and in the Senate, inevitably, those rules are suspect. People always believe those rules must have been written to favor incumbents.

Inevitably, when Democrats propose a campaign practice reform or when Republicans propose a campaign practice reform, those reforms are suspect, because people believe, quite naturally, that one party must have written the rule to gain a fair or perhaps even an unfair advantage over the other party in the coming election.

So the question we should be thinking about as we once again debate another round of campaign practice reform laws is whether we should be the ones proposing those reforms or whether, in fact, an independent commission on which no incumbent Members of Congress can serve should be proposing those reforms while we in the end endorse those reforms by a single up or down vote. That is the concept between a single commission approach.

I want to commend the gentleman from Washington (Mr. WHITE) and others who have worked on it for the thought here. The thought is that if you want a credible campaign practice law that has in it no suspicion that it favors incumbents, no suspicion that it was drafted to make the Democratic Party more advantageous in the election than the Republican Party or some independent third party.

To give any one a better chance than the other in raising the funds and spending the funds in the campaigns of America, then why not this commission approach? It makes an awful lot of sense.

It preserves to the Congress the ultimate authority to vote up or down on the recommended reforms, but it leaves the meticulous fashioning of those reforms to an independent commission composed of nonincumbents. It leaves literally to nonincumbents the duty of fashioning the intricate details of campaign practice reform law.

Let me tell you where I come down quickly. I would hope, whatever we do in the context of this debate, that we remember in the end it is the citizens of this country that are most benefited if we do two simple things: that we make sure that there are reasonable limits to donations in all cases, and secondly, there is full disclosure to the American public.

If the American public knows how campaign money is raised and knows how it is spent, all under reasonable limits, I think it will have provided the best reforms we can provide with the least amount of suspicion that we did it simply to favor ourselves or to favor one party or the other.

How do we get there from here? I recommend the commission form.

Mr. GEJDENSON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I say, where are these commissioners coming from? They are being nominated by the Republican and Democratic leaders of the two Houses. Mother Teresa has passed away. These are going to be political people on this commission.

Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. ADAM SMITH).

Mr. ADAM SMITH of Washington. Mr. Chairman, confusion has been as big an opponent of campaign finance reform as outright opposition. There seem to be 100 different plans, 100 different ideas out there, and that confusion has stopped us from getting the consensus we need to pass a bill until now; the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN), through a number of years of hard work, brought us that consensus with the Shays-Meehan bill that we now have the option of voting on.

I think we should seize on that consensus and pass that bill. It was crafted in a bipartisan way. Unfortunately, the way the rules were set up, a vote for the commission bill is a vote against Shays-Meehan. So we need to vote against the commission bill and give our full support to Shays-Meehan, a bill with meaningful reforms.

I have listened to the opposition to Shays-Meehan and support for the commission bill, but what I have not heard are any specific complaints about Shays-Meehan. It makes perfect sense to do as the gentleman from Missouri (Mr. GEPHARDT) suggested, to pass Shays-Meehan and add the commission bill to it. That gives us the best of both worlds.

Basically, if there is something more that needs to be done, great, we can do the commission. But what in Shays-Meehan is so bad? I have not heard that from the proponents of the commission bill because there is nothing bad about it.

It bans soft money. It limits independent expenditures. I think perhaps as important as anything else, it gives the Federal Elections Commission more enforcement authority to actually enforce the rules that exist. Those are good things.

Somebody has got to say why they are in opposition to Shays-Meehan.

We have got a great opportunity here to pass a bill that has consensus and makes meaningful reform. We are arguing against it without even saying why. What is wrong with Shays-Meehan?

One final point, we have heard that the Senate may not pass Shays-Meehan. If that is the criterion, we should go ahead and stop right now, because the Senate is not going to pass the commission bill either.

We have an opportunity to lead here in the House with Shays-Meehan, with meaningful reform, that does things that we all claim to support. Why do we not support them with our vote as well as with our rhetoric?

Mr. WHITE. Mr. Chairman, I yield myself 1 minute to respond to my colleague from the Puget Sound area and to others who have spoken to it before. We have heard a lot of complaints blaming it on the rule, blaming the need to vote ''present'' on the rule.

The fact is, we cannot blame the rule for how you are going to vote on this bill. This is about the most open process we could possibly decide. We have got to take blame ourselves. That is what this House is about. We have got to vote for or against this bill. If we are not voting for it, we have got to be prepared to take the heat.

I think it is a mistake to suggest that it is the fault of the rule that these people have to vote ''present.'' The fact is they either want a bill that does it their way, and many of them think that is the Shays-Meehan bill, or they want a bill that does it the fair way, which is what the commission bill does.

I would also say to my friend from Washington who asked what is wrong with the Shays-Meehan bill, I will tell you what is wrong with it. It is not comprehensive. It kind of nudges around the edges of campaign finance reform.

We have already got a system like that. The system we adopted now was ruled partially unconstitutional by the Supreme Court, so we have already got half a system. We do not need another half a system to make the process even worse. That is what is wrong with the bill. Only the commission gives you a comprehensive package.

Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. DOOLITTLE).

(Mr. DOOLITTLE asked and was given permission to revise and extend his remarks.)

Mr. DOOLITTLE. Mr. Chairman, there is so much that is wrong with the present system, but the Democrats gave us this system. We had a Republican President who, unfortunately, signed it into law. It is a disastrous system. Before this system came into being, most people had never heard of PACs or of soft money or hard money or issue advocacy or all of these wonderful permutations that come as a direct result of the big government regulation that you Democrats gave us, that you love, that is so unconstitutional, so undesirable, and so unworkable.

By the way, that is what is wrong with Shays-Meehan. It is more of the same old rehash, more rules, more regulations, more bureaucratic czars, more of everything that is ruining our political system. It is terrible.

Here, this is like having a patient that has been misdiagnosed by the physician. The sicker the patient gets, the heavier the dosage of medicine. What is the medicine? Government regulation. Obviously, we do not have enough, let us have some more.

Let us take Shays-Meehan. Let us have the Allen-Hutchinson freshman bill. Let us have more of these awful proposals that are so contrary to the whole history of America that have produced this mess that frustrates people, that makes them wonder what is going on in Washington, D.C.

What we need to do is step back, get a new diagnosis, and find out what the problem really is.

The problem is government regulation of political speech. What could be more clear than the First Amendment, which says Congress shall make no law abridging the freedom of speech? Yet, Shays-Meehan, Allen-Hutchinson or Hutchinson-Allen, and many of these proposals that are coming before us are precisely that, abridgements of the

freedom of speech, all in the name of some greater good, fairer campaigns or whatever it is.

I think that we have a real problem here. At least the gentleman from Washington (Mr. WHITE) is giving us a bill that has the potential of producing some improvement. I do not think it is perfect, but few bills are perfect that come before this House. At least it offers the opportunity to do something.

To the gentleman from Connecticut (Mr. GEJDENSON), we hear all this talk about big money. The last campaign, I see the gentleman raised $1,177,000 according to the official FEC records. So the gentleman has got some big money in there himself.

Mr. GEJDENSON. Mr. Chairman, will the gentleman yield to me?

Mr. DOOLITTLE. I yield to the gentleman from Connecticut.

Mr. GEJDENSON. Mr. Chairman, what preceded this system that is bad and needs fixing was a ''cashocracy''. People came to Members of Congress and presidential candidates with bundles full of cash. I think that was a worse system. We are not perfect today, but we are better than a system where people used to come in to Members of Congress offices with envelopes of $100 bills.

Mr. DOOLITTLE. Mr. Chairman, the system we have now is not better than the one we had. One wrong does not make a second wrong. All we would need to do is have full disclosure in a very timely fashion like one of the proposals before us will do, and you would let the electorate judge. Then you would not have the heavy hand of regulation. Let the electorate do it. The Founders did not want a government czar regulating our freedom of speech.

Mr. GEJDENSON. Mr. Chairman, will the gentleman yield?

Mr. DOOLITTLE. I am happy to yield to the gentleman from Connecticut.

Mr. GEJDENSON. Mr. Chairman, only those with enough money to buy the megaphone would get to speak. Yes, the rich would be heard. But the average person, he might be able to read about which rich person is being heard, but he could not express himself if the almighty dollar is how you buy access to television and radio and speech.

Mr. DOOLITTLE. Mr. Chairman, let me respond. I respectfully submit that is utter nonsense. The Supreme Court itself observed in the Buckley case that there is no obligation for the government to fund people in making their speech, but we all have the right to make the speech we want to make.

Mr. Chairman, I ask unanimous consent to have 5 more minutes.

The CHAIRMAN pro tempore (Mr. SUNUNU). The rule on this bill limits debate. Unanimous consent is out of order at this time.

PARLIAMENTARY INQUIRY

Mr. GEJDENSON. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman will state his parliamentary inquiry.

Mr. GEJDENSON. Mr. Chairman, there would be nothing to preclude the gentleman and I continuing our discussion following the allotted time in making a statement at that point. So the gentleman could get additional time at the end.

The CHAIRMAN pro tempore. Under the 5-minute rule, the gentleman from Connecticut (Mr. GEJDENSON) or the gentleman from California (Mr. DOOLITTLE) could request additional time.

Mr. DOOLITTLE. Mr. Chairman, we will carry on at that point.

Mr. GEJDENSON. Mr. Chairman, I am now privileged to yield 3 minutes to the gentleman from Massachusetts (Mr. MEEHAN), the author of the legislation that should be before us and is the most significant reform bill before the Congress today.

(Mr. MEEHAN asked and was given permission to revise and extend his remarks.)

Mr. MEEHAN. Mr. Chairman, I take the floor today certainly not to defend the status quo or the present system we have, but rather to rise and thank my colleagues, especially the gentleman from Michigan (Mr. DINGELL), the gentlewoman from New York (Mrs. MALONEY), and all of the other sponsors, my friend, the gentleman from New Jersey (Mr. FRANKS), the gentleman from Washington (Mr. WHITE) and the gentleman from California (Mr. HORN), who have been fighting for the commission bill.

□ 1800

And I also want to suggest that by voting ''present'' rather than ''yes'' on their own amendment, both the gentleman from Michigan (Mr. DINGELL) and the gentlewoman from New York (Mrs. CAROLYN MALONEY) will help us shore up the necessary majority to pass the Shays-Meehan bill.

Three years ago Frank MacConnell stood up at a town meeting in Claremont, New Hampshire and asked Speaker GINGRICH and President Clinton to commit to passing a campaign finance reform bill. The Speaker and the President shook hands on that. One year later, after no commission, Frank MacConnell came to Washington to ask Speaker GINGRICH and President Clinton to commit to passing the McCain-Feingold, Shays-Meehan bill rather than establishing a commission.

The bottom line is that voting to solely establish a commission rather than a commission as part of the Shays-Meehan bill will further delay action on campaign finance reform until next year, despite the fact that we have an historic opportunity to pass real campaign finance reform now. By incorporating the commission bill into the Shays-Meehan bill, we really have the best of both worlds: Number one, we have campaign finance reform this year, plus a mechanism through which we can look for bipartisan routes to achieve additional reforms down the road.

If my colleagues support campaign finance reform, I am asking them to join with the lead Democratic sponsors to vote ''present'' or ''no'' on the commission bill as a stand-alone substitute. I believe that we have a majority of the Members of this House who are ready to pass real campaign finance reform. I believe that that majority is ready to make the commission bill part of the Shays-Meehan bill. The only way that we can do that under the present rules is if we join together.

And I am delighted at the way reformers from all parts of the country, who have been working over the last several years, are coming together to form a critical mass at a critical point in time to establish the majority we need to pass real campaign finance reform. Let us not miss this opportunity. Let us join together. Vote ''present'' or ''no'' on this particular stand-alone bill and then let us amend the Shays-Meehan bill and get real campaign finance reform.

Mr. WHITE. Mr. Chairman, may I inquire as to how much time is remaining on each side?

The CHAIRMAN pro tempore (Mr. SUNUNU). The gentleman from Washington (Mr. WHITE) has 5½ minutes remaining; the gentleman from Ohio (Mr. NEY) has 3 minutes remaining; and the gentleman from Connecticut (Mr. GEJDENSON) has 4½ minutes remaining.

Mr. WHITE. Mr. Chairman, do I understand correctly that the gentleman from Connecticut (Mr. GEJDENSON) has the right to close?

The CHAIRMAN pro tempore. The gentleman from Connecticut (Mr. GEJDENSON) is speaking in opposition. On general debate, the gentleman from Washington (Mr. WHITE) has the right to close.

Mr. NEY. Mr. Chairman, I yield 3 minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Chairman, this should be a time that I really feel great, and I do not, and I have only myself to blame. What I do not feel great about is the sense that somehow this is going to be a brutal fight and we are going to make lots of enemies in the process.

For me, I believe with a passion in the Meehan-Shays bill. I believe passionately for this bill because it bans soft money, both at the Federal and State level, for Federal elections; that it, for once, recognizes that the sham issue ads are truly campaign ads and treats them as campaign ads and comes under the campaign laws; that we finally codify Beck, which makes it clear that a nonunion member does not have to pay money in his or her agency fee for political activity; that we improve the FEC disclosure and enforcement; that we deal with franking and ban it 6 months to an election district wide; and that we make it clear that foreign money and raising money on government property is illegal, which it is not right now, if it happens to be soft money.

I believe passionately in this bill. I believe it is bipartisan and I believe it

should pass. I also believe that the commission bill has a role to play but it does not have a role to play if it replaces the Meehan-Shays bill.

I heard my colleague, who is a very outstanding Member of Congress and has tried to elevate the debate, talk about blame yourself and take responsibility. I think when we take responsibility, we take action. And action is to ban soft money; to recognize that the sham issue ads are campaign ads and treat them that way. I believe that that is taking responsibility. I think it is not taking responsibility to say that our leaders will appoint members who will supposedly come out with a bill that my colleague believes we can all support. I do not know what they will do.

I wish my Speaker had lived up to his word and moved forward with a commission bill 3 years ago, because we would now have a commission before us and we could vote it up or down. But that was 3 years ago. I do not intend to wait another year to take action, because I want to take responsibility for my vote. So I encourage my colleagues to vote ''present'' on the commission bill. I encourage them to vote ''yes'' on the rule. I encourage them to vote ''yes'' on Meehan-Shays and oppose all amendments except one, attach the commission bill to the Meehan-Shays proposal.

Attach the commission bill and we can frankly have the best of both worlds: We can take action now on soft money and on these sham issue ads and we can deal with all the host of other issues that my colleague feels we have not addressed. If my colleague, the gentleman from Washington (Mr. WHITE), feels we have not addressed it, then he too should support an amendment to Meehan-Shays that puts the commission bill into the Meehan-Shays bill.

Mr. GEJDENSON. Mr. Chairman, I yield 2½ minutes to the gentleman from Maine (Mr. ALLEN), who has played such a major role in campaign finance reform since he entered this Chamber.

Mr. ALLEN. Mr. Chairman, I thank the gentleman for yielding me this time.

I rise in opposition to this bill, but not because I do not think it has merit. And I commend the gentleman from Washington (Mr. WHITE), the gentleman from California (Mr. HORN), the gentlewoman from New York (Mrs. MALONEY), and the gentleman from Michigan (Mr. DINGELL) for their efforts on behalf of campaign finance reform. But we need reform now, not later.

As a co-chair of the freshman bipartisan task force, I want to say that one of the appealing things about this bill is that it reflects very much the process that we went through as freshmen. There were six Republicans and six Democrats. We sat down, we learned together, we all shared the experience of the 1996 campaign when the airwaves were flooded with the results of more soft money than had ever been raised or spent in any cycle and with more issue advocacy money than had ever been raised or spent in any cycle. So I understand the importance of this bipartisan process. But the way the commission bill is coming up now is this: It will, if passed, if it gets enough votes, block a chance to ban soft money now. It is reform later, not reform now. It will block a chance to get real control over issue advocacy now, not later.

Both the Shays-Meehan bill and the Hutchinson–Allen freshman bill deserve to come up for a debate and deserve to have a real vote. They represent real reform. They represent reform now; the kind of bill we could send to the Senate and expect them to act on during this session. So I want to urge everyone who may support the commission bill to vote ''no'' or ''present'' and to give real reform a chance.

Finally, I would say this. An earlier speaker, the gentleman from California, said the problem is government regulation. I disagree. The problem is big money in politics. And whenever we hear the words ''free speech'', we have to be careful, because sometimes they mean ''big money''. The gentleman from California is a sponsor of a provision that would take all the limits off, hard money limits off, so that individuals could give $50,000, $100,000, $500,000, $1,000,000 to an individual candidate. That is not the law now and it is simply wrong to drag the red herring of free speech across this debate when what we are really talking about is big money.

We need to contain the influence of big money in politics and we do that by banning soft money and by banning it now.

Mr. GEJDENSON. Mr. Chairman, I yield the balance of my time to the gentleman from the great State of Rhode Island (Mr. WEYGAND), my neighbor, to close for our side.

(Mr. WEYGAND asked and was given permission to revise and extend his remarks.)

Mr. WEYGAND. Mr. Chairman, I want to thank my neighbor from Connecticut for allowing me to close on this very important issue.

I have to compliment the gentleman from Washington (Mr. WHITE) in the great effort that they have put forward. When I look and listen to what the gentleman has said, it really strikes home.

But I look at this picture here that was taken 3 years and 1 week ago tomorrow, and that was the commitment we had back then. Let us put together a commission to truly study the things that the gentleman has talked about today. Because when we talk about soft money and all the other things that run into this, the people back home, their eyes glaze over. They wonder what we are really talking about here in Washington. They want true reform.

And the reason for it is that the average American today can no longer run for Congress. What we have done with the system that we have today is divorced all Americans, the majority of Americans, from running for this Congress. The gentleman's bill today would just further extend that divorce. It would further extend it to 4 years or 5 years by the time we had true reform.

When we first started this great assembly here, our founding fathers said this chamber should have its pulse on the feeling of America, not in the pocketbooks of the special interests, which is exactly where it is right now. For the average American, they cannot afford $1 million. The average American wants a voice in this chamber and they want it now. Unfortunately, the great effort that the gentleman has put forward, which I believe is wonderful in its intent, will just further exacerbate and procrastinate our decision to move forward on true campaign finance reform.

I urge my colleagues and the Members in the House to vote ''no'' or simply ''present''. Let us move on with real reform. Let us not relinquish our responsibility to do this now. Let us not delay any further. Campaign finance reform today, not tomorrow.

Mr. WHITE. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. DOOLITTLE).

Mr. DOOLITTLE. Mr. Chairman, I want to ask the gentleman from Rhode Island (Mr. WEYGAND) if he would tell us what is a special interest? What does he understand that term to be? I hear that term used a lot.

Mr. WEYGAND. Mr. Chairman, will the gentleman yield?

Mr. DOOLITTLE. I yield to the gentleman from Rhode Island.

Mr. WEYGAND. I am sorry, would the gentleman repeat the question?

Mr. DOOLEY of California. Yes. Can the gentleman tell us what he means by special interest?

Mr. WEYGAND. Well, let me ask the gentleman this. When a person has to spend a million dollars or $2 million of special interest, including the various organizations that have helped them——

Mr. DOOLITTLE. No, no, I want the gentleman to define—it is my time and I reclaim it. What is the definition of special interest? Is all the labor PAC money the gentleman got special interest?

Mr. WEYGAND. The special interest is what controls the Chamber here, and the gentleman knows that. And what I am asking the gentleman——

Mr. DOOLEY of California. So the answer then is yes, it is a special interest. The gentleman is receiving money, gobs of it, from special interests and he honestly sits here and pretends that does not happen.

Mr. WHITE. Mr. Chairman, I yield myself the balance of my time, and I think we have had a good example of why we need campaign finance reform here.

I admire the gentleman from Connecticut (Mr. SHAYS), I admire a lot of

the people on the other side, and I appreciate the efforts of many of the Democrats who worked with us on our bill. And, frankly, I agree with the gentleman from Connecticut. I think we need to take personal responsibility for this vote. But what all the arguments we have heard today really boil down to is, we do not want to do the commission because we want to do it our way.

Now, doing it my way was fine for Frank Sinatra, but when we are talking about elected Members of this House, whose personal self-interest depends on what these rules are, I think it is a little bit of a stretch to say we have to do it our way.

Banning soft money? That would be fine, but are we going to lose the opportunity to have real comprehensive, long-term reform, simply so we can ban soft money today? It seems to me the balance swings pretty heavily in the other direction.

So let me just go through a little analysis here. Let us say I was one of the 94 Democrats who cosponsored my bill and I was now trying to figure out, gee, how should I vote on this. The first question I would ask myself is: Why would I vote against this bill? Would I vote against it because it is fake reform? It is not real reform? No. This is the only bill that really gives us independent neutral reform.

Would I vote against this because it is a political game? It is one party trying to stick it to the other party? No. This is the only bill that is neutral, the only bill where one party cannot try to stick it to the other party.

Would I vote against this bill because it is only partial reform? It is the same thing we have right now? No, I would not, because this is the only bill that guarantees us a full package of reform that is carefully thought through.

Would I vote against it because it favors incumbents? No. It is probably the only bill we will ever get, the only way we will ever get a bill that does not favor incumbents is if it is somebody who is not an incumbent suggesting it. So I do not think my colleagues should vote ''no'' on the bill unless the real reason they are voting ''no'' is because they lose the right to write these rules.

Why would I vote ''present'' on this bill? Well, usually we vote ''present'' to show we are here. That is a step in the right direction. Or maybe someone would vote ''present'' because they cannot decide on this bill. But, frankly, the real reason people will vote ''present'' on this bill, if they do vote ''present'', is because they are getting their arm twisted by the leadership of their party because they want to do it their way. And I would suggest that is a mistake.

So, Mr. Chairman, I would submit that the only way to vote on this bill is to vote ''yes''. It is the only way we get a fair bill, the only way we get an impartial bill, the only way we get a bill that does not have politics at its core, and it is the only way we are really going to restore some dignity to this House.

□ 1815

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. SUNUNU). All time having expired, it is now in order to consider Amendment No. 16 printed in the CONGRESSIONAL RECORD.

AMENDMENT NO. 16 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. WHITE

Mr. WHITE. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN pro tempore. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment No. 16 in the nature of a substitute offered by Mr. WHITE:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Independent Commission on Campaign Finance Reform Act of 1998''.

**SEC. 2. ESTABLISHMENT AND PURPOSE OF COMMISSION.**

There is established a commission to be known as the ''Independent Commission on Campaign Finance Reform'' (referred to in this Act as the ''Commission''). The purposes of the Commission are to study the laws relating to the financing of political activity and to report and recommend legislation to reform those laws.

**SEC. 3. MEMBERSHIP OF COMMISSION.**

(a) COMPOSITION.—The Commission shall be composed of 12 members appointed within 15 days after the date of the enactment of this Act by the President from among individuals who are not incumbent Members of Congress and who are specially qualified to serve on the Commission by reason of education, training, or experience.

(b) APPOINTMENT.—

(1) IN GENERAL.—Members shall be appointed as follows:

(A) 3 members (one of whom shall be a political independent) shall be appointed from among a list of nominees submitted by the Speaker of the House of Representatives.

(B) 3 members (one of whom shall be a political independent) shall be appointed from among a list of nominees submitted by the majority leader of the Senate.

(C) 3 members (one of whom shall be a political independent) shall be appointed from among a list of nominees submitted by the minority leader of the House of Representatives.

(D) 3 members (one of whom shall be a political independent) shall be appointed from among a list of nominees submitted by the minority leader of the Senate.

(2) FAILURE TO SUBMIT LIST OF NOMINEES.—If an official described in any of the subparagraphs of paragraph (1) fails to submit a list of nominees to the President during the 15-day period which begins on the date of the enactment of this Act—

(A) such subparagraph shall no longer apply; and

(B) the President shall appoint 3 members (one of whom shall be a political independent) who meet the requirements described in subsection (a) and such other criteria as the President may apply.

(3) POLITICAL INDEPENDENT DEFINED.—In this subsection, the term ''political independent'' means an individual who at no time after January 1992—

(A) has held elective office as a member of the Democratic or Republican party;

(B) has received any wages or salary from the Democratic or Republican party or from a Democratic or Republican party officeholder or candidate; or

(C) has provided substantial volunteer services or made any substantial contribution to the Democratic or Republican party or to a Democratic or Republican party office-holder or candidate.

(c) CHAIRMAN.—At the time of the appointment, the President shall designate one member of the Commission as Chairman of the Commission.

(d) TERMS.—The members of the Commission shall serve for the life of the Commission.

(e) VACANCIES.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(f) POLITICAL AFFILIATION.—Not more than 4 members of the Commission may be of the same political party.

**SEC. 4. POWERS OF COMMISSION.**

(a) HEARINGS.—The Commission may, for the purpose of carrying out this Act, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Commission considers appropriate. In carrying out the preceding sentence, the Commission shall ensure that a substantial number of its meetings are open meetings, with significant opportunities for testimony from members of the general public.

(b) QUORUM.—Seven members of the Commission shall constitute a quorum, but a lesser number may hold hearings. The approval of at least 9 members of the Commission is required when approving all or a portion of the recommended legislation. Any member of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take under this section.

**SEC. 5. ADMINISTRATIVE PROVISIONS.**

(a) PAY AND TRAVEL EXPENSES OF MEMBERS.—(1) Each member of the Commission shall be paid at a rate equal to the daily equivalent of the annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties vested in the Commission.

(2) Members of the Commission shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(b) STAFF DIRECTOR.—The Commission shall, without regard to section 5311(b) of title 5, United States Code, appoint a staff director, who shall be paid at the rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(c) STAFF OF COMMISSION; SERVICES.—

(1) IN GENERAL.—With the approval of the Commission, the staff director of the Commission may appoint and fix the pay of additional personnel. The Director may make such appointments without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and any personnel so appointed may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of the maximum annual rate of basic pay payable for grade GS–15 of the General Schedule under section 5332 of title 5, United States Code.

(2) EXPERTS AND CONSULTANTS.—The Commission may procure by contract the temporary or intermittent services of experts or

consultants pursuant to section 3109 of title 5, United States Code.

**SEC. 6. REPORT AND RECOMMENDED LEGISLATION.**

(a) REPORT.—Not later than the expiration of the 180-day period which begins on the date on which the second session of the One Hundred Fifth Congress adjourns sine die, the Commission shall submit to the President, the Speaker and minority leader of the House of Representatives, and the majority and minority leaders of the Senate a report of the activities of the Commission.

(b) RECOMMENDATIONS; DRAFT OF LEGISLATION.—The report under subsection (a) shall include any recommendations for changes in the laws (including regulations) governing the financing of political activity, including any changes in the rules of the Senate or the House of Representatives, to which 9 or more members of the Commission may agree, together with drafts of—

(1) any legislation (including technical and conforming provisions) recommended by the Commission to implement such recommendations; and

(2) any proposed amendment to the Constitution recommended by the Commission as necessary to implement such recommendations, except that if the Commission includes such a proposed amendment in its report, it shall also include recommendations (and drafts) for legislation which may be implemented prior to the adoption of such proposed amendment.

(c) GOALS OF RECOMMENDATIONS AND LEGISLATION.—In making recommendations and preparing drafts of legislation under this section, the Commission shall consider the following to be its primary goals:

(1) Encouraging fair and open Federal elections which provide voters with meaningful information about candidates and issues.

(2) Eliminating the disproportionate influence of special interest financing of Federal elections.

(3) Creating a more equitable electoral system for challengers and incumbents.

**SEC. 7. EXPEDITED CONGRESSIONAL CONSIDERATION OF LEGISLATION.**

(a) IN GENERAL.—If any legislation is introduced the substance of which implements a recommendation of the Commission submitted under section 6(b) (including a joint resolution proposing an amendment to the Constitution), subject to subsection (b), the provisions of section 2908 (other than subsection (a)) of the Defense Base Closure and Realignment Act of 1990 shall apply to the consideration of the legislation in the same manner as such provisions apply to a joint resolution described in section 2908(a) of such Act.

(b) SPECIAL RULES.—For purposes of applying subsection (a) with respect to such provisions, the following rules shall apply:

(1) Any reference to the Committee on Armed Services of the House of Representatives shall be deemed a reference to the Committee on House Oversight of the House of Representatives and any reference to the Committee on Armed Services of the Senate shall be deemed a reference to the Committee on Rules and Administration of the Senate.

(2) Any reference to the date on which the President transmits a report shall be deemed a reference to the date on which the recommendation involved is submitted under section 6(b).

(3) Notwithstanding subsection (d)(2) of section 2908 of such Act—

(A) debate on the legislation in the House of Representatives, and on all debatable motions and appeals in connection with the legislation, shall be limited to not more than 10 hours, divided equally between those favoring and those opposing the legislation;

(B) debate on the legislation in the Senate, and on all debatable motions and appeals in connection with the legislation, shall be limited to not more than 10 hours, divided equally between those favoring and those opposing the legislation; and

(C) debate in the Senate on any single debatable motion and appeal in connection with the legislation shall be limited to not more than 1 hour, divided equally between the mover and the manager of the bill (except that in the event the manager of the bill is in favor of any such motion or appeal, the time in opposition thereto shall be controlled by the minority leader or his designee), and the majority and minority leader may each allot additional time from time under such leader's control to any Senator during the consideration of any debatable motion or appeal.

**SEC. 8. TERMINATION.**

The Commission shall cease to exist 90 days after the date of the submission of its report under section 6.

**SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to the Commission such sums as are necessary to carry out its duties under this Act.

Amend the title so as to read: ''A bill to establish the Independent Commission on Campaign Finance Reform to recommend reforms in the laws relating to the financing of political activity.''.

Mr. WHITE. Mr. Chairman, I think we have had a good debate on this bill over the last hour. And I hope all our colleagues are listening from their offices. I would hope that there will not be any amendments.

Mr. GEJDENSON. Mr. Chairman, I move to strike the last word.

The author of the legislation says we cannot have it our way because he wants it his way. He is telling us, unless we do it his way, we are not for doing it. Well, let us take a look at the history.

I will venture a guess, and I do not believe in prophecy as a general rule from this Chamber anyway, that when you look at the people who voted for reform in the past, they will be voting ''no'' or they will be voting ''present.'' And for the folks back home, the reason they will vote ''present'' or ''no'' is because they know that this is simply an attempt at the moment to undercut Shays-Meehan, which will give us a more comprehensive shot at reform.

If somebody who is an original cosponsor of the bill votes ''no,'' they are afraid of the 30-second ad that says they voted one way and then they voted the other way. And to make sure that nobody can do that to anybody on either side of the aisle, we are working to make sure that we can add to Shays-Meehan the prospects of adding a commission that can do even more good work if they think a commission adds to the process.

But the fundamental debate, the real debate, I think, is between the gentleman from California (Mr. DOOLITTLE) and myself. And I hope the gentleman is still here. I enjoy debating with him, because I think he honestly speaks what he believes.

Some of us in this Chamber believe that a society has the right to guarantee that those without power, those without wealth have a right to speak. I have said this on the floor before. Democracy is a process that is evolutionary in its nature.

The great efforts by the British, starting with the Magna Carta, did not provide for democratic opportunity for all their citizens. It simply provided rights for the nobility, that the nobility in their dealings with the king would have a right to have a process so their property would not be taken away.

With the revolution that occurred on these shores, our great Founding Fathers took another step forward. They said that we did not have to be noblemen to have rights in this process; if we simply were men and owned land, we could vote. And they wrote a Constitution that guaranteed that white men who owned property would have the right to vote.

And slowly in this society, we have expanded that right to include women and minorities. It was a struggle.

Today, the struggle is about whether or not electoral politics will be about money, that rather than an aristocracy we will be a ''cashocracy,'' whether or not it will simply be the wealthiest individuals who will reach into their pockets and their friends' pockets to spend tens of millions of dollars to try to win elective office, or whether average citizens have an opportunity to feel they are relevant to the political process.

In California, we saw tens of millions of dollars be the litmus test for entry into the race. This country prospers because we include all of our citizens. We make sure that everyone gets an education, that everybody gets to vote. And if we limit the political process to only the wealthy, only those who will curry favor with the wealthy, we will see the demise of this great Nation.

This Nation grows because we expand opportunity and we give everyone an equal shot and do not just rig it for the rich.

Mr. WHITFIELD. Mr. Chairman, will the gentleman yield?

Mr. GEJDENSON. I yield to the gentleman from Kentucky.

Mr. WHITFIELD. Mr. Chairman, I thank the gentleman for yielding.

I would just remind the gentleman from Connecticut that in Buckley, which is the ruling case on this whole issue, the Supreme Court case, it says very clearly in the case, ''The concept that government may restrict the speech of some elements of our society in order to enhance the relative voice of others is wholly foreign to the First Amendment.''

Mr. GEJDENSON. Mr. Chairman, reclaiming my time, I think the gentleman makes an excellent point. The Supreme Court in this case is dead wrong.

Remember, we have a Supreme Court that for 50 years said separate and equal were okay. Well, people who did not believe in segregation did not lie around wringing their hands that we

had a Supreme Court that believed we could have black kids in a school that was falling apart and have a shining, air-conditioned school for the white kids. We fought segregation.

I think the same thing comes here. I respect the separation of powers. This Supreme Court thinks rich people have a right not just to dominate, but to have exclusive domain in the political process. I think that is wrong. I think a real democracy values its citizens and their statements even if they have no wealth.

Mr. DOOLITTLE. Mr. Chairman, will the gentleman yield?

Mr. GEJDENSON. I yield to the gentleman from California.

Mr. DOOLITTLE. Mr. Chairman, under the present disastrous system which this philosophy has given us, the philosophy of my colleague, the only ones who have unlimited rights are the rich. But somebody who is not rich, who wishes to go and run for a Federal office, is forced under these terrible laws that we have to go and raise money in dribs and drabs. They spend all their time doing that instead of addressing the issues.

Mr. DOOLITTLE. Mr. Chairman, I move to strike the requisite number of words.

What I would like to see happen is to deregulate. If you deregulate, they are not going to have soft money. It will not be needed. Issue advocacy will dramatically drop.

Look at what went on in the Commonwealth of Virginia in the gubernatorial elections, where they had men and women of average means running. I think the current governor is the son of a butcher. They had the campaigns running. They were able to raise their money. It was all reported. Nobody claimed that it was an aristocracy or nobility. No, there was no hint of graft in that election, and they do not have these regulations.

Where we have had the present scheme of regulation due to inflation over the years, money has had to come in through other ways because the hard money has never been adjusted for inflation since 1974. And yet, we have had two-thirds of those limits eroded by inflation.

If I may ask the gentleman from Connecticut (Mr. GEJDENSON), why do you folks not agree to adjust those limits at least for inflation?

Mr. GEJDENSON. Mr. Chairman, will the gentleman yield?

Mr. DOOLITTLE. I yield to the gentleman from Connecticut.

Mr. GEJDENSON. I would say two things. One is, I fundamentally disagree with two of the concepts of my colleague. One is that by making everything soft money, basically, under the proposal of my colleague, we could have unlimited contributions to individual candidates.

Mr. DOOLITTLE. Reclaiming my time, let me just say, everything is hard money, not soft money.

Mr. GEJDENSON. If the gentleman would further yield, fine, it is all legal in the sense that it is today.

So, for instance, if somebody in my colleague's district came with a double tractor-trailer full of hundred dollar bills for his campaign, as long as it was reported, he thinks that is enough?

Mr. DOOLITTLE. I think we all stipulate, the present regulation, it should not be cash, it should be a check. But, yes, that is enough. That is enough because the American people are the judges, not a government czar.

Mr. GEJDENSON. So how does a candidate who does appeal to really rich people, where does he get the resources to get heard?

If the rich people can own the stock in the newspapers, if they can own the TV stations, and if they can write $10 million checks to the candidate, if they represent poor people, how do they get their voice out, how do they get heard, how do they buy TV time unless they also find some rich sugar daddy?

Mr. DOOLITTLE. The point is, right now, only the people who are personally rich can spend unlimited amounts of money. At least under this system, if they are not rich themselves, they can go to those who have money and they can contribute to them instead of just the limit of $1,000 they are limited to now.

Mr. GEJDENSON. So my colleague wants to go back to the old system, which instead of cash will now be checks from a handful of rich people.

Mr. DOOLITTLE. It is not from a handful at all. It would be from a number of people. It would all be reported. And if people think that is too much, they would not vote for them in the election.

What is the matter with that? That is freedom. That is disclosure. That is the American system.

Mr. GEJDENSON. No. The American system has been a system that has tempered the free market to make sure that none of our citizens—

Mr. DOOLITTLE. Reclaiming my time, that is the system you liberal Democrats gave us. The Democrats took away the American system and gave us the government regulation of political speech.

Mr. GEJDENSON. If the gentleman would continue to yield, that system, which you condemn in public education and all these other forums, has the highest standard of living in the world, has the biggest economy in the world, is the idol of every other economy in the world.

The countries that followed the model of my colleagues and let the wealthy alone control education and the economy and politics have fallen by the wayside.

Mr. DOOLITTLE. Reclaiming my time, it is the people of my colleague who own the New York Times, the Washington Post, every major newspaper in this country; and under their system, they can do whatever they like.

And under a Shays-Meehan/Hutchinson–Allen bill, they are the only ones who will have the freedom of speech.

Mr. GEJDENSON. Those are Democratic papers?

Mr. DOOLITTLE. Well, they certainly are not Republican papers.

Mr. GEJDENSON. Well, they are not Democratic papers. I read their editorials every day.

Mr. DOOLITTLE. My colleagues want more regulation, more government and less freedom.

I might point out that since the 1974 FECA amendments, political participation has steadily declined in this country. And then I hear the philosophy of the gentleman and bootstrap that to demonstrate why we need more government regulation, which would be further reduction.

The CHAIRMAN pro tempore. Members are reminded that they need to yield and reclaim time so that only one Member is speaking at a time.

The gentleman from California (Mr. DOOLITTLE) controls an additional 30 seconds.

Mr. DOOLITTLE. Mr. Chairman, I yield to the gentleman from Kentucky (Mr. WHITFIELD).

Mr. WHITFIELD. Mr. Chairman, I would just say in 30 seconds that my colleague talks about giving everyone equal rights; and it is so interesting that in the Shays-Meehan bill and the bills that ban soft money, they are allowing politicians and their hard money to spend more, but they are shutting out other people from speaking on political elections by banning soft money, because soft money is simply money spent by groups interested in the political process to express their views.

Mr. PASCRELL. Mr. Chairman, I move to strike the requisite number of words.

Mr. GEJDENSON. Mr. Chairman, will the gentleman yield?

Mr. PASCRELL. I yield to the gentleman from Connecticut.

Mr. GEJDENSON. Mr. Chairman, I would just say to my friend, the gentleman from California (Mr. DOOLITTLE) that, yes, as we have had increasing amounts of money spent, participation has gone down. We ought to limit spending in campaigns.

Mr. PASCRELL. Mr. Chairman, we are back to the beginning if we listened to the last two speakers. As in the beginning, we here in this House are divided into two groups, one group that says there is too much money in campaigns and another group that says there is never enough money in campaigns. And the more that you have, the more free speech that you have.

The gentleman from California (Mr. DOOLITTLE) explicitly and implicitly stated just a few moments ago what this debate is all about. And that is, what he is really after is an unlimited number of dollars in campaigns. That is the crux of the debate. Regardless of the amendments, regardless of substitutions, that is the crux of the debate.

The issue of campaign finance reform is not the same as base closings. In base closings, we had a need for an

independent commission that could break the impasse that existed, because no one wanted to vote to close a base in their own State. There is no comparison between the subjects that we discuss today and the subjects that were discussed in past Congresses, none whatsoever.

With campaign finance reform, we are not voting to close a base and put anyone out of business, no. Passing campaign finance reform is an entirely different subject. The only reason to pass and create a commission is to avoid making a hard-choice decision ourselves.

The people did not send us here to put the hard decision on someone else's shoulders, Mr. Chairman. That is not why I came. They sent us here to make the decisions in this House. By voting on the freshman bill or Shays-Meehan, we have the opportunity to vote for real reform. We should not pass our responsibilities off to others.

Mind you, we are going to select the folks that are serving on this commission. No sitting Member can be a member of the commission and that group out there is going to make the decision for us to live by in our raising dollars so that we can be elected and reelected.

The people of this country created a commission already. It is called the Congress. And the Congress is up for election every 2 years, Mr. Chairman.

□ 1830

Mr. DOOLITTLE. Mr. Chairman, will the gentleman yield?

Mr. PASCRELL. I yield to the gentleman from California.

Mr. DOOLITTLE. Mr. Chairman, the gentleman indicated we spend too much money on campaigns. I just wonder if he could tell us what is too much money or perhaps what is the appropriate amount of money that we should spend.

Mr. PASCRELL. In the debate that we are having here on this floor, the two major bills that we are discussing and, according to the Speaker of this House, the bill that we are discussing as a base bill deals with soft money. That is money that comes into the campaign in the last 3 or 4 weeks which if you have not received and collected enough hard money, you cannot win that election in the last 3 or 4 weeks unless you are way ahead. He knows it and I know it. We are talking about soft money that we do not know how much is really spent in a campaign, and that is true with Democrats and Republicans. This is not a partisan issue.

Mr. DOOLITTLE. Let me just ask the gentleman, setting aside for a minute soft money, then, since that is somewhat nebulous and it is not spent by the candidates themselves, how much hard money is enough?

Mr. PASCRELL. Mr. Chairman, I for one agree with the gentleman from Connecticut, that there should be caps on how much is spent. Under the present Supreme Court decision, that cannot happen. I would say the average congressional campaign, if that is what we are talking about here, we can look at how much is being spent in hard money across the United States of America. I would be willing to discuss that with the gentleman.

Mrs. MALONEY of New York. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the main point is that today, tonight, we can pass a bill that will ban soft money from campaigns. That is an important achievement.

Many of us in this body have sat through many hearings on alleged campaign abuses. But what was in common in every alleged campaign abuse was soft money. So instead of pointing fingers at each other and having partisan investigations or hearings, let us work together and actually do something about it. This is a very modest proposal. It would ban the soft money. It would clean up third-party expenditures. So instead of delaying tonight, let us pass hopefully Shays-Meehan, send it to the Senate where a majority has already supported it, and a Democratic President has come out and said that he will sign it into law.

So we have an historic opportunity to this night pass meaningful, not all that needs to be done, but very meaningful reform, reform that other Members, particularly on the other side of the aisle, have been most critical of. So instead of criticizing, let us do something. Let us ban the soft money. We do not have to wait to do it.

One of the things that I wanted the commission bill to do was to ban soft money. But we do not have to wait for the commission bill to do it. We can do it tonight. We do not have to wait 180 days. Quite frankly, I did not think that we would be able to get this vote in this Congress. That is why I worked so hard on the commission bill, to force something to the floor. But right now we have it before us. We do not have to wait. We can vote tonight and let our constituents know that we are serious about changing the system in a very meaningful way.

Mr. Chairman, at this point I would like to compliment very much my colleagues on both sides of the aisle, particularly the gentleman from Massachusetts (Mr. MEEHAN) and the gentleman from Connecticut (Mr. SHAYS), not only for their hard work and their willingness to compromise, to really roll back their bill to basically two major issues, that of banning soft money and cleaning up third-party expenditures. Now, they have generously indicated that they will accept an amendment to their bill, Shays-Meehan, which accomplishes a great deal, of the commission, which, after we enact and sign into law Shays-Meehan, will allow 180 days for members appointed by legislative leaders on both sides of the aisle to come forward with other important proposals. But the main point is we do not have to wait. We can do it tonight. And we should.

I compliment the leadership on the other side of the aisle for moving forward, hopefully tonight, with a vote on Shays-Meehan, so that we can ban soft money, we can take care of these abuses that so many Members, particularly on the other side of the aisle, have been so critical of, they have said has been wrong. Let us do something about it. Let us take it out of the system and show our constituents that we are serious about something that is far more important than our own reelections, that of making our campaign system more accountable to the people who vote for us by taking out of the system this huge, massive amount of money that flows into our campaigns called soft money.

Mr. Chairman, I can say when I ran for Congress, my opponent outspent me five to one. I was one of the few Members who ever gets elected when you are outspent in that type of way. The area where most of this money flows into campaigns is through the soft money loophole. So even if that is all we accomplish, we will have accomplished a great deal.

Mr. Chairman, I compliment really all of my friends on both sides of the aisle for their work on Shays-Meehan. I am hopeful that my leaders on the commission bill on both sides of the aisle will join me in voting ''present'' on the commission bill, moving quickly towards Shays-Meehan so we can send it to the Senate, so they can act on it, so we can send it to the President and enact it into law. It is important reform. It is meaningful reform. But due to the nature of the rule, a vote for the commission bill is a vote against Shays-Meehan. It is in effect a vote against Shays-Meehan. That is why we have to vote ''no'' or ''present'' on the commission bill. If we pass this amendment, if we pass the commission bill, it would prevent us from passing legislation to ban soft money, to clean up third-party expenditures and to accomplish many very important substantive reforms.

I ask my colleagues who are cosponsors to vote ''no'' or ''present.''

Mr. TAUZIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from Washington (Mr. WHITE).

Mr. WHITE. Mr. Chairman, I thank the gentleman from Louisiana very much for yielding.

Mr. Chairman, I would just like to take a few moments to respond to the gentlewoman from New York who, I have to say, has been a wonderful partner to have in our process of putting together the commission bill. I understand that she is torn in this situation and the situation that many of us find ourselves in. But I would say the gentlewoman is absolutely right to make the point that the Shays-Meehan bill is a modest proposal. That is exactly what is wrong with it. It is not a comprehensive reform. And we are losing the chance to have a commission that

would develop comprehensive reform simply to do a few modest things that frankly are more of the same, more of the same regulations that we have had in the past.

Mr. Chairman, to say that we are going to lose the chance to really reform the system so that we can do some modest little things right now does not make sense to me.

I know some people have suggested that we should add the commission process to the Shays-Meehan approach, and I would respectfully suggest, just what does that mean? What would it mean to say, we are going to have a commission that gets to write all the rules, but it is going to be appended to a bill that writes some other rules, too. The whole point of the commission bill is that we do not get to write these rules ourselves. We are too involved. We do not have perspective. We always want to do it our way. The whole point of the commission is to let a neutral group write fair rules so that we can then vote on it up or down and we will still have the right to say ''no'' if we think that is what we have to do. But any other approach, no matter how we try to slice it, no matter how we try to explain it away, no matter how we try to it vote on it under the rule that put us in this difficult position where we have to vote against a bill that we really like, the fact is that if Members vote against the commission bill, they are voting against it because they want to do it their way. I would respectfully submit that is the problem we have had with every campaign finance bill passed by this Congress. We always do it our way, it always feathers our nests, and that is the reason we have gotten ourselves in the situation we are in right now.

Ms. KILPATRICK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Chairman, I thank the gentlewoman for yielding.

Mr. Chairman, I would like to respectfully respond to the gentleman from Washington (Mr. WHITE) my colleague and really partner on the commission bill with whom we went through innumerable hours of work on this bill. I would really like to point out that Shays-Meehan will accomplish banning soft money and third-party disclosure now, and that is very important.

If my colleague recalls that on our negotiations on the commission bill, and believe it or not, it was difficult to reach that fragile flower of consensus on the commission bill. One of the things that I had in my bill was that the commission should address soft money. Some Members on the other side of the aisle objected to that being included in the commission bill. So then to argue that Shays-Meehan will not be comprehensive enough, in all due respect, I do not believe is a very genuine argument.

I would like to point out to all of my colleagues who are sincere reformers on both sides of the aisle, is that we can pass Shays-Meehan tonight, banning soft money and other proposals, and enact it into law. An amendment that is attached to Shays-Meehan with the commission bill will not touch the important reforms in Shays-Meehan but will allow all the other many good ideas from the gentleman from California (Mr. DOOLITTLE), from the gentleman from Washington (Mr. WHITE), from everyone here to be considered and reported back in 180 days. But what we have before us tonight is a vote where we can actually accomplish something, we can actually pass meaningful reform, banning soft money tonight.

As I say, many of us have sat through so many hearings where alleged abuses in campaigns, all of which involved soft money. We now have an opportunity, in the best of bipartisan spirit, with Shays-Meehan, to actually do something about the abuses that many of my friends on the other side of the aisle have been critical of. So by passing Shays-Meehan, we can ban soft money but we can attach the commission bill and discuss all of the other options and report back in 180 days.

Ms. KILPATRICK. If I could make just one point, Mr. Chairman, I am one of those who heard much of the testimony and am looking forward to the vote. It is unfortunate that we are making a mockery of the process. We have a vehicle before us. We hope that we will pass and vote on it soon.

Mr. POMBO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from California (Mr. DOOLITTLE).

Mr. DOOLITTLE. Mr. Chairman, I would like to pose a question to the gentlewoman from New York (Mrs. MALONEY) if I might. She had spoken against soft money and we are desirous of banning it. I just wanted to read a quote by Mr. Robert F. Bauer. He is a leading Democrat election lawyer and counsel for the Ohio Democratic Party in its current suit against the FEC to have a court strike down the FEC's allocation formula which deals with soft money because the allocation formula requires parties, even though they are engaging in issue advocacy, to spend 60 percent of that from hard money funds as opposed to what everybody else can do from soft money. What he said was, ''Government control over money is control over free speech.'' I just wondered how she felt about that. Is that a statement that she agrees with or disagrees with?

Mrs. MALONEY of New York. Mr. Chairman, will the gentleman yield?

Mr. POMBO. I yield to the gentlewoman from New York.

Mrs. MALONEY of New York. Mr. Chairman, I certainly support free speech. But I think what we need to focus on is what is in front of us, not some letter to the Federal Election Commission. And what is in front of us is the opportunity to vote for a good, clean bill, a modest bill. Many of us would like to have seen much more in it. That is why attaching a commission to it will allow us to do more in 180 days, but we do not have to wait 180 days. Tonight we can vote on two very important reforms. Let us do it. Let us focus on passing Shays-Meehan and let our constituents know that we came here to do something far more important than work for our own reelections, that we want to do something that is important to them, and, that is, reform the campaign system.

Mr. POMBO. Mr. Chairman, reclaiming my time, I yield to the gentleman from New York (Mr. SOLOMON).

Mr. SOLOMON. Mr. Chairman, let me just recall Members' attention to the procedure that we are under here now. We had the general debate on this bill. Now we are on 1 hour of general debate which we have used up on the commission alternative. We are now on the 5-minute rule. The intention of the 5-minute rule is to allow Members to offer germane amendments to this issue.

□ 1845

We have been on this for some time now. Some of the debate has been interesting, but we are going too far with this, and there are Members on their side of the aisle and on ours that say that someone is stalling, they want to drag this thing out. We have gone past the intended hour of debate, we are now on the amendment process, and no amendments are being offered.

My point is that now we ought to move on. If there are not going to be amendments offered, we ought to have a vote on this, and then we ought to move on to regular procedure and get this House moving. That is regular order.

Mr. POMBO. Reclaiming my time, Mr. Chairman, I yield to the gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Mr. Chairman, I would just like to echo the chairman of the Committee on Rules.

I am one of those dirty dozen that wanted to vote on these issues. There is proper discussion, there is proper dialogue, but I would ask my colleagues on both sides of the aisle to remember we are here to vote on this issue eventually, so I think the time has come for us to be able to do what we say we want to do, and that is vote either for or against proposed legislation as it comes up.

Mr. POMBO. Mr. Chairman, I yield to the gentleman from California (Mr. DOOLITTLE).

Mr. DOOLITTLE. Mr. Chairman, I would just observe I do not think any of this debate has in any way been improper. I mean this is getting right to the heart of what these issues are, and frankly I would just want to say that I

think we are going to have to have this kind of freewheeling debate to really bring out the different points of view. I have no desire to prolong it, and if there is no desire to offer amendments, I have no objection to going to a vote.

Mr. POMBO. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. SUNUNU). If there are no further speakers, the question is on the amendment in the nature of a substitute offered by the gentleman from Washington (Mr. WHITE).

The question was taken; and the Chairman pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. WHITE. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 156, noes 201, answered ''present'' 68, not voting 9, as follows:

[Roll No. 241]

AYES—156

Aderholt
Archer
Bachus
Baker
Ballenger
Bartlett
Barton
Bateman
Bereuter
Bilirakis
Bliley
Blunt
Bonilla
Bono
Boucher
Bryant
Burr
Callahan
Calvert
Camp
Canady
Chabot
Chambliss
Christensen
Coble
Coburn
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Fossella
Franks (NJ)
Frelinghuysen
Gallegly
Gekas
Gibbons
Gillmor
Gingrich
Goodlatte
Goodling
Goss
Graham
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Hilleary
Hobson
Hoekstra
Horn
Hunter
Hyde
Inglis
Istook
Jenkins
Jones
Kim
Kingston
Klug
Knollenberg
LaHood
Largent
Latham
LaTourette
Livingston
Lucas
Manzullo
Martinez
McCrery
McDade
McInnis
McIntosh
McKeon
Metcalf
Mica
Myrick
Nethercutt
Ney
Norwood
Nussle
Pappas
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Radanovich
Redmond
Regula
Riggs
Riley
Rogan
Rohrabacher
Ros-Lehtinen
Royce
Ryun
Salmon
Saxton
Scarborough
Schaefer, Dan
Sensenbrenner
Shadegg
Shaw
Shimkus
Shuster
Smith (MI)
Smith (NJ)
Smith (OR)
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (NC)
Thornberry
Thune
Tiahrt
Traficant
Watkins
Watts (OK)
Weldon (PA)
Weller
White
Wicker
Wolf
Young (AK)

NOES—201

Abercrombie
Ackerman
Allen
Armey
Baesler
Baldacci
Barr
Barrett (WI)
Bass
Bentsen
Berman
Berry
Blagojevich
Blumenauer
Boehlert
Boehner
Bonior
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (CA)
Brown (FL)
Bunning
Burton
Buyer
Campbell
Cannon
Capps
Carson
Chenoweth
Clay
Clayton
Clyburn
Collins
Combest
Condit
Conyers
Cook
Costello
Coyne
Crapo
Cummings
Danner
Davis (FL)
DeLauro
DeLay
Dicks
Dixon
Doggett
Doyle
Edwards
Evans
Fattah
Fazio
Filner
Forbes
Ford
Fowler
Frank (MA)
Furse
Ganske
Gejdenson
Gilchrest
Gilman
Goode
Granger
Green
Gutierrez
Hall (OH)
Hamilton
Hefner
Herger
Hill
Hinchey
Hinojosa
Holden
Hooley
Hostettler
Houghton
Hoyer
Hulshof
Hutchinson
Jackson (IL)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
King (NY)
Kleczka
Klink
Kolbe
LaFalce
Lampson
Lazio
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Lowey
Luther
Markey
Mascara
Matsui
McCarthy (MO)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Miller (FL)
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Neal
Neumann
Northup
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Parker
Pastor
Payne
Pelosi
Pickett
Porter
Poshard
Ramstad
Rangel
Reyes
Rodriguez
Roemer
Rogers
Rothman
Roukema
Roybal-Allard
Sabo
Sanders
Sanford
Sawyer
Schaffer, Bob
Scott
Serrano
Sessions
Skaggs
Skeen
Skelton
Smith (TX)
Smith, Adam
Smith, Linda
Snyder
Stark
Stenholm
Stokes
Taylor (MS)
Thomas
Thompson
Tierney
Towns
Upton
Velazquez
Vento
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Weldon (FL)
Weygand
Whitfield
Wise
Wynn
Yates
Young (FL)

ANSWERED ''PRESENT''—68

Andrews
Barcia
Barrett (NE)
Becerra
Bilbray
Bishop
Brown (OH)
Cardin
Castle
Clement
Cramer
Davis (IL)
DeFazio
DeGette
Delahunt
Deutsch
Dingell
Dooley
Engel
Eshoo
Etheridge
Farr
Fox
Frost
Gephardt
Gordon
Harman
Hilliard
Jackson-Lee (TX)
Kildee
Kilpatrick
Kind (WI)
Kucinich
Lantos
Leach
LoBiondo
Lofgren
Maloney (CT)
Maloney (NY)
Manton
McCarthy (NY)
McHale
Minge
Pallone
Pascrell
Pomeroy
Price (NC)
Quinn
Rahall
Rivers
Rush
Sanchez
Sandlin
Shays
Sisisky
Slaughter
Spratt
Stabenow
Strickland
Stupak
Tanner
Tauscher
Thurman
Torres
Turner
Wamp
Wexler
Woolsey

NOT VOTING—9

Cooksey
Gonzalez
Greenwood
Hastings (FL)
Johnson (WI)
Kasich
McNulty
Schumer
Sherman

□ 1913

Mrs. CHENOWETH changed her vote from ''aye'' to ''no.''

Messrs. SNOWBARGER, HEFLEY, SHADEGG, and NETHERCUTT changed their vote from ''no'' to ''aye.''

Messrs. CRAMER, BECERRA and RAHALL changed their vote from ''no'' to ''present.''

Mr. BLAGOJEVICH and Mr. BOEHLERT, and Mrs. CLAYTON, Mrs. KENNELLY of Connecticut and Ms. McCARTHY of Missouri changed their vote from ''present'' to ''no.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

□ 1915

Mr. THOMAS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. SUNUNU, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2183) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes, had come to no resolution thereon.

## CAMPAIGN FINANCE REFORM DEBATE SHOULD NOT BE DELAYED AGAIN

Mr. MEEHAN. Mr. Speaker, I ask unanimous consent to speak out of order for 1 minute.

The SPEAKER pro tempore (Mr. SUNUNU). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. THOMAS. Mr. Speaker, I could not hear you nor the exchange. What has occurred?

The SPEAKER pro tempore. The gentleman from Massachusetts (Mr. MEEHAN) has made a unanimous-consent request to speak out of order for 1 minute.

Mr. THOMAS. Reserving the right to object.

Mr. MEEHAN. Mr. Speaker, the ruling was already made.

The SPEAKER pro tempore. The gentleman has been granted permission to speak out of order for 1 minute.

Mr. THOMAS. Mr. Speaker, I thought it was a request unanimously to speak out of order.

The SPEAKER pro tempore. Hearing no objection, the gentleman was recognized.

Mr. THOMAS. Mr. Speaker, I did not hear the exchange, but go ahead.

Mr. MEEHAN. Mr. Speaker, we have been waiting for a vote on campaign finance reform now for literally years. Years. My question to somebody on the other side is, how in the world could the debate on the rule on this bill have possibly been canceled again?

My understanding through the grapevine is that we are actually not going to do the rule again tonight. In other words, my understanding is that we are going to walk away tonight again not