

Senator FEINGOLD has a good amendment. I was happy to support it in committee. I hope now, because of the evidence of its success across the country that has been shared on both sides of the aisle, it ultimately will be adopted.

I yield the floor.

The PRESIDING OFFICER (Mr. GORTON). Who seeks recognition?

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that Senator KERREY of Nebraska and I be allowed to proceed for 10 minutes as in morning business.

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

#### A MESSAGE FOR CANDIDATES IN BOTH PARTIES AND THE AMERICAN PEOPLE

Mr. MCCONNELL. Mr. President, I note for my colleagues that the chairman of the Democratic Senatorial Committee and the chairman of the Republican Senatorial Committee are on the floor at this moment, and we have a message for candidates in both our parties and for the American people.

Having served as chairman of the Senate Ethics Committee during the Packwood investigation, and having offered the first resolution of expulsion in the history of the Senate in a case involving sexual misconduct, I am well aware of the bright line that exists between private failings and public wrongs. And, of course, that line is blurred, as it was in that case, and is again in the allegations made against President Clinton when one's public office is used to pursue private misconduct and shield it from legal inquiry.

But if we start turning every instance of past personal misconduct into cannon fodder for our political campaigns, we risk turning our democracy into a nuclear waste dump of slander, gossip, innuendo, and cheap moralizing about other people's problems.

Even without this threat, the multifaceted scandal that currently engulfs the White House represents a crisis of national and constitutional proportions. Our only hope of guiding this country through the next several months without a major catastrophe in our Government, or in our financial markets, or in the world, absolutely depends on our ability to resist the subtly escalating arms race of dirt digging, garbage searching, mudslinging, and poison leaking that is currently swirling around the Nation's Capital.

Where that awful trend must be resisted first is in our political campaigns. For better or for worse, campaigns are the most direct expression of our Government that people see.

This election, let's make it for the better, not for the worse. Everyone in this body certainly knows that I believe in robust, pointed, hard-hitting campaigns. And I believe those kinds of campaigns are good for our democracy and good for the voters, but only when political campaigns are focused on issues and not on purely private behavior.

So to set the standard, I want to make it clear that the national Republican Senatorial Committee will not fund—will not fund—any candidate who engages in personal attacks on the private problems and past failings of his or her opponent. Digging through their record is one thing, digging through their garbage is quite another. Criticizing someone for their vote on the marriage tax is fair game. Attacking someone for a failed marriage certainly is not.

Let us prove over the next 6 weeks at least that this Congress is capable of fairly and responsibly executing the solemn constitutional duty that may await us in the months ahead.

Mr. President, I yield the floor. I note the presence of my friend and colleague from Nebraska.

Mr. KERREY addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. KERREY. Mr. President, I come to the floor, as the distinguished Senator from Kentucky said—as chairman of the Democratic Senatorial Campaign Committee—to make the same commitment that the Senator from Kentucky just made, that our committee will not fund any candidate who uses the personal problems or past failures of their opponent to win their election.

The objective in a campaign is not just to win an office. And we all know in campaigns that there is a temptation to justify every means by the end that is in sight. As the Senator from Kentucky described himself, I describe myself the same way. I am not reluctant or shy to have full contact sport when it comes to campaigns, but I do believe that the ultimate objective of the candidate needs to be to not just acquire the office, but also to serve the larger good of preserving our Democratic institutions, in this case the U.S. Congress.

I have been asked many times, and suspect the Senator from Kentucky has as well, Is this going to have a negative impact on your chances in the fall? He has probably been asked more times, Is this going to have a positive impact on your chances in the fall?

But my answer has always been that my chief concern is that there are good men and women in America today who have thought about running for office—it may be the Senate or a local school board—and they have said, "Gosh, I

don't want to go through what I see HENRY HYDE going through. And if I run for office, that is exactly what is going to happen to me. I don't want everything that I have done since I was an infant to be drug out and paraded before the people of my district or the people of my city or the people of my State."

Far be it from me to say that any vote or statement or belief I have should be withheld. They should not be withheld and should be subject to the review and debate and discussion of the people. But my concern and why it is important that my colleague from Kentucky, whose suggestion this was, and I do this in this campaign is that if we do not exercise restraint and show American citizens that we will not fund candidates who use personal problems or past failures to win their office, the institutions of democracy will suffer.

Forget the impact upon political parties. Neither party is going to do very well if citizens increasingly turn off and withdraw and say that "I may do many things for my country, but one of them will not be to be a candidate for any office" because of the fear that they have that something that happened 30 years ago or 40 years ago or 20 years ago—that is irrelevant to the campaign itself and that they have dealt with their family and their friends and their God, in whatever way that they felt was necessary—now becomes drug out into the open.

So I join enthusiastically in making the commitment that we will not fund any candidates who do that. I appreciate that very much because what the Senator from Kentucky suggested serves the interests of democracy, and I am willing, as well, on the part of the DSCC to do the same.

Mr. MCCONNELL. I commend my friend from Nebraska for his statement. We see this matter precisely the same. As for my side of the aisle, I intend to convey this statement to our candidates, both incumbents and challengers, this afternoon with the message that I mean every single word of this statement.

I thank my friend from Nebraska.

I yield the floor.

Mr. SESSIONS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alabama.

#### CONSUMER BANKRUPTCY REFORM ACT OF 1998

The Senate continued with the consideration of the bill.

AMENDMENT NO. 3565

Mr. SESSIONS. Mr. President, with regard to the Feingold amendment that deals with the waiver of filing fees for those who file bankruptcy, I think we need to be very cautious about that amendment. It has very serious implications. It has been considered by this Senate numerous times and rejected.

It has been the argument that this is somehow unfair and denies access to