United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

Vol. 145 WASHINGTON, TUESDAY, SEPTEMBER 14, 1999 No. 119

House of Representatives

The House met at 9 a.m.

MORNING HOUR DEBATES

The SPEAKER. Pursuant to the order of the House of January 19, 1999, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member except the majority leader, the minority leader or the minority whip limited to not to exceed 5 minutes each, but in no event shall debate continue beyond 9:50 a.m.

The Chair recognizes the gentleman from New Jersey (Mr. PALLONE) for 5 minutes.

CHILD HEALTH INSURANCE LEGISLATION

Mr. PALLONE. Mr. Speaker, I am pleased to announce this morning that I will soon be introducing legislation to expand access to health insurance for children.

About 2½ years ago, Congress passed the State Child Health Insurance Program as part of the Balanced Budget Act. That program established a partnership between the States and the Federal Government, with the mission of making health insurance accessible to 5 million of the Nation's estimated 10 million uninsured children. The target population of that program was and remains parents who make too much to qualify for Medicaid but not enough to buy policies in the expensive individual market.

The program has been, by and large, a success. A significant number of children who would otherwise not have health insurance now have that insurance. As successful as that program has been, there is still, though, a considerable way to go. It was, after all, designed to provide insurance for only half of the Nation's uninsured children, and we must not forget the other half.

Mr. Speaker, last week Vice President GORE brought renewed attention to this issue, reminding everyone that the job is not done. In Los Angeles, he announced a plan he will be pursuing to make health insurance available to every child in the country by the year 2005.

I think it is important to note that the Vice President's observation that the State health insurance program needs to be expanded is a view shared by many, if not every State in the country. A number of States have already taken voluntary action to go beyond the terms of their partnership with the Federal Government to make their child health insurance programs accessible to as many children as possible.

In my home State of New Jersey, for example, the income eligibility threshold for participation in the program has been raised from 200 percent to 350 percent of the poverty level. That means in New Jersey a family of four with an income of about $57,500 would be eligible to participate in the program.

The State legislature in New Jersey has also passed a number of bills that would expand access and improve outreach, which has been a significant impediment for signing up eligible children in many of the States.

Mr. Speaker, the Vice President and the States have it right. We must pass a program to cover every child in the country, not just half the children. To that end, I will soon be introducing my own bill to further the momentum created by the States and the Vice President to address this vital national need.

Like the Vice President's plan, my bill will expand the CHIP program to children beyond those in families at 200 percent of the poverty level. It will, however, go a bit further than what the Vice President has proposed. Instead of expanding the program to include those at 250 percent of poverty, my bill will follow New Jersey's example and expand it to families at 350 percent of poverty. States that elect to increase the eligibility level to 350 percent would receive increased Federal funds to help meet the costs.

In addition, my bill will include two provisions to help boost enrollment in the program. The first will provide incentives for States to pass laws by a date certain to authorize hospitals to enroll on the spot eligible children who have been brought into the hospital for care.

The second measure would create an incentive for States to pass laws to facilitate the recruitment of eligible children who are not enrolled in the program. Like the measure in the New Jersey State Senate after which it is modeled, this provision will provide a financial incentive for schools, day care centers, and health clinics to recruit and enroll eligible children in State health insurance programs.

Mr. Speaker, these measures will go a long way towards helping more of the families who the program was intended to help who have so far been overlooked. Time has shown that while the kids program, the kids care program, has been successful, it will not be enough to insure all of America's uninsured children if the Federal Government fails to expand the program.

I look forward to collaborating with the Vice President to fashion a program that achieves our common goals. I hope all of my colleagues will join me in supporting a renewed effort to finish the job we started in 1997 so every family may live with the security of knowing that, at a bare minimum, their children will be taken care of.

Printed on recycled paper.

CONGRESS' MOST IMPORTANT TASKS: TO BALANCE THE BUDGET AND PAY DOWN THE DEBT

The SPEAKER pro tempore (Mr. BALLENGER). Under the Speaker's announced policy of January 19, 1999, the gentleman from Washington (Mr. SMITH) is recognized during morning hour debates for 5 minutes.

Mr. SMITH of Washington. Mr. Speaker, as I went around my district during the August recess and listened to my constituents about what their primary concerns were, I heard the same statement, the same issue, over and over again in different forms but with the same message. That is that the single most important thing the Congress can do is balance the budget and pay down the debt.

As we head into September and October, the last 2 months of our session, that should be our number one priority. The budget is on the table. It is up for us to negotiate it and figure out what we ought to do with it. But the top priority in that process ought to be balancing the budget and paying down the debt.

We have an incredible opportunity to do this. When we think about where we were 5 or 6 years ago, the fact that deficits were over $200 billion, approaching $300 billion, with projections that they would get as high as $500 billion, running the overall debt up over $7 or $8 trillion, to have us down to the point where we are just this close to balancing the budget is a tremendous accomplishment.

I rise today primarily to urge this body to not snatch defeat from the jaws of victory as we negotiate this issue and all of the issues that have to do with government spending over the course of the next 2 months, let us stick to that goal of making sure that we balance this year's budget and get ourselves in a position to start paying down the debt.

There are a couple of issues that always challenge us on that. I think the biggest one is the so-called surplus. I saw ads on television over the break brought to us from Washington, D.C. talking about how there is a surplus in Washington. I hear this conversation continually.

One of the rules that I think we should pass in this body is to require all Members to accurately state the budget situation before they talk about any subject, any spending program, any tax cut. The budget situation is basically we have a $5 billion debt or deficit for the year, the fiscal year that will end on October 1. In fiscal year 1999 we are looking at a $5 billion deficit.

As I mentioned, that is a significant improvement, but it is still a deficit. All of those surpluses that we are talking about are projected out into the future. So let us not spend them before they actually show up, let us give an accurate picture of where we are at in the budget process, because if we go around telling people that we have some $6 trillion in surpluses, there is going to be momentum built to spend money. I think we need to give an accurate picture of where we are at fiscally.

Paying down the debt is the best thing we can do for this country. It can reduce interest rates, which will help business and individuals alike. All we need is the discipline to do it.

What I am asking in the next couple of months is that we actually do something historic and change the culture of this place. For too long people have looked to Congresspeople, or Congresspeople have thought this, anyway, and thought, the way I please my constituents is by passing out something to them, a program, a check, a tax cut, something. Whereas I think the single best thing that a Member of Congress can give to his or her constituents is a fiscally responsible, efficient government.

Let us make that the standard by which we judge our Members of Congress. Let us not do it program by program, check by check. Let us do it by the overall competence with which we run our government.

I will tell the Members, after having talked to my district and listened to my district for the last 3 years, there is a hunger for that type of leadership in this country. People want a Congress that talks to them straight about the fiscal picture, that performs their job in a responsible and efficient manner, does not simply come along and promise big, grand, high things for all the years to come. They are looking for that efficiency, for that responsibility.

As a Democrat and as a member of the New Democrat Coalition, I want my party, obviously, to be the one that gives it to them. But actually, my biggest hope is that both parties will recognize the desire for that and we will both give it to them, as we head towards the October 1 deadline for the next budget.

We have a great chance to get there. We have a strong economy, high growth, low unemployment, low inflation. We are headed in the right direction. I urge this body and my colleagues to do the work over the course of the next 2 months that gets us there, so we can all go back to our constituents and I think give them the most significant thing that any congressional body has given their delegation in years, and that is a balanced budget and a step towards paying down that huge Federal debt that many of us thought we would never have a chance to pay down.

Let us seize this opportunity and do what is right for the American people: balance the budget and pay down the debt.

THE SENATE GOP'S PROPOSAL FOR A 13-MONTH FISCAL YEAR

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from Washington (Mr. MCDERMOTT) is recognized during morning hour debates for 5 minutes.

Mr. MCDERMOTT. Mr. Speaker, there are some times when we pick up the paper and we cannot believe what we are reading. I am looking at the Washington Post. The article is called: GOP Seeks to Ease Crunch With a 13-month Fiscal Year.

I came over to this floor because I want to put my name on record right here and now against this. I will tell the Members why. This is deja vu, for me. I was in the Washington State legislature in 1972 when they did what we call the light bulb snatch. We took the first month of the next year and pulled it into this year and said, now we have 13 months of money to spend in 12 months. That is exactly what some brilliant theorist over in the other body has conceived of as a way of avoiding being honest about this budget.

What happened in the State of Washington was that ultimately we lost our bond rating, and when I became chairman of the Committee on Ways and Means in 1983, I had to raise taxes to pay off this 13-month so we could get our bond rating back. When I read that they are going to do it in the United States Senate, that Republicans, the party of fiscal responsibility, those people who are really close with our money, they want to give it all back to us, are now going to create a fictitious, that is the word they use, ''By creating this fictitious 13th month, the lawmakers would be able to spend $12 to $16 billion more.''

This is Alice in wonder land run by the Republican party. When the Committee on Ways and Means in the year 2001 is in Democratic hand and I am sitting there, I do not want to have to clean up a mess created by people who will not be honest about the budget process.

I just was in my district, like the gentleman from Washington before me. I went to a liberal church talking about violence, and we talked about a variety of things in a forum. I asked them, how many of you want a tax break? Not a single person raised their hand, out of 150 people. They began to talk about it, and what 90 percent of them wanted to do was to pay down the debt. But no, what we see in the Senate is we do not want to be honest about doing what the President said, pay what we need in social security first, then strengthen Medicare, and then deal with whatever else we have to deal with.

I personally think the American people are ready to pay down the debt. They all understand that when they get additional money and their credit card is at $5,000, they do not go out and buy more, they pay down that credit card debt.

We have an enormous debt, and yet what we are doing here is like the county fair. There is a guy there with three walnut shells and a pea, under it

and we move it around real fast and you are supposed to guess where the pea is. What this is is a shell game so that the American people will never understand what is happening here, except for the truth is right here, by creating this fictitious 13th month.

□ 0915

The people who thought it up ought to be ashamed of themselves. I do not know how they can go around and say that they are fiscally conservative and throw rocks at people like me who they call liberals.

I paid one of these off. I did what I had to do to be fiscally responsible. It makes me angry to see people starting down this road and if they lose control in here or lose control in the Senate, then suddenly it will be the Democrats' problem, we will have to fix it. And I object to that, and I object very strongly.

I think every Member ought to read this article and ask themselves do they want to be put in that kind of a box. Because at some point they have to pay it off. That debt is out there, and it has got to be paid; and by increasing it by 12 to $16 billion, we do not fix anything; we just make it worse.

So I urge everyone, Mr. Speaker, to read that article. And I will put this article in the RECORD so that we can have it there and everybody can see it and remember when we decided to start down this stupid path. There is no excuse for this. There can be an honest budget discussion in here, but it is going to require that the majority party talk to the minority party, have conferences, talk about what the issues are.

It can be done, but it is going to have to take both sides working together. And if it does not happen that way and we start down this path, they are on their own. I am against it from the very first day I see it in the paper.

Mr. Speaker, I include for the RECORD the article to which I referred.

[From the Washington Post, Sept. 14, 1999]

GOP CONSIDERS 13-MONTH FISCAL YEAR

(By Eric Pianin)

As they struggle to live within tough restrictions on how much they may spend, Senate Republicans have found another creative way to shoehorn popular domestic programs into next year's budget: declaring the coming fiscal year 13 months long instead of the usual 12.

By creating this fictitious 13th month, lawmakers would be able to spend $12 billion to $16 billion more for labor, health, education and social programs than they otherwise would be permitted under budget rules. Because the additional funds would not be technically released until immediately after the fiscal year ends, they would not count against the overall limits on federal spending next year.

''We all know we engage in a lot of smoke and mirrors,'' said Sen. Arlen Specter (R–Pa.), chairman of the Senate Appropriations subcommittee with jurisdiction over the programs. ''But we have to fund education, NIH, worker safety and other programs. It's a question of how we do it.''

The proposal—which has been embraced by Senate leaders—highlights how difficult it is for congressional Republicans to cut spending and live within tight budgets without resorting to what many experts describe as fiscal gimmickry. With the government awash in surpluses, there is certainly the money to pay for extra programs next year. But to do so would require breaking existing spending limits and, more than likely, dipping into extra money generated by the popular Social Security program—something both parties have pledged not to touch.

As a result, GOP lawmakers have struggled to find ways of spending money without technically breaking those limits. For instance, lawmakers already have classified spending on farms and the 2000 census as ''emergency'' spending not subject to existing rules. All told, lawmakers already have exempted nearly $28 billion in proposed spending next year from the existing budget limits.

The 13th-month gambit promoted by Specter has been used before on a smaller scale, but fiscal experts expressed concern that Congress would simply be putting off its day of reckoning by employing it on so large a scale.

''It avoids the problem, it doesn't solve the problem,'' said Robert Reischauer, former director of the Congressional Budget Office. ''We will have spending caps in 2001 and 2002 as well, so all you've done is postponed and magnified the problem.''

''They're degrading themselves and degrading the budget process by resorting to these budget gimmicks,'' added Robert L. Bixby, policy director of the Concord Coalition, a budget watchdog group.

While it is far from clear whether House Republicans or the White House will go along with the plan, the Senate's so-called ''advance funding'' proposal underscores lawmakers' desperation in trying to pass the largest and traditionally most contentious spending bill without breaking the budget deal that President Clinton and Congress agreed to in 1997.

Spending in the Labor-Health-Education bill includes funding for health and human services programs, the National Institutes of Health (NIH), job training, Head Start for disadvantaged youth and Pell grants for college students. Last year Congress could not come up with a bill that was acceptable to the administration until the last minute, when GOP leaders and the president negotiated a giant package that included nearly $20 billion of additional spending for domestic programs. GOP leaders felt burned by the arrangement and have vowed to avoid such a deal this year.

Not counting mandatory entitlement programs, spending for Labor-Health-Education programs totals roughly $92 billion this fiscal year. For next year, House leaders have essentially used the Labor-HHS bill as a piggy bank to finance other spending bills and have set aside only $73 billion for the bill itself, a cut of roughly $19 billion. Senate leaders have set aside a little more, $80.4 billion, for those programs.

If such reductions were sustained, House Democrats have warned that across-the-board spending cuts of as much as 32 percent would be required on education programs, Head Start, NIH grants, Job Corps, AIDS research and scores of other programs. Republicans and Democrats alike agree that the bill will have to be beefed up substantially—probably to this year's levels—to win passage and the president's signature.

''The bill as it is set up right now falls impossibly short of funding levels that are necessary to ensure even basic services in education, health and labor,'' said Linda Ricci, a spokeswoman for the Office of Management and Budget.

In the House, Majority Whip Tom DeLay (R–Tex.) is leading an effort to try to identify $16 billion or so of offsetting reductions in mandatory programs and other areas to finance the additional Labor-Health-Education programs, but so far he has reported little progress.

Rep. John Edward Porter (R–Ill.), Specter's counterpart on the House Appropriations Committee, has grown frustrated with the process and contends that Congress and the administration must face the reality that the 1997 budget agreement is no longer practical.

''I still believe in the end the caps are going to have to be raised, and the question is whether you do it honestly or whether you put into place all kinds of gimmicks, including emergencies and forward funding and the like,'' Porter said.

But Specter, Senate Appropriations Committee Chairman Ted Stevens (R–Alaska) and other Senate leaders see virtue in a budgetary maneuver that would ensure adequate funding for education and other programs next year and that meets the letter—if not the spirit—of the budget law. Because the non-Social Security budget surplus is supposed to be even larger in the following year, such a move could also make it easier to finance ongoing government programs without dipping into Social Security reserves.

''If the money can be pushed off to expenditures in 2001, that would give us the latitude of using that year's surplus without breaking the caps,'' Specter said.

CAMPAIGN FINANCE REFORM

The SPEAKER pro tempore (Mr. BALLENGER). Under the Speaker's announced policy of January 19, 1999, the gentleman from Texas (Mr. DOGGETT) is recognized during morning hour debates for 5 minutes.

Mr. DOGGETT. Mr. Speaker, today the business of this House will focus on the question of campaign finance reform. It is indeed an important debate because the agenda of this Congress is being set by the special interest contributors that increasingly dominate our elections.

It is the American people who have to foot the bill for those special interests, and they foot it in many ways. Without a vote for genuine campaign finance reform, and that is the Shays-Meehan bipartisan campaign finance bill, which represents the only true reform, if it can be approved today without amendments. Without a vote for genuine campaign finance reform, pharmaceutical companies, who contribute to campaigns will determine whether our seniors ever get access to affordable prescription drugs.

Without a vote for genuine campaign finance reform, insurance companies will determine whether folks in managed care ever get their rights in a true, meaningful patients' bill of rights to hold the insurance companies accountable for their misconduct.

Without a vote for true and effective campaign finance reform, it will be the tobacco companies, who through their contributions determine whether we ever do anything to address the increase in nicotine addiction among our children.

Without an effective campaign finance reform embodied in the Shays-

Meehan bill without amendments, it will be the gun manufacturers through their contributions, who will determine whether we ever address the question of gun violence in our society.

And certainly, as we have seen in this abominable, huge trillion-dollar tax cut proposed by the Republican leadership, unless we get effective campaign finance reform, it will be the special interests here in Washington, who continue to write loopholes for themselves in our Tax Code, designing it as a more and more complex code where the ordinary, hard-working American family has to pick up most of the cost of Government and the special interests manage to avoid paying their fair share.

The debate in this Congress today on this bill will determine on whether or not we really require complete disclosure by the so-called independent campaigns when they are really campaigning with unregulated, undisclosed money for a handful of special interest candidates.

Secondly, it will eliminate the soft money contributions, the unreported, unregulated, unlimited contributions that these same special interests, the pharmaceutical companies, the insurance companies, the tobacco lobbyists dump into these campaigns to tie up the Congress and to control its agenda.

I believe that what we need to do is not just some slight housekeeping amendments, as have been proposed, to thwart the Shays-Meehan bill, but we need a clean sweep of the system.

If the Shays-Meehan bipartisan campaign finance reform has any defect, the defect is that it does too little, not that it does too much. But it does represent an important first step on a bipartisan basis to overcome the deficiencies in our current system, which permit a stranglehold through special interest contributions on the operations of this Congress.

Doris Haddocks, a woman from New England, who has referred to herself as ''Granny D,'' is 89 years old. She began a walk out in California. I believe she has about reached the Mississippi River, walking by herself across America, as an 89-year-old great grandmother, to speak out and draw attention to the need for reforming our campaign finance system and getting so much of this special interest money out of our system.

I would say to my colleagues that she has a better chance, a much better chance, of completing her walk step by step across the wide expanse of America, ''from sea to shining sea;'' she has a much better chance to accomplish that objective than this Congress does to ever escape special interest domination unless we reform our campaign finance system.

We need true, genuine reform. Without that reform, this Congress and its entire agenda will continue to be set largely on the basis of who gave how much to whom.

I believe that campaign finance reform, certainly the modest steps we propose today in the Shays-Meehan bipartisan campaign finance reform, will not correct every wrong in this Congress. But without real, meaningful, comprehensive reform, the American people will continue to be wronged by the special interests that dominate this Congress.

Let us approve bipartisan reform today.

RECESS

The SPEAKER pro tempore. There being no further requests for morning hour debates, pursuant to clause 12, rule I, the House will stand in recess until 10 a.m. today.

Accordingly (at 9 o'clock and 23 minutes a.m.) the House stood in recess until 10 a.m.

□ 1000

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MILLER of Florida) at 10 a.m.

PRAYER

The Chaplain, the Reverend James David Ford, D.D., offered the following prayer:

O give us peace, O give us hope,
O give us light above.
O God, from whom all blessings flow,
We thank You for your love.
Bring us faith and give us hope,
And keep us always true;
That whatever path we walk,
We walk that path with You. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. DOGGETT. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Chair's approval of the Journal.

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

Mr. DOGGETT. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from New Mexico (Mr. UDALL) come forward and lead the House in the Pledge of Allegiance.

Mr. UDALL of New Mexico led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

IMPORTANCE OF MINING INDUSTRY TO AMERICA AND ITS FUTURE

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, unfortunately, there are some Members of this body that would like to eliminate the American mining industry. However, many of them do not realize how important this industry is to America and to its future.

Without the mining industry, we would not have the system of transportation that enables America to get to work and be productive. In fact, we would not have a refrigerator that preserves and keeps our food cold and would not have a bed to sleep in or even a house to live in, not to mention that the combined direct and indirect economic impact of the Nation's metal mining industry amounts to more than $112 billion per year.

The metal industry paid $523 million directly to State and local governments, $620 million in taxes and fees to the Federal Government, $7 billion to other businesses for supplies and almost $3.5 billion in wages and benefits. By the time this $11.6 billion circulates throughout the economy, the metal mining industry directly had a $112 billion impact on the Nation's economy.

Mining is not just about our quality of life, however, or the hard working families. It is also about the contributions it makes to medical advancements, our schools, neighborhoods, State and local and Federal Governments.

Mining is a partner with government, with communities all across America.

PASSING SHAYS-MEEHAN STRIKES A BLOW FOR DEMOCRATIC PRINCIPLES

(Mr. UDALL of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Speaker, today we have the opportunity to put democracy back in the hands of the people. Increasingly, the power of the special interests and big money have had their sway in the Congress. Now is the time to let the people's voices be heard. By passing the Shays-Meehan campaign finance reform bill, we will be striking a blow for Democratic principles. Shays-Meehan will restore confidence in our democratic system. It will inject new integrity into the process and it will assure

us a more responsive and vibrant democracy.

Last year, a large bipartisan majority passed Shays-Meehan. We must have the courage to do the same this year. I urge my colleagues, Democrats, Republicans, Independents, to vote for passage of meaningful campaign finance reform.

INTRODUCTION OF A RESOLUTION ON EAST TIMOR

(Mr. BEREUTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BEREUTER. Mr. Speaker, as chairman of the Subcommittee on Asia and the Pacific, this Member rises to advise his colleagues that he intends to introduce a resolution this afternoon regarding the institution in East Timor. Among its provisions, this resolution notes the abject failure of the government of Indonesia to fulfill its responsibility to guarantee the safety and security of the people of East Timor and calls on the government of Indonesia to terminate the current violence in East Timor.

The resolution also expresses the support of the House for a United Nations Security Council-endorsed multinational force for East Timor which, under duress, President Habibie has agreed to permit.

Australia is willing to lead this force and should be commended and supported. We need to get that force into East Timor now. The United Nations surely knew that some degree of violence would follow the announcement of the election results. It is a tragedy they were so unprepared for the rampage of the militia forces.

Given the human tragedy that has been unfolding in East Timor and the pressing need for the House to speak out for action against the violence and mayhem there, it is the intention of this Member to move this East Timor resolution through the Committee on International Relations and bring it to the House floor as expeditiously as possible.

Therefore, any colleagues who would like to be original cosponsors of this resolution should contact the subcommittee at 67825 this afternoon.

TRIBUTE TO CHICAGO JOURNALIST PHIL WALTERS

(Mr. RUSH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RUSH. Mr. Speaker, this morning I rise to pay tribute to the life of a respected journalist, a superb writer and a true Chicagoan. Phil Walters covered the streets of Chicago with his own unique style and in his own brilliant way. He shared Chicago's life and times with millions of television viewers for more than 30 years.

My relationship with Phil began some 30-odd years ago when as a reporter for NBC's Channel 5 he covered me in my work as a civil rights activist. Even then, as a young journalist, Phil's insightful reporting and the passion he brought to telling Chicago stories proved to be award winning. The man and his work will be long remembered and long cherished by Chicagoans for years to come.

Phil Walters passed on Sunday, September 12, 1999, and is survived by his wife Paula Weiss and his son Tyce. Our condolences are with his family and with his friends.

ELIMINATE THE MARRIAGE TAX PENALTY NOW

(Mr. WELLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELLER. Mr. Speaker. I have often asked from the well of the House a basic question. That is, is it right, is it fair, that married working couples with two incomes pay higher taxes just because they are married? I have often asked, is it fair, is it right, that 21 million married working couples pay $1,400 more on average in higher taxes just because they are married?

Meet Michelle and Shad Hallihan, two Joliett school teachers, young people just starting a family, just had a baby. They suffer the marriage tax penalty just like 21 million other married working couples.

It is an issue of fairness, an issue of difference between right and wrong. The end of July, this House and the Senate voted to eliminate the marriage tax penalty for a majority of those who suffer it, benefiting over 21 million married working couples.

The President has an important choice. Is he going to help families like Michelle and Shad Hallihan, 42 million Americans who suffer the marriage tax penalty, or is he going to practice partisan politics?

I hope the President will join with us in a bipartisan effort to eliminate the marriage tax penalty by signing into law the Financial Freedom Act. Let us eliminate the marriage tax penalty.

ANTI-AMERICAN TRADE AND TAX POLICIES

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, remember the Singer sewing machines? Most married couples in America had one. Today the Singer Company filed bankruptcy in New York.

The Singer Company is now headquartered in Hong Kong. They make their sewing machines in Japan, Brazil, and Taiwan. It is called the New World Order, Mr. Speaker.

Here is how it works: American factories move overseas. They send their products back and sell them in America. If it does not work out, they go bankrupt and screw the American creditors. What a system.

I yield back all the anti-American trade and tax policies that this Congress continues to support and pass.

KEEP AND MAINTAIN ERISA, THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974

(Mr. KNOLLENBERG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KNOLLENBERG. Mr. Speaker, I would like to remind my colleagues of the many benefits of the Employee Retirement Income Security Act of 1974, better known as ERISA. After all, voluntary ERISA-based employer self-insured plans cover nearly 80 percent of the workers in this country.

ERISA retains the State's authority over the business of insurance. It also ensures that plans would be subject to the same benefit laws across the States. ERISA provides flexibility by allowing employers and employees to agree to choose a benefit package which best suits their needs. This approach keeps costs down because it allows them to do so without the government regulation that drives the costs up.

Make no mistake about it, the chief beneficiaries of preempting ERISA would be the trial lawyers. Consumers and employers will be left to pick up the bill for increased and often frivolous litigation.

Mr. Speaker, this Congress must ensure the patient's right to care, not the lawyer's right to bill.

NOW IS THE TIME TO CLEAN UP THE SPECIAL INTEREST MONEY MESS THAT DOMINATES OUR CAMPAIGNS

(Mr. DOGGETT asked and was given permission to address the House for 1 minute.)

Mr. DOGGETT. Mr. Speaker, today this House has an important opportunity to clean up the special interest money mess that dominates our campaigns. Approval of the bipartisan Shays-Meehan campaign finance reform legislation can go a long way in correcting some of the wrongs that dominate this Congress.

To get real change, however, we must approve this bill without any change. The amendments that are being offered, the substitutes, some of them appear to be direct, straightforward efforts to kill this legislation. Others of them are in seemingly innocuous form but the sole purpose of every amendment, every substitute, is to block reform.

Last year, the Republican leadership, every single Member of the Republican leadership of this House, voted against reform. And they managed to delay consideration of this bill, delay it long enough that they finally succeeded in killing it.

Today we call on them to join with us, to join with leaders on both the Republican and Democratic side, in support to reform, in cleaning up this mess, so that we can move forward to address the real issues that concern the American people.

THE PRESIDENT HAS BEEN MAKING THE CASE FOR THE REPUBLICAN TAX RELIEF BILL FOR MONTHS

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, a few thoughts on the President and our tax relief bill. If we listen to what the President has been saying, we will see that he has actually been making the case for this tax relief bill for months. The President says he supports seniors. So do we. That is why the Republican tax relief plan walls off and locks away Social Security trust fund monies for America's seniors.

The President says he supports America's farmers and ranchers. So do we. That is why the Republican tax relief bill eliminates the death tax for farmers and for small businesses so that they can pass the family farm or business on to the next generation.

The President says he supports working families. So do we. That is why the Republican tax relief plan reduces the marriage penalty tax.

The President says he is for reducing the Federal debt. So are we. That is why the tax relief bill pays down $2.2 trillion of the public debt. It also encourages savings and investments with other targeted tax cuts.

Mr. Speaker, I urge the President to listen to his own rhetoric, to join the cause in reducing the tax burden, the national debt, on all working Americans. Next year is an election year. Mr. President, this is the year for your opportunity to do something with bipartisan support.

THE BIPARTISAN CAMPAIGN REFORM ACT

(Mr. PASCRELL asked and was given permission to address the House for 1 minute.)

Mr. PASCRELL. Mr. Speaker, today we will be debating a piece of legislation that could more than any other single act put an end to the troubling cynicism of the American electorate, the Bipartisan Campaign Finance Reform Act. In our Nation, the birthplace of modern democracy, our citizens are less likely to vote than any other country in the rest of the industrialized world. While there are other factors that influence this disturbing trend, the perception that our elections are bought and sold rank at the top.

□ 1015

The numbers are staggering. In 1998, over $781 million was contributed to us, we, congressional candidates. In the last presidential election, the Clinton and Dole campaigns spent a combined $232 million. What has this got to do with free speech?

The time has come to restore some sanity to our electoral process. The leadership of the House is again trying to submarine the Shays-Meehan bill by making several poison pill amendments in order. That is why we must take the courageous decision today, Mr. Speaker, and pass the Shays-Meehan bill.

REAL REFORM COMES FROM OBEYING EXISTING LAW

(Mr. HAYWORTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYWORTH. Mr. Speaker, to hear my colleagues on the left talk about it in concert with other folks at the other end of Pennsylvania Avenue, it is very interesting to hear all of these calls for campaign finance reform, because, in fact, mindful of these pleas at the other end of Pennsylvania Avenue I would equate them, Mr. Speaker, with Bonnie and Clyde in the midst of their crime spree calling a press conference to call for tougher penalties on bank robbery.

The fact is, Mr. Speaker, real reform first comes by obeying existing law. That is the problem this administration has never come to grips with in a variety of different areas. It would be good to obey existing laws. That is why they are already on the books.

Mr. Speaker, I hope the President enjoyed his round of golf today in the South Pacific. He came here in January and gave a State of the Union message and the next day went to Buffalo, New York and told the American people they could not be trusted with their money, and yet last week, he said he would trust the word of Puerto Rican terrorists and grant them clemency. How curious, Mr. Speaker, when the President of the United States will not trust the American people with their own money and yet trust the word of terrorists.

CAMPAIGN FINANCE REFORM REQUIRES TRUST OF THE PEOPLE IN GOVERNMENT

(Mr. HOLT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOLT. Mr. Speaker, political consultants say campaign finance reform, in their words, does not poll. The opponents of campaign finance reform legislation think that if they prevent or water down this legislation, no one will notice. There will be no price to pay.

There will be a price to pay, Mr. Speaker. We face a crisis of trust in our Government.

America cannot deal successfully with the tough problems that face this legislature, taxes, Social Security, Medicare, unless we have the trust of the people.

The Shays-Meehan legislation on campaign finance reform is a very good and excellent first step in restoring trust in government.

ATTORNEY GENERAL JANET RENO IS RESPONSIBLE FOR WACO

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, in 1993, the tragedy in Waco, Texas left many unanswered questions for Congress and the American public. One question remains, of course. What happened? Where does the responsibility lie?

In 1993, in April, Attorney General Janet Reno said, quote, ''The buck stops with me,'' end quote. She took responsibility then for the Waco tragedy, but of course, now, it is shifting blame. Where is her responsibility for the information supplied to Congress and the American people?

It was reported in the Washington Times that the Justice Department omitted in its December 1993 report to Congress the one key page of information quote, ''documenting the use of 40 millimeter tear gas project tiles at Waco,'' end quote. Now, it appears the Justice Department is saying they gave this information 2 years later, in 1995.

This latest revelation and other ones that will probably follow are just an indication that the Justice Department is not handling this situation well. There is incompetency in her department, and much of the information provided is not accurate. So I urge my colleagues to look at this question of responsibility and help us to get to the bottom of this matter.

Attorney General Reno should take full responsibility and not try to shift blame.

VOTE FOR SHAYS-MEEHAN AND DEFEAT POISON PILL AMENDMENTS

(Mr. DAVIS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAVIS of Florida. Mr. Speaker, we have an opportunity today to take an important step towards returning control of this Congress to the people and away from the special interests that have a disproportionate influence in Congress. This will be the Shays-Meehan bill that we will debate later today that will close two of the most gaping loopholes in our campaign finance system: soft money and sham issue ads.

Let us be clear about what opposition we face today. The leadership of this House has arranged for amendments to be offered that are very innocuous, but will have the effect of depriving the

House of Representatives from voting on Shays-Meehan. This is a disingenuous way to conduct the debate. We need to see through it today.

This is not a Democratic issue or a Republican issue; this is an American issue. Senator MCCAIN is leading the fight in the Senate. We need to come together as Democrats and Republicans today. We need to have an open and honest debate on campaign finance reform and defeat the poison pill amendments that will be offered on the bill.

TAXES TODAY ARE SIMPLY TOO HIGH

(Mr. BALLENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BALLENGER. Mr. Speaker, taxes today are simply too high. The average American pays $10,300 every year in taxes to all levels of government. That is more than the cost of food, shelter, and clothing combined. Yet President Clinton continues to reject tax relief for hard-working Americans.

If one is married and paying more in taxes than one should because of the IRS marriage penalty, the President says, tough. If one works hard all of their life to build a business so that one can pass it on to their kids only to fall victim to the death tax, he says, that is too bad.

Along with across-the-board tax cuts for all taxpayers, the Republican Congress wants to provide badly needed relief from the marriage penalty and do away with the death tax. But the President says he will veto that.

Rather than allow taxpayers to keep more of what they earn, he wants them to give more to Washington bureaucrats. By vowing to veto tax cuts, President Clinton is no longer rejecting badly needed tax relief, he is working his back on the hard-working American families.

A VOTE FOR SHAYS-MEEHAN IS A VOTE FOR A STRONGER DEMOCRACY

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, when the founders created our democracy, they did not foresee soft money. They did not anticipate PACs, they did not know phrases like ''lobbyists,'' ''fund raiser'' and ''issue ad.'' They did not know they would become part of our political vocabulary. But what our forefathers did know was that the strength of our democracy would rest upon the courage of its inheritors. Today that courage is being tested. Mr. Speaker, today we are looking for men and women of mettle to pass meaningful campaign finance reform.

Campaign finance reform presents a very clear choice. Those who vote in favor of Shays-Meehan, which passed this body by a wide margin last year, vote to eliminate soft money from our campaigns. Those who obstruct campaign finance reform and try to attach their poison pills turn their backs on the American people's desire for a political system that is built vote by vote and not dollar by dollar.

This is a bipartisan problem, and it needs a bipartisan solution. Let us make our founders proud; let us support and pass Meehan-Shays, remove soft money from our campaigns, and strengthen our democracy for future generations.

MANAGED CARE REFORM

(Mr. GANSKE asked and was given permission to address the House for 1 minute.)

Mr. GANSKE. Mr. Speaker, I want to clear up an area of misunderstanding that some of my colleagues have, as well as some of the business community has concerning the bipartisan managed care bill.

I recently had a CEO of a major corporation from the Midwest and his lobbyist come into my office and say, if that bill comes law, it would mean the end of ERISA. I said, how so? He said, we would not be able to do a uniform benefits package for our employees across various State lines. I said, you know what? There is nothing in that bill that deals with mandated benefits. Nothing, nada, zero. There would still be ERISA if we passed this law.

Businesses that operate across State lines would still be able to do a uniform benefits package, and they would still be exempt from State mandates. The only thing this bill does in ERISA that is of consequence is that it says that if a health plan makes a medical decision that results in the injury to one of their subscribers that they are responsible for that, just like any insurer in the individual market today already is.

REAL REFORM VERSUS SHOW ME THE MONEY

(Mr. CROWLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CROWLEY. Mr. Speaker, nine out of 10 Americans support campaign finance reform; nine out of 10.

The simple fact is that the cost of running for federal office today is so great that candidates are forced to devote far too much time and effort to fund-raising, rather than dealing with the issues of importance to their constituents. We can eliminate soft money entirely, rid our society of the pollution caused by sham issue ads, and increase public disclosure of who is paying for what. It is real reform versus show me the money.

This is the crux of the argument today as the House will undertake the serious debate of reforming our system of financing political campaigns. The Shays-Meehan bill is real reform, eliminates soft money, increases disclosure and bans phoney issue ads.

The Republican leadership support the show-me-the-money approach. They argue for more money in the system and less reforms. Real reform versus show me the money. Support Shays-Meehan and show every American that the House supports real reform and not simply more money.

KUDOS TO SPEAKER HASTERT FOR BRINGING SHAYS-MEEHAN TO THE FLOOR

(Mr. CAMPBELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CAMPBELL. Mr. Speaker, we owe a debt of gratitude to the Speaker of the House. There are many who said that this day would never come when we would get to vote on Shays-Meehan. But today, we will get to vote on real campaign finance reform. I was a fighter on the floor here last year for Shays-Meehan, and I will be that again today.

Let us give the Speaker of the House some credit. Remember, under the previous Speaker, we had to have a discharge petition to get this to the floor. This Speaker, by contrast, promised we would have a vote in September. He has kept that promise. And that is why we are here today.

One brief comment further on the merits. I only wish we could do more than Shays-Meehan. But what Shays-Meehan does that is so valuable is to plug two huge loopholes, one might even call them subterfuge, in existing law. The law says, an individual cannot give above $1,000 to a campaign. But the law allows you to give all you have to a political party for soft money, and then the party takes the money and spends it so as to help a candidate. You would not know the difference between the kind of ads they run, and a candidate's own ads.

The other loophole concerns ads that are supposedly on public issues, but turn out to be nothing but campaign ads. They escape the law because they do not use the magic words, ''vote for'' or ''vote against.''

That is what Shays-Meehan does, it plugs two loopholes. I wish we could do more, but it is a great start; and I conclude by complimenting Speaker HASTERT once again for keeping his word and giving us the chance to vote on this today.

A UNITED FRONT BRINGS REFORM

(Mr. KIND asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KIND. Mr. Speaker, like the previous speaker, I too want to compliment the Speaker for giving us this opportunity to debate what I feel is the most important issue that we are going

to bring up in this session of Congress, and that is the debate and the votes on meaningful campaign finance reform in order to return some credibility to our political process.

When I was first elected in 1996, the shortcomings of our current system became obvious to me. The tidal wave of money washing around during an election does not elevate political discord and contribute to the debate of ideas. It simply drowns out the voices of those who cannot afford to buy into the process. The big soft money contributions contribute to the perception that special interests have too much influence in the political process. And that perception is correct.

So here we are once again, attempting to right the wrongs of our current system. Drawing from the lessons from the previous session of Congress, the best chance we have for reform is represented by the Shays-Meehan bill. With a united front in the House, we can send a clear message to the Senate today that the time for reform is now.

The citizens of western Wisconsin have told me that our democracy belongs to the people, not to the large money special interests. They do not expect us to take no for an answer on this important issue of reforming the political process. I encourage my colleagues to support Shays-Meehan today and to oppose the ''poison-pill'' amendments and substitutes.

TIME FOR ACCOUNTABILITY FOR INTERNATIONAL MONETARY FUND

(Mr. ROYCE asked and was given permission to address the House for 1 minute.)

Mr. ROYCE. Mr. Speaker, in the last Congress, this body at the urging of the administration approved $18 billion in new payments to the International Monetary Fund. At that time, some of us called for reforms to this flawed institution, reforms that would have required real transparency and would have provided greater accountability for the IMF. But at that time, the administration's position was that it was not the time to institute reforms, that it was critical to send the money first, they said, reform it later.

So that is what Congress did, not with my vote; but that is what Congress did. Congress sent a check for $18 billion, only to find out last month that billions of dollars in IMF loans to Russia, the fund's largest borrower over the last 7 years, likely was diverted and laundered through U.S. and other Western banks.

The IMF states that they have no evidence that their money is involved and that they are investigating. Well, it is time that this Congress conducts its own investigation and holds the IMF accountable. Its largest donors, the U.S. taxpayers, deserve no less.

□ 1030

EAST TIMOR CRISIS

(Ms. MCKINNEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MCKINNEY. Mr. Speaker, it is Rwanda all over again. Thousands of people are being murdered in East Timor while the international community dawdles. I applaud the Australian government for volunteering its forces to peacekeeping efforts long before our own country recognized the need for action.

In a brutal takeover of East Timor over 20 years ago sanctioned by the United States, the people of East Timor have been subjected to an ethnic cleansing of one-third of the entire indigenous population. All the while the U.S. and Australian Armed Forces provided training to the very units that are on the rampage right now. Yet again, the U.S. Government has blood on its hands.

We apologize for Rwanda after letting 1 million innocents die. We apologize for Guatemala after condoning the brutal murders of even U.S. citizens. When will we apologize for East Timor, when it is too late?

Mr. Speaker, the time to act is now. The administration should stop dawdling and start packing to save the lives of the innocent East Timor people. What is taking this administration so long to get it right?

CAMPAIGN FINANCE REFORM

(Ms. BERKLEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BERKLEY. Mr. Speaker, I rise today in support of meaningful campaign finance reform and passage of the Shays-Meehan campaign finance reform bill. This Congress must act to restore public confidence and participation in our electoral system.

Today the House finally takes up this important debate. I urge my colleagues to support Shays-Meehan in its current form. The American public deserves a debate on meaningful reform, not a weak substitute disguised as reform. If we are to maintain public trust in our political process, we have a duty and an obligation to address this issue.

Let us ban soft money and stop the attack ads disguised as issue advocacy soft money pays for. Let us strengthen the Federal Election Commission and give it the teeth it needs to enforce campaign finance laws.

The American people are tired of politicians who talk about reform but do nothing to enact it. Let us show our constituents that this time we mean it. Let us pass this important piece of legislation.

AMENDMENTS AND SUBSTITUTES TO THE SHAYS-MEEHAN BILL WOULD WEAKEN CAMPAIGN FINANCE REFORM

(Ms. SLAUGHTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, almost every year since I have been in the House we have struggled to try to pass meaningful campaign finance reform, and this year is no different.

Ten poison pill amendments and substitutes have been introduced that are designed to weaken the Shays-Meehan bill. This bill is necessary to cut off the flow of unlimited and often undisclosed money into the Federal election system.

Specifically, the bill closes two primary loopholes through which this money flows into Federal campaigns, soft money and sham issue ads. All of us have received letters and phone calls from constituents who care about this issue and want this system cleaned up.

One of my constituents stated that as long as the fox has full access to the henhouse, he has no plans to repair the hole. So it goes with politicians, he said. He believes the only way campaign finance reform would happen would be to take it out of our hands.

Let us prove him wrong. Congress needs to close these loopholes now to stop the corruption of elections into the 21st century and to restore Americans' faith in their government. Vote yes on Shays-Meehan and no on the poison pill amendments.

TIME TO PASS THE SHAYS-MEEHAN BILL

(Ms. LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LEE. Mr. Speaker, I rise to speak in support of Shays-Meehan. This is one of the most important bills that this House will consider and I hope pass. The Nation is watching today. Individuals as well as the faith community, the League of Women Voters, Common Cause, and a host of others in my district and nationwide are committed to good, honest government, government where ordinary citizens could have a chance, through their participation in the political process, to have a voice and not be drowned out by the millions of dollars now available for only the rich.

We have had laws since 1907 and 1947 that forbid soft money from flowing into campaigns. However, the loopholes have been great and we need to close them. The Shays-Meehan bill closes the loopholes by blocking the present flow of unlimited soft money and unregulated contributions to the political parties. Shays-Meehan, our bipartisan bill, also blocks last-minute campaign ads that masquerade as issue ads.

The Nation is watching. Our constituents are watching. It is time to pass the Shays-Meehan bill.

AMERICA NEEDS TO INVEST IN ITS DEFENSE SYSTEMS

(Mr. CUNNINGHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CUNNINGHAM. Mr. Speaker, our military cannot fight one MRC, that is regional conflict, today. General Ryan shut down the Air Force that put 1 year of life on every aircraft from Kosovo.

Last week the press reported that the services are being hit with a $5 billion tax, due to a sudden loss of defense budget. We stood in the well on this floor and said that the President's budget was gimmicks.

He said that inflation would stay the same over the next 10 years, and so would fuel prices. They have gone up. Those prices cut $5 billion out of our defense system. The President knew it when he did it and he still did it, and when the Joint Chiefs said they needed $150 billion just to come up to fight two conflicts at the same time, the President said, I will give you a $1 billion offset, which means a net zero.

We need to invest in our defense systems and provide for our men and women the training and assets when we ask them to go into conflict.

NO RETURN TO ANNUAL DEFICITS

(Mr. GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GREEN of Texas. Mr. Speaker, just before Congress recessed for the August break, the majority Republicans passed the so-called Financial Freedom Act. I think a more appropriate name for the GOP tax plan should be ''A Return to the Massive Annual Debt,'' or maybe ''The Medicare Elimination Act.''

I think the size of the GOP bill highlights the willingness to neglect the financial security of our Nation. Both Democrats and Republicans want tax cuts. The difference between the two parties is the Democrats want to make sure we save social security and modernize Medicare, including a prescription benefit for our senior citizens, at the same time trying to buy down our national debt, and, to follow my colleague, the gentleman from California, to make sure we modernize our military without adding to the national debt.

The Republican plan is a financial irresponsible scheme which would lead to higher taxes in the future, slow down our economy, and force huge deficits and massive tax increases on our children and grandchildren.

The American people know that the failure to address these issues today will only make the problems greater for the future. Whether we are talking about Medicare, social security, defense, let us not add to our national debt.

THE JOURNAL

The SPEAKER pro tempore (Mr. MILLER of Florida). Pursuant to clause 8 of rule XX, the pending business is the question of agreeing to the Speaker's approval of the Journal of the last day's proceedings.

The question is on the Speaker's approval of the Journal.

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

Mr. GREEN of Texas. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 360, nays 41, answered ''present'' 1, not voting 31, as follows:

[Roll No. 408]

YEAS—360

Abercrombie
Ackerman
Allen
Andrews
Armey
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Castle
Chabot
Chambliss
Chenoweth
Clayton
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Cox
Coyne
Cramer
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dooley
Doolittle
Doyle
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fletcher
Foley
Forbes
Ford
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Lazio
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Quinn
Radanovich
Rahall
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Sensenbrenner
Sessions
Shadegg
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Upton
Velazquez
Vento
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—41

Aderholt
Baird
Bilbray
Borski
Clay
Clyburn
Costello
Crane
DeFazio
Doggett
Filner
Gephardt
Gibbons
Gutierrez
Gutknecht
Hefley
Hill (MT)
Hilliard
Hutchinson
Kucinich
LoBiondo
Markey
McDermott
McGovern
Moran (KS)
Oberstar
Pickett
Ramstad
Rangel
Riley
Rogan
Sabo
Schaffer
Stupak
Taylor (MS)
Thompson (CA)
Thompson (MS)
Udall (NM)
Visclosky
Waters
Weller

ANSWERED ''PRESENT''—1

Carson

NOT VOTING—31

Archer
Barcia
Bonior
Brown (FL)
Burton
Clement
Dixon
Dreier
English
Fattah
Fossella
Hastings (FL)
Hinchey
Hunter
Jefferson
Jones (OH)
Kaptur
Kingston
Largent
Leach
McIntosh
Meehan
Obey
Porter
Pryce (OH)
Ros-Lehtinen
Serrano
Shaw
Spence
Taylor (NC)
Young (AK)

□ 1058

Mr. HALL of Texas and Mr. LAZIO changed their vote from ''nay'' to ''yea''.

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated for:

Mrs. JONES of Ohio. Mr. Speaker, on roll-call No. 408, I was unavoidably detained. Had I been present, I would have voted "yes."

APPOINTMENT OF CONFEREES ON H.R. 2606, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2000

Mr. CALLAHAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2606) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Is there objection to the request of the gentleman from Alabama?

There was no objection.

MOTION TO INSTRUCT OFFERED BY MS. PELOSI

Ms. PELOSI. Mr. Speaker, I offer a motion to instruct.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Ms. PELOSI moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill H.R. 2606 making appropriations for Foreign Operations, Export Financing, and Related Programs for the fiscal year 2000 be instructed to insist on the provisions of the House bill with respect to Indonesia limiting International Military Education and Training to ''expanded military education and training only''.

□ 1100

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Pursuant to the rule, the gentlewoman from California (Ms. PELOSI) and the gentleman from Alabama (Mr. CALLAHAN) each will control 30 minutes.

The Chair recognizes the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is 11 o'clock a.m. in Washington, D.C. It is nighttime in East Timor; and families there and those who have been evacuated from East Timor are living with the suffering of the past week and longer, much of it perpetrated by the Indonesian military cooperating with the militias in Dili and the rest of East Timor.

The motion to instruct conferees I have offered today moves that the House insist on its position restricting military training to Indonesia to expanded IMET only. The Senate bill contains no such restriction.

Were it within the scope of my motion to instruct to cut off all military training to the Indonesian military, I would do so. But the constraints of the parliamentarian are such on my motion that I cannot.

Just as a matter of explanation, Mr. Speaker, the Department of Defense spends about $50 million a year on independent national military education and training. That is called IMET program.

The program provides a wide range of training to over 125 countries around the world. The training ranges from sending foreign officers to some of our many military schools for extended periods to training in basic military tactics and techniques.

In the past 10 years, with the changes in the world, Congress has insisted that the new programs be developed and carried out which deal with civil military relations and human rights awareness. These programs are called Expanded IMET and now take place in many countries with difficult problems, like Guatemala, El Salvador, and Indonesia. Indonesia receives $550,000 worth of IMET training in 1999 and 400,000 has been requested for 2000.

The purpose of my motion here today is to insist that the restrictions on the limited Expanded IMET only stay in place for the year 2000, FY 2000. As I said, I would prefer to cut all IMET to Indonesia, especially made clear by the recent events there. However, this is not within the scope of the two bills, as I mentioned, as currently drafted.

In fact, the President has suspended all military training and military-to-military contacts for the time being. Ensuring that Expanded IMET restrictions stay in place for all of FY 2000 will make that limitation a matter of law.

I believe it is important to send a strong signal to the Indonesian Government at this time, despite the apparent progress on allowing a United Nations peacekeeping force into East Timor. The horrifying events of the past week have shocked the world. They have indeed challenged the conscience of the world. We know that thousands of people have been killed. The systematic nature of this mayhem where young men, Catholic priests and nuns, and U.N. workers were in fact targeted by the militias speaks volumes about the depths of this problem.

I am indeed grateful that order seems to have been restored in East Timor, but at what cost and how many lives already lost? The terms of reference for the U.N. peacekeeping force are still under negotiation, as is the timing of their deployment. The Indonesian military is sending mixed signals about their willingness to cooperate with the U.N., and we need to keep the pressure on.

The people of East Timor chose independence and democracy, and the consequences have been dire for them. Instead of a democratic spirit prevailing there, violence reigns. No one can say with certainty to what degree the Indonesian military was culpable, but it is increasingly clear that either the military was involved directly in militia activity in East Timor or they failed to confront it.

Keeping the restrictions on Expanded IMET for Indonesia will at least put Congress on record as sending a signal to the Indonesian military that their behavior has been unacceptable. It also will send a signal to our own military that the suspension of the military-to-military contact program should remain in effect indefinitely.

I again want to repeat that I would prefer to go further in my motion today. I believe that all assistance programs for Indonesia should be seriously reviewed. Disbursements to Indonesia under the structural adjustment program to the IMF should be halted, and the international bank loans that go directly to the government should be suspended. These measures are necessary to demonstrate to the Indonesian Government that we will not tolerate the undermining of democracy in East Timor.

Others of my colleagues have motions to this effect, and I hope that they will come to the floor soon. If it had been possible from a parliamentary standpoint, we would have included many of those initiatives in this motion to instruct. But staying with what is within the scope of the two bills, I urge my colleagues to vote to support the motion to instruct conferees on this motion.

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

Mr. CALLAHAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I do not oppose the motion offered by the gentlewoman from California (Ms. PELOSI). I think that she echoes what we did here in the House, and that was to limit the IMET training in Indonesia to expanded military education and training only. This is exactly the reason and the purpose for the Expanded Military Education and Training program, which is to teach military leaders and military people in foreign countries something about human rights, to educate them with the ability to work with a civilian government. If Indonesia ever needed this assistance, it is now.

So I intend to support the motion of the gentlewoman to instruct to insist the Senate keep the language that we inserted in the House in our bill.

Mr. SMITH of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. CALLAHAN. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. Mr. Speaker, I thank my good friend for yielding.

Mr. Speaker, I rise in strong support of the motion to instruct conferees and just remind Members that I have held hearings in my subcommittee on the U.S. cooperation with the Indonesian military and I find it appalling that we have been training, especially through the JCET program, many of the people, including those who are part of Kopassus, which is an infamous brigade, it is the Red Berets, it is their so-called elite, many of whom have been charged with very serious human rights violations, including the use of torture.

We had Pius Lustrilanang, one of those who was tortured by the Indonesian military, appear at one of our hearings, and he gave riveting testimony of the daily beatings that he endured at the hands of those people.

Where we come in, or where the United States I think has made a very serious error, is that we have trained in sniper training, urban guerilla warfare, and other kinds of assistance to the very people in Kopassus and in other elements of the Indonesian military. And I asked our U.S. officials both in Jakarta, as well as at our hearings, did we keep track of those we trained. There is no list of those that we have trained.

Now there are several of those members who are under indictment. General Prabowo, who was the leader of Kopassus, has been sacked. But there are still very strong remnants of that kind of abusing authority still in place. We are seeing them now operate with impunity in East Timor.

Mr. CALLAHAN. Mr. Speaker, I reserve the balance of my time.

Ms. PELOSI. Mr. Speaker, I am very pleased to yield 4 minutes to the very distinguished gentlewoman from New York (Mrs. LOWEY) who has fought this fight over the years for the people of East Timor.

Mrs. LOWEY. Mr. Speaker, I thank the gentlewoman for yielding me the time.

Mr. Speaker, I rise in support of this motion and urge all of my colleagues to do the right thing for the courageous people of East Timor.

I am outraged at the current events in East Timor, whose people exercised their right to self-determination two weeks ago. Although the threats and intimidation of anti-independence groups ominously hung over their heads, nearly all eligible East Timorese voted for the referendum, with an overwhelming majority choosing independence from Indonesia over autonomy within it.

What should be a time of celebration for the East Timorese is instead a time of great terror. Anti-independence militia groups continue today to burn houses, places of worship, loot businesses and private homes, and brutally murder innocent civilians.

The U.N. Security Council delegation sent to Indonesia has cited strong evidence that the Indonesian military and police are complicit in this rampage. The chief U.N. human rights official has said that there are enough witnesses of the militias' heinous acts that a war crimes tribunal will likely be convened.

East Timorese refugees, still frightened for their lives, tell of planned, systematic massacres of young men and clergy.

We are witnessing a catastrophic violation of human rights. Initially President Habibie resisted international peacekeepers, insisting that the military could bring order to East Timor. Now Indonesia has agreed to the peacekeepers but needs more time to discuss the details. As Habibie hedges and delays, East Timor has run out of time. As Indonesia turns a blind eye, those who advocated a peaceful and democratic transition to independence violently perish.

Until the terror ceases, the United States and international financial institutions should continue the moratorium on aid to Indonesia. Until an international peacekeeping force reclaims East Timor and the Indonesian military leaves, not one iota of military assistance should be sent to Indonesia, not one Indonesian soldier should be trained by U.S. military personnel, not one dollar should prop up those responsible for this massacre.

Let us make clear that we are disgusted by Indonesia's utter disrespect for the tenets of democracy and the sanctity of human life. We have a responsibility to our partners in democracy in East Timor to be the loudest voice, the strongest voice in support of their courageous step towards independence. Let us not stand by as East Timor is destroyed and its people banished and murdered. As we have learned from history, the price of inaction is far too great.

Ms. PELOSI. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Massachusetts (Mr. MCGOVERN) who has just returned from East Timor.

Mr. MCGOVERN. Mr. Speaker, I rise in support of the motion to instruct conferees.

It is absolutely critical that U.S. and international pressure be maintained and increased on the Government of Indonesia and the Indonesian military. Instructing the conferees on the foreign aid bill to retain the House restrictions on IMET and expand the IMET is one modest but concrete action this House can take.

The U.S. has provided an estimated $148 million in weapons, ammunition, spare parts, and technical support to Indonesia since 1993. However, Indonesia and the U.S. have continued to maintain military training and officer exchange programs.

Those programs, costing about a half a million dollars per year, are now frozen as a result of the suspension of military relations announced last week by President Clinton.

Eighteen Indonesian military officers currently are studying at U.S. military facilities as part of the IMET program. Eleven are in a training program at the Center for Military Relations in Monterey, California. Six are studying English. And one officer is at an American war college.

This House has taken the lead in restricting IMET funding to Indonesia because of the brutal human rights records of its military. Today, more than ever, those restrictions must be extended and expanded.

Mr. Speaker, I was in East Timor at the end of August, just nine days before the referendum on independence. I traveled to Suai and Maliana. I spent a day with the parish priests in Suai, Father Hilario Madeira and Father Francisco Soares. I met with U.N. workers in Maliana. In Dili, I had dinner with Catholic Bishop Carlos Belo.

Every one of these people told me of their faith in the U.N. process, their commitment to vote, and their fears about violent retaliation following the vote. Those fears have now been realized.

Father Hilario and Father Francisco were murdered, shot down in their church as they tried to protect the people inside. Forty-five of the U.N workers in Maliana were massacred. The home of Bishop Belo has been burned to the ground. Thousands have been killed or forcibly removed, their fates unknown.

Dili has been destroyed, burnt to the ground, emptied of its people. And still the Government of Indonesia delays the deployment of international peacekeepers.

All of us in the international community have broken faith with the people of East Timor. They trusted us to protect them as they bravely voted for freedom. We must not fail them again.

I urge my colleagues to support the motion to instruct conferees.

I thank the gentlewoman from California (Ms. PELOSI) for her motion.

□ 1115

Ms. PELOSI. Mr. Speaker, earlier I mentioned other initiatives in Congress, one of them being advanced by the gentleman from Texas (Mr. BENTSEN), a leader on this issue. I yield 2 minutes to the gentleman from Texas (Mr. BENTSEN).

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

Mr. BENTSEN. Mr. Speaker, I thank the gentlewoman for yielding me this time and also commend her for offering this motion to instruct. Like her, I wish that it would go a little bit further. I as well as the gentlewoman from California and some others have introduced a bill that would direct representatives to both the IMF and the World Bank to use their voice and vote to oppose any additional funding under the IMF–G7 credit facility that was implemented last year to Indonesia until such time as the President can certify to the Congress that the situation has been peacefully resolved.

There are a number of us on the floor today who in the last year worked very hard for adding capital to the IMF to help follow through with this program to help Indonesia, to help Thailand, to help South Korea, because we believed it was in the best interest of the United States that we contain the Asian currency crisis because of what a large export market it is for us. I find myself very frustrated by the fact that Indonesia has continually failed to follow up to the requirements that the Congress put in, the requirements that the IMF and the World Bank have called

for, and I think the situation in East Timor is the proverbial stick that broke the camel's back. The fact is, this is not a credit that the United States taxpayers should want to underwrite so long as the government and the military are willing to persecute the people of East Timor. And while we have had progress made over the weekend with the tacit inviting of a U.N. peacekeeping force, the fact is the details have not been worked out and the killing still goes on. Newspapers today report that the militias are being housed just across the border. So I think this issue is far from being resolved.

I think it is incumbent upon the Congress, including those of us who believed that U.S. involvement through the IMF–G7 package was the right thing to do, to now put pressure on the Indonesian government through this motion and motions such as those that I have introduced in order to restore some sanity and peace to East Timor and to get the Indonesian government back on the right track. Otherwise, I think the United States should want to have nothing to do with this government. I believe that we should be involved in world affairs and should be involved in the affairs over there, but we should not be involved in such actions as are taking place today.

I thank the gentlewoman for offering her motion and ask my colleagues to support it.

Ms. PELOSI. I thank the gentleman for his very fine statement.

Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Rhode Island (Mr. KENNEDY) who has been a champion on this issue in his service in the Congress and before.

Mr. KENNEDY of Rhode Island. Mr. Speaker, I thank the gentlewoman from California for yielding me this time and I want to commend her for the great work she has always done using her position in the committee to follow this issue closely.

In 1996, I traveled to East Timor. I went to Dili, and I saw the spot where hundreds lost their lives in the famous Santa Cruz cemetery massacre. Unfortunately, the tragedy of that massacre is occurring again today as we speak.

In 1996, I met with Nobel peace laureate Bishop Belo in his home. Now that home has been burned down, destroyed, by paramilitaries that are rampant in the region. Even nuns and priests and other religious leaders have been killed over the past week. It is time that we end this violence and take a real stand. The people of East Timor took a courageous stand themselves just a few weeks ago when they voted for independence. We owe them, these people desperate for freedom and democracy, a chance for peace.

Last week, I introduced legislation to show further support for the Timorese that calls for the suspension of financial and military assistance to Indonesia and a call for peacekeeping troops. Today's motion will ensure that we adhere to similar language that was already included in the Foreign Operations bill that my colleagues in that subcommittee so critically included. Again, we tried to persuade Indonesia with words, but words were not enough. The situation is critical. There is no time to wait. The lives of thousands are in the balance. We need to act. We need to act now. We need to pass this motion and pass it overwhelmingly and send a message to the Indonesian government that we will not abide by the way they are treating the East Timorese people.

Ms. PELOSI. I thank the gentleman for his fine statement.

Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY), the very distinguished ranking member of the full Committee on Appropriations who fought this fight long before many of us were even in Congress or on this committee.

Mr. OBEY. Mr. Speaker, I strongly support this motion and will vote for it, but I want to take this time to discuss my broader concerns about the budget crisis that we face.

As Members know, yesterday the Republican leadership indicated they wanted to solve the problem of our budget caps by providing for a 13-month fiscal year. I want to say today that I enthusiastically support that plan and I urge that the new month be named ''Orwellian.'' The reason I say that is because George Orwell in his famous novel ''1984'' began that novel with the words, ''It was a bright cold day in April and the clocks were striking 13.''

I think there are 10 advantages of a 13-month year as the Republican leadership is suggesting.

First of all, everyone could take 8 percent off their age. Adding 1 month to the year reduces the number of years we have lived by 8 percent.

Second, we could bring back Ronald Reagan as President. By making this retroactive, we could arrange it so that it is 1984 all over again, which is what the Republicans have been trying to do for years. That would be appropriate, because it was with the Reagan budgets that the deficit first exploded and put us where it is today.

Third, it could add 30 more shopping days till Christmas. That would add immeasurably to economic growth, although it could cause the economy to overheat which might cause Alan Greenspan to raise interest rates.

Fourth, it could give every child in America 1 month more of summer vacation. That could add to economic growth in the tourist and resort industries as people have more time to travel.

Fifth, as an alternative we could add 1 month to the work year. That could add to worker productivity and raise economic growth that way.

Sixth, it would help at least two more major league baseball players to join Mark McGwire and Sammy Sosa in breaking Roger Maris' single season home run record because they would have 30 extra days to do it. That would bring millions of additional fans into the Nation's ballparks, and we would have millions more to add to the economic strength of baseball and to the economy in general.

Seventh, it would make all taxpayers happy by delaying tax filing deadlines by 1 month.

Eighth, it could give Republicans 1 extra month to complete their budget, although at the rate they are going, that probably would not make any difference.

Ninth, it could delay the Y2K problem by 1 month if the month is inserted before January.

And, tenth, it could prove that the Middle Age critics of Galileo were correct when they denied his theory that the earth circled the sun once every 12 months. They could thus join the Kansas school board in helping turn back the clock.

I would urge that we support the Republican leadership's proposal. It is the way out of this mess for everyone. And while we are considering that proposal, I hope we get serious and in fact pass the motion to instruct that the gentlewoman is proposing on the East Timor question today. It is a serious issue. We should not be providing military aid to Indonesia under these circumstances.

I thank the gentlewoman for yielding me the time.

Ms. PELOSI. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Massachusetts (Mr. FRANK), another champion of democracy. It is no coincidence that Massachusetts comes to this debate so strong with their commitment to promoting democratic values throughout the world.

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the gentlewoman for yielding me this time.

That commitment is reinforced by the really quite admirable passion that Portuguese Americans feel as a sense of responsibility towards East Timor which had been a Portuguese colony and it is that which helps energize myself and my colleagues from Massachusetts and Rhode Island.

Two points. First, the Indonesian government should understand what a terrible price they are paying for this massacre. I offered an amendment to this bill in 1996 to cut IMET. I lost on the floor, because Members were not predisposed to be critical of Indonesia. Members felt Indonesia was a potentially valuable friend and ally. I do not criticize Members for changing their position. Events have changed. No one, I think, could have foreseen quite as much brutality as we have seen. Some of us were pessimistic, but the Indonesians managed to exceed even our worst fears. So what they are going to see when they compare the vote of 1996 to what I hope will be an overwhelming vote today is the price they have paid for this butchery, and they should understand that what we are saying is,

they are on a very tenuous probation. No one is writing them off the face of the earth, but the heavy burden now is on the people and government of Indonesia to show that they understand how terribly they have misbehaved and for them to undo this.

Secondly, will the military please, the U.S. military, now stop telling us how these training programs inculcate respect for human rights. If the military has geostrategic reasons for wanting alliances with other militaries, then let us be honest about it. But the argument they give us that when they have relations with brutal and repressive regimes, they are doing it to civilize the military of those regimes, they are doing it to turn the military of those regimes into relative Peace Corps, they do not tell the truth. Indonesia was one of their best examples of how by this relationship they were encouraging a more civilized military, and no military in recent history has behaved in a more brutal and less civilized fashion.

So I hope both of those lessons are taken to heart by a very large vote in favor of the gentlewoman's instruction.

Ms. PELOSI. Mr. Speaker, kings of countries, leaders of tribes and very wealthy people, when they have their birthdays, they give gifts to others. I understand that our distinguished chairman had his birthday over the weekend and I was wondering if the very distinguished chairman would yield 10 minutes to me of his time in observation of his birthday for which we are all very grateful.

Mr. CALLAHAN. Mr. Speaker, since the gentlewoman recognized my birthday, I appreciate that very much, but I might tell her in response to what the gentleman from Wisconsin was talking about earlier on the 13 months. When you reach my age, maybe it is time for us to move to a 13-month year, because my next birthday would therefore be 30 days later. But if we are going to go to the 13 months, I would hope that they would make it in the summer rather than the winter because I do not like cold weather. So if we are going to move in that direction, I would encourage those that will be in charge of that decision to make the extra month maybe between August and September, rather than between, for example, January and February. But I will be happy to agree to the unanimous-consent request of the gentlewoman from California to take 10 minutes of my time, provided we talk about the situation in East Timor and we talk about expanded IMET training. I will be happy to agree to the gentlewoman's request.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Without objection, the gentlewoman from California (Ms. PELOSI) will control 10 minutes of the time originally allocated to the gentleman from Alabama (Mr. CALLAHAN).

There was no objection.

Ms. PELOSI. Mr. Speaker, I thank the very distinguished gentleman, and I know I speak for every Member in the Chamber in wishing him a very happy birthday.

Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from California (Mr. GEORGE MILLER), a champion for democracy all over the world.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, I want to thank the gentlewoman, my colleague from California, for bringing this motion to the floor. She has championed human rights all over the world. I am delighted that she has given us this opportunity to speak out against the atrocities and the brutality that has taken place in East Timor.

Year after year, we are told by the military of this country that they are engaged in training programs with the military of other countries that cause that military establishment in those countries, in this case Indonesia, to respect human rights, to understand the chain of command, to respect civil authority and to benefit us through that relationship. Unfortunately we now see in East Timor just one in a continuation of tragedies where this has turned out to be fiction. It could be no further from the truth. What in fact we see is the involvement of those American-trained soldiers in the massacre, the slaughter and the brutality against their own citizens.

Earlier this year, we debated the School of the Americas where we saw this activity in South America and today now we see it in East Timor. Let us understand something, that the contacts that were supposedly established in East Timor and in Indonesia because of American military training never came about. They never came about because those phone calls were refused, those conversations were not paid attention to, they were not heeded until one thing happened, until the military had taken care of business in East Timor. And by taking care of business, we are talking about the burning and sacking of towns and homes, the destruction of people and the killing of people who voted for and supported the democracy movement, who voted for and supported a vote for freedom that was offered to them by their government.

□ 1130

They have thought it was offered in good faith. It turned out when they voted for freedom, they were then signing a death warrant on themselves. We are told of how systematically, systematically the military and militia with lists of names of people who supported democracy were taken from their homes and killed, in some cases killed in their homes in front of family and the members of the family were killed. This was a systematic extermination of the forces of democracy in East Timor, and we have got to quit kidding ourselves that somehow the continuation of expanded IMET, of IMET training to these forces, is bringing about democracy. It is bringing about a holocaust of people in East Timor.

Ms. PELOSI. Mr. Speaker, I thank the distinguished gentleman for his excellent statement.

Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. HALL), really the conscience of this Congress.

Mr. HALL of Ohio. Mr. Speaker, I thank the gentlewoman for her great work, and I just appreciate the chance to stand up in support of this motion.

I have been involved with this issue on East Timor since 1980. I remember when I was first on the Committee on Foreign Affairs and we took up the issue of East Timor, had hearings on it; and it is time that we speak together as a Congress and a government. We have not been together on this issue for all of these years. I think this is the time. I am hoping that the Senate will certainly adopt it.

Mr. Speaker, the other thing I wanted to say is that I have read with chagrin some of our officials and our Government saying that really East Timor belongs to Indonesia. The fact is that is not true. East Timor has been independent. Indonesia has been condemned many times in the United Nations, even by our own country relative to the annexation of East Timor when Indonesia moved in after 1975.

This is an important motion, I certainly support it, and I applaud the gentlewoman from California (Ms. PELOSI) who again has shown us what a wonderful Congresswoman she is, and I urge all Members to support this.

Ms. PELOSI. Mr. Speaker, I yield 2 minutes to the gentleman from American Samoa (Mr. FALEOMAVAEGA). He lives closest to East Timor, and I am very pleased to yield to him.

Mr. FALEOMAVAEGA. Mr. Speaker, I thank the gentlewoman for yielding this time to me, and I do want to thank her for giving me this opportunity for some comments concerning this very important issue, and I do want to wish the gentleman from Alabama a very happy birthday.

Mr. Speaker, the question of East Timor has been something that I have been following for many years. We have held hearings, and I want to thank the gentleman from New Jersey (Mr. SMITH), the chairman of our Subcommittee on International Operations and Human Rights, and despite all of these things, now all of a sudden it seems that East Timor is coming to bear.

The fact of the matter is, Mr. Speaker, East Timor was a former Portuguese colony, and when Portugal left this colony, the Indonesian military came and simply occupied it; and the saddest affair of all, Mr. Speaker, is the fact that 200,000 East Timorese were sacrificed, they were massacred, in 1974 when they took over this portion of the island; and the sad part about it, too, Mr. Speaker, is that we cannot afford

to talk only about East Timor and ignore West Papua New Guinea, because both of these were former. And while I say that East Timor was a former colony of Portugal, but West Papua New Guinea was a former colony of the Dutch, but the Indonesian military simply came over and took over this place and was never recognized by the international community, and it was never recognized by our own country.

For 24 years, Mr. Speaker, this place has been trying over the years in getting the attention not only of our own Nation, but the international community, and finally, finally that we do not have the Cold War any more to contend with, now we are all worried about to say that because Indonesia is the fourth most populous country in the world and the country with the highest population as far as the Muslim religion is concerned; this is all irrelevant, Mr. Speaker. The fact of the matter is that these people, this military, has butchered these people, and it is about time that we do something about this, and I want to commend the gentlewoman from California (Ms. PELOSI) for offering this motion.

Mr. CALLAHAN. Mr. Speaker, I have no further speakers and, therefore, yield back the balance of my time.

Ms. PELOSI. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. GEJDENSON), our distinguished ranking member of the Committee on International Relations.

Mr. GEJDENSON. Mr. Speaker, I will not take up the 2 minutes. I just want to commend the gentlewoman and the gentleman for agreeing on this language. This is a critical moment. There has to be a very clear and direct signal from the United States as there has been from the White House, from United States Congress, that America will not countenance this kind of behavior. The outrageous acts by the Indonesian military and government has to be answered, and I am glad to see the gentlewoman from California leading this effort today.

Ms. PELOSI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the distinguished ranking member, the gentleman from Connecticut (Mr. GEJDENSON), for his leadership and his statement.

Mr. Speaker, I want to begin my closing by commending the distinguished chairman of the committee for his cooperation on this motion to instruct. It is my understanding that the gentleman will not oppose, and I assume that means he will support the motion to instruct conferees, and for that I am very grateful because I think it is very important that whatever the content of the motion to instruct, that it have unanimous support, and while, as I said earlier, I would have gone further to cut off all military training to the Indonesian military, what is before us is what is allowed by the rules within the scope of the two bills that will be reconciled in conference.

So I look forward to working with the chairman in conference under his leadership on insisting on the House language when, as I anticipate, we carry this motion to instruct today.

In closing I just want to say again why it is so important. Our distinguished colleagues who have spoken here today have spent years toiling on the issue of East Timor. They are concerned because they are champions of human rights throughout the world, and as such East Timor has been an important issue. They have many Portuguese Americans living in their districts, and so, many of them have a heightened awareness, specifically of the sad situation in East Timor. They are aware of East Timor as it has been, and as it existed since the Portuguese left, leaving East Timor an independent country which was then immediately overtaken by the Indonesian military.

In our foreign operations bill over the years we have asked and tried to persuade the Indonesian Government to work with Bishop Belo for a peaceful resolution of the situation in East Timor. As has been mentioned by my colleagues, in the past week Bishop Belo, a Nobel prize winner, a Nobel peace laureate for his work for promoting democratic reform and autonomy or independence, as the case may be—it is now independence in East Timor, self determination in East Timor has had his house burned to the ground. The people who sought sanctuary there had to flee.

Never in the 400-or-so years of recent history of East Timor with all of the occupations that they have endured, including all the time the Japanese occupying that area, never were the religious institutions, establishments, treated in this fashion. My colleagues have gone into the number of people who have died, hundreds of thousands made homeless, hundreds of thousands evacuated in the last 10 days from East Timor. This is a moral blot on the world, as I said earlier, a challenge to the conscience of the world. Hopefully the world will rise to the occasion as we prepare to send in the U.N. troops.

But as we talk about that, the form that this motion takes is to confine the military training of the Indonesian military to expanded in IMET, and I want to spend a moment on that.

We have tried in our committee, those of us who have been working on this issue, to eliminate all military training by the U.S. military of the Indonesian military. Our military has said that we must go in there and train them, and they do not even want to confine it to Expanded IMET. Our military wants to train the Indonesian military. As a compromise we have included language that says if our military they trains them, it has to be on how a military functions in a civilian society and focus on respecting the human rights of people that they are dealing with there.

We have asked the U.S. military over and over for the policy justification for our training of the Indonesian military. None has come forward. What has come forward though is the overwhelmingly enthusiastic support by our military of this training which I think that whether or not, and I believe that the Indonesian military was very, very involved in the massacre that occurred in East Timor, but even for a moment if my colleagues say there is a question about that, that they did not cooperate with the militia. What did they do to stop this massacre?

A price in humanity has been paid in the last 10 days that could have been prevented. I think that I can say without any doubt that the U.S. military training of Indonesian military has been a failure, has been a failure. We fail to see also the policy justification for that military-to-military training.

I have asked and my chairman has very graciously agreed for our committee to have hearings on U.S. military training worldwide. We had that hearing. In advance of that hearing on our bill, we had asked for an accounting of this military training worldwide. We received volumes, but really not volumes of information that was very useful.

So today, surrounding this tragedy maybe at long last we will get enough awareness on the part of the Congress to examine what this program is about.

I call to my colleagues' attention another point, and that is even though this body by its vote forbade the military U.S. training of the Indonesian military except for Expanded IMET, our military went around the intent of Congress and trained the Kopassus under another program. Not IMET, but the JCET program, trained the Kopassus which is guilty of many atrocities in Indonesia and in East Timor. Our weapons were used against the people of East Timor.

So let us do this today. It is a small baby step in the motion to instruct, and hopefully the strong vote that it has will be a vote about confining to expanded IMET, that the conference will agree to that. But in addition to that, we must take a close look at the policy justification for this military-to-military training, and when Congress says it shall not take place or it should only take place under certain circumstances, that our military understand a civilian government as well and that they do not find other ways to go around it.

Since I have served on the Committee on Foreign Operations and on the Permanent Select Committee on Intelligence, I have constantly been called by our CINCPAC the present one, Admiral Blair, his predecessor and that admiral's predecessor to talk about the glories of our training of the Indonesian military. I did not believe it then, and I am absolutely certain that it has not been effective now. Witness what happened in East Timor.

So I am pleased to have the time to bring this motion to the floor. I thank my distinguished chairman for supporting the motion to instruct. I also

thank him for giving us the forum to have the military training hearing that we had and hope now with all of this discussion that it will raise the consciousness of this body to the issue of IMET and military training, JCET, other military training, weapon sales and the military-to-military cooperation.

I want to commend the Clinton administration for its leadership in these past days in getting us to a point where now a U.N. peacekeeping force can go in. I want to commend them for suspending the military-to-military cooperation; but it is important for this body to act, put into law this confining of the military training to human rights activities and the role of a military in a civilian society.

With that, if I have any time left, Mr. Speaker, I would like to set aside 10 seconds, 10 seconds recognizing that we really do not have a 13th month here, 10 seconds of silence on behalf of all the people who have died in East Timor. This should be a grief to every person in the world, and I would ask for that 10 seconds.

Mr. FALEOMAVAEGA. Mr. Speaker, I join my esteemed colleague, Congresswoman PELOSI, on her motion to instruct conferees to maintain the House language on restrictions of IMET military assistance to Indonesia.

Like many of our colleagues, I am greatly disturbed and saddened by the brutal, violent response of the pro-Jakarta militia and Indonesian military to the overwhelming vote for independence demonstrated by the courageous people of East Timor. However, I am not at all surprised at the rampant killings, Mr. Speaker, as the Indonesian military has routinely used violence as a tool of repression.

Although the Timorese struggle for self-determination has received much publicity, Mr. Speaker, scant attention has been paid to the people of West Papua New Guinea who have similarly struggled in Irian Jaya to throw off the yoke of Indonesian colonialism. As in East Timor, Indonesia took West Papua New Guinea by force in 1963. In a pathetic episode, the United Nations in 1969 sanctioned a fraudulent referendum, where only 1,025 delegates handpicked and paid-off by Jakarta were permitted to participate in an independence vote. The rest of the West Papua people, over 800,00 strong, has absolutely no voice in the undemocratic process.

Since Indonesia subjugated West Papua New Guinea, the native Papuan people have suffered under one of the most repressive and unjust systems of colonial occupation in the 20th century. Like in East Timor where 200,000 East Timorese are thought to have died, the Indonesian military has been brutal in Irian Jaya. Reports estimate that between 100,000 to 300,000 West Papuans have died or simply vanished at the hands of the Indonesian military. While we search for justice and peace in East Timor, Mr. Speaker, we should not forget the violent tragedy that continues to play out today in West Papua New Guinea. I would urge our colleagues, our great nation, and the international community to revisit the status of West Papua New Guinea to ensure that justice is also achieved there.

Mr. Speaker, with respect to the events of the past week, the Indonesian Government should be condemned in the strongest terms for allowing untold atrocities to be committed against the innocent, unarmed civilians of East Timor. I commend President Clinton for terminating all assistance to and ties with the Indonesian military. The latest U.N. estimate are that up to 300,000 Timorese, over a third of the population of East Timor, have been displaced and it remains to be seen how many hundreds, if not thousands, have been killed in the mass bloodletting and carnage. A war crimes tribunal, as called for by UNHCR head Mary Robinson, is necessary to punish those responsible for the atrocities.

I further commend the decision of the United Nations to try to maintain its UNAMET operations in Dili, even if only with a skeletal staff. It was absolutely essential that international observers, such as the U.N., not desert East Timor or the likelihood of genocide against the Timorese people would have substantially increased. I am greatly disturbed to learn this morning that the UNAMET compound has been abandoned because of continuing attacks by Indonesian militia and military elements.

As to the issue of a U.N. or international peacekeeping force, I strongly support such an intervention in East Timor and commend Indonesian President Habibie for his decision this weekend to authorize entry. While Australia and New Zealand may take the lead in the formation of such a peacekeeping force, it is crucial that Southeast Asian nations, such as the Philippines, Malaysia, and Thailand, contribute significant troops to the effort, and I applaud the cooperation and commitment of these countries. Jakarta, however, should not be permitted to dictate which countries shall comprise and contribute to the international peacekeeping force.

It is clear the United States must also commit to this peacekeeping effort and not shirk its duty. Besides playing a significant role in supplying airlift capabilities and logistical support, I believe America should also contribute a small, if not symbolic, contingent of ground troops, which could easily be drawn from our substantial forces of U.S. Marines based in Okinawa.

With Indonesia being the fourth largest nation and the largest Muslim country in the world, which sits astride major sealanes of communication and trade—certainly we have substantial national interests in preserving stability in Indonesia and Southeast Asia, as well as preventing a U.N. initiative from turning into a catastrophic humanitarian disaster.

Moreover, Mr. Speaker, I believe that what has happened in East Timor—where the Indonesian military forces played a major role in the horrific violence—holds prophetic ramifications for the future of Indonesia as a whole. In front of the world, President Habibie has been humiliated by the inability to control his own military while Defense Minister General Wiranto's hand in the unfolding events in East Timor is still being questioned. It raises the question as to who is actually in control in Jakarta, and whether a civilian democratic government or military regime holds the reigns of power to Indonesia—now and for the future.

By its simple presence, Mr. Speaker, an international peacekeeping force in East Timor may well lend a hand in stabilizing not just that island but the fragile democracy that ostensibly governs Indonesia.

I thank the gentlewoman for her motion and urge our colleagues to support this important measure.

Mr. NADLER. Mr. Speaker, I rise today in strong support of the Motion to Instruct Conferees and to condemn the violence raging in East Timor. Sadly, on what should have been a joyous occasion, the free and democratic decision of the people of East Timor to become independent, violence erupted, and brought tragedy instead.

The stories we have heard from this region are heartbreaking—homes burned, young people shot and dumped in the sea, massacres by machete. The brutal tactics of anti-independence militias and members of the Indonesian military are truly horrific. Of course, our hearts go out to the people of East Timor for all they have endured. However, our sympathy is not enough. We must take action to ensure that such violence will not continue.

The government in Indonesia has been slow to bring an end to the violence in East Timor. President Habibie has finally agreed to allow an international peacekeeping force to enter East Timor and restore order. However, this alone will not do. Of course, I believe that we must supply humanitarian aid to the region, but we should discontinue our programs of military and economic assistance pending resolution of this crisis. while this motion to instruct conferees would not completely cut off military aid to Indonesia, it is an important first step. we must send a message that such violence is unacceptable and will not be rewarded with continued assistance.

On a personal note my constituent Alan Nairn, a journalist reporting on the situation in East Timor, was captured last night by the Indonesian military police. I have been working hard to ensure his immediate release and am hopeful that he will emerge unharmed.

I have closely monitored the situation in East Timor for years, and have consistently called upon the Administration to take bold steps to protect human rights and support the people of East Timor. I have long urged the United Nations to take an active interest in the plight of the East Timorese. In addition, I have called for International Military Education Training funding to be cut to Indonesia and I have opposed the sale of F–16 fighter planes to that nation on account of its poor human rights record.

The tragedy in East Timor has touched us all. I urge this House and the Clinton Administration to do all that it can to end the hostilities and ease the suffering of those in East Timor.

I urge the adoption of this motion.

Ms. PELOSI. Mr. Speaker, I yield back the balance of my time.

□ 1145

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The question is on the motion to instruct offered by the gentlewoman from California (Ms. PELOSI).

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

Ms. PELOSI. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed until after the disposition of H.R. 1883 under suspension of the rules.

The point of no quorum is considered withdrawn.

IRAN NONPROLIFERATION ACT OF 1999

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1883) to provide for the application of measures to foreign persons who transfer to Iran certain goods, services, or technology and for other purposes, as amended.

The Clerk read as follows:

H.R. 1883

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 ''Iran Nonproliferation Act of 1999''.

SEC. 2. REPORTS ON PROLIFERATION TO IRAN.

(a) REPORTS.—The President shall, at the times specified in subsection (b), submit to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate a report identifying every foreign person with respect to whom there is credible information indicating that that person, on or after January 1, 1999, transferred to Iran—

(1) goods, services, or technology listed on—

(A) the Nuclear Suppliers Group Guidelines for the Export of Nuclear Material, Equipment and Technology (published by the International Atomic Energy Agency as Information Circular INFCIRC/254/Rev.3/Part 1, and subsequent revisions) and Guidelines for Transfers of Nuclear-Related Dual-Use Equipment, Material, and Related Technology (published by the International Atomic Energy Agency as Information Circular INFCIRC/254/Rev.3/Part 2, and subsequent revisions);

(B) the Missile Technology Control Regime Equipment and Technology Annex of June 11, 1996, and subsequent revisions;

(C) the lists of items and substances relating to biological and chemical weapons the export of which is controlled by the Australia Group;

(D) the Schedule One or Schedule Two list of toxic chemicals and precursors the export of which is controlled pursuant to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction; or

(E) the Wassenaar Arrangement list of Dual Use Goods and Technologies and Munitions list of July 12, 1996, and subsequent revisions; or

(2) goods, services, or technology not listed on any list identified in paragraph (1) but which nevertheless would be, if they were United States goods, services, or technology, prohibited for export to Iran because of their potential to make a material contribution to the development of nuclear, biological, or chemical weapons, or of ballistic or cruise missile systems.

(b) TIMING OF REPORTS.—The reports under subsection (a) shall be submitted not later than 90 days after the date of the enactment of this Act, not later than 6 months after such date of enactment, and not later than the end of each 6-month period thereafter.

(c) EXCEPTIONS.—Any foreign person who—

(1) was identified in a previous report submitted under subsection (a) on account of a particular transfer, or

(2) has engaged in a transfer on behalf of, or in concert with, the Government of the United States,

is not required to be identified on account of that same transfer in any report submitted thereafter under this section, except to the degree that new information has emerged indicating that the particular transfer may have continued, or been larger, more significant, or different in nature than previously reported under this section.

(d) SUBMISSION IN CLASSIFIED FORM.—When the President considers it appropriate, reports submitted under subsection (a), or appropriate parts thereof, may be submitted in classified form.

SEC. 3. APPLICATION OF MEASURES TO CERTAIN FOREIGN PERSONS.

(a) APPLICATION OF MEASURES.—Subject to sections 4 and 5, the President is authorized to apply with respect to each foreign person identified in a report submitted pursuant to section 2(a), for such period of time as he may determine, any or all of the measures described in subsection (b).

(b) DESCRIPTION OF MEASURES.—The measures referred to in subsections (a) are the following:

(1) EXECUTIVE ORDER 12938 PROHIBITIONS.—The measures set forth in subsections (b) and (c) of section 4 of Executive Order 12938 shall be applied with respect to that person.

(2) ARMS EXPORT PROHIBITION.—The United States Government shall not sell to that foreign person any item on the United States Munitions List as in effect on August 8, 1995, and shall terminate sales to that person of any defense articles, defense services, or design and construction services under the Arms Export Control Act.

(3) DUAL USE EXPORT PROHIBITION.—The President shall deny licenses and suspend existing licenses for the transfer to that person of items the export of which is controlled under the Export Administration Act of 1979 or the Export Administration Regulations.

(c) EFFECTIVE DATE OF MEASURES.—Measures applied pursuant to subsection (a) shall be effective with respect to a foreign person no later than—

(1) 90 days after the report identifying the foreign person is submitted, if the report is submitted on or before the date required by section 2(b);

(2) 90 days after the date required by section 2(b) for submitting the report, if the report identifying the foreign person is submitted within 60 days after that date; or

(3) on the date that the report identifying the foreign person is submitted, if that report is submitted more than 60 days after the date required by section 2(b).

(d) PUBLICATION IN FEDERAL REGISTER.—The application of measures to a foreign person pursuant to subsection (a) shall be announced by notice published in the Federal Register.

SEC. 4. PROCEDURES IF MEASURES ARE NOT APPLIED.

(a) REQUIREMENT TO NOTIFY CONGRESS.—Should the President not exercise the authority of section 3(a) to apply any or all of the measures described in section 3(b) with respect to a foreign person identified in a report submitted pursuant to section 2(a), he shall so notify the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate no later than the effective date under section 3(c) for measures with respect to that person.

(b) WRITTEN JUSTIFICATION.—Any notification submitted by the President under subsection (a) shall include a written justification describing in detail the facts and circumstances relating specifically to the foreign person identified in a report submitted pursuant to section 2(a) that support the President's decision not to exercise the authority of section 3(a) with respect to that person.

(c) SUBMISSION IN CLASSIFIED FORM.—When the President considers it appropriate, the notification of the President under subsection (a), and the written justification under subsection (b), or appropriate parts thereof, may be submitted in classified form.

SEC. 5. DETERMINATION EXEMPTING FOREIGN PERSON FROM SECTIONS 3 AND 4.

(a) IN GENERAL.—Sections 3 and 4 shall not apply to a foreign person 15 days after the President reports to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate that the President has determined, on the basis of information provided by that person, or otherwise obtained by the President, that—

(1) the person did not, on or after January 1, 1999, knowingly transfer to Iran the goods, services, or technology the apparent transfer of which caused that person to be identified in a report submitted pursuant to section 2(a);

(2) the goods, services, or technology the transfer of which caused that person to be identified in a report submitted pursuant to section 2(a) did not materially contribute to Iran's efforts to develop nuclear, biological, or chemical weapons, or ballistic or cruise missile systems;

(3) the person is subject to the primary jurisdiction of a government that is an adherent to one or more relevant nonproliferation regimes, the person was identified in a report submitted pursuant to section 2(a) with respect to a transfer of goods, services, or technology described in section 2(a)(1), and such transfer was made consistent with the guidelines and parameters of all such relevant regimes of which such government is an adherent; or

(4) the government with primary jurisdiction over the person has imposed meaningful penalties on that person on account of the transfer of the goods, services, or technology which caused that person to be identified in a report submitted pursuant to section 2(a).

(b) SUBMISSION IN CLASSIFIED FORM.—When the President considers it appropriate, the determination and report of the President under subsection (a), or appropriate parts thereof, may be submitted in classified form.

SEC. 6. RESTRICTION ON EXTRAORDINARY PAYMENTS IN CONNECTION WITH THE INTERNATIONAL SPACE STATION.

(a) RESTRICTION ON EXTRAORDINARY PAYMENTS IN CONNECTION WITH THE INTERNATIONAL SPACE STATION.—Notwithstanding any other provision of law, no agency of the United States Government may make extraordinary payments in connection with the International Space Station to the Russian Space Agency, any organization or entity under the jurisdiction or control of the Russian Space Agency, or any other organization, entity, or element of the Government of the Russian Federation, unless, during the fiscal year in which the extraordinary payments in connection with the International Space Station are to be made, the President has made the determination described in subsection (b), and reported such determination to the Committee on International Relations and the Committee on Science of the House of Representatives and the Committee on Foreign Relations and the Committee on Commerce, Science, and Transportation of the Senate.

(b) DETERMINATION REGARDING RUSSIAN COOPERATION IN PREVENTING PROLIFERATION TO

IRAN.—The determination referred to in subsection (a) is a determination by the President that—

(1) it is the policy of the Government of the Russian Federation to oppose the proliferation to Iran of weapons of mass destruction and missile systems capable of delivering such weapons;

(2) the Government of the Russian Federation (including the law enforcement, export promotion, export control, and intelligence agencies of such government) has demonstrated and continues to demonstrate through the implementation of concrete steps a sustained commitment to seek out and prevent the transfer to Iran of goods, services, and technology that could make a material contribution to the development of nuclear, biological, or chemical weapons, or of ballistic or cruise missile systems, including through the imposition of meaningful penalties on persons who make such transfers; and

(3) neither the Russian Space Agency, nor any organization or entity under the jurisdiction or control of the Russian Space Agency, has, during the 1-year period prior to the date of the determination pursuant to this subsection, made transfers to Iran reportable under section 2(a) of this Act (other than transfers with respect to which a determination pursuant to section 5 has been or will be made).

(c) PRIOR NOTIFICATION.—Not less than 5 days before making a determination under subsection (b), the President shall notify the Committee on International Relations and the Committee on Science of the House of Representatives and the Committee on Foreign Relations and the Committee on Commerce, Science, and Transportation of the Senate of his intention to make such determination.

(d) WRITTEN JUSTIFICATION.—A determination of the President under subsection (b) shall include a written justification describing in detail the facts and circumstances supporting the President's conclusion.

(e) SUBMISSION IN CLASSIFIED FORM.—When the President considers it appropriate, a determination of the President under subsection (b), a prior notification under subsection (c), and a written justification under subsection (d), or appropriate parts thereof, may be submitted in classified form.

(f) EXCEPTION FOR CREW SAFETY.—

(1) EXCEPTION.—The National Aeronautics and Space Administration may make extraordinary payments that would otherwise be prohibited under this section to the Russian Space Agency or any organization or entity under the jurisdiction or control of the Russian Space Agency if the President has notified the Congress in writing that such payments are necessary to prevent the imminent loss of life by or grievous injury to individuals aboard the International Space Station.

(2) REPORT.—Not later than 30 days after notifying Congress that the National Aeronautics and Space Administration will make extraordinary payments under paragraph (1), the President shall submit to Congress a report describing—

(A) the extent to which the provisions of subsection (b) had been met as of the date of notification; and

(B) the measures that the National Aeronautics and Space Administration is taking to ensure that—

(i) the conditions posing a threat of imminent loss of life by or grievous injury to individuals aboard the International Space Station necessitating the extraordinary payments are not repeated; and

(ii) it is no longer necessary to make extraordinary payments in order to prevent imminent loss of life by or grievous injury to individuals aboard the International Space Station.

(g) SERVICE MODULE EXCEPTION.—(1) The National Aeronautics and Space Administration may make extraordinary payments that would otherwise be prohibited under this section to the Russian Space Agency, any organization or entity under the jurisdiction or control of the Russian Space Agency, or any subcontractor thereof for the construction, testing, preparation, delivery, launch, or maintenance of the Service Module if—

(A) the President has notified Congress at least 5 days before making such payments;

(B) no report has been made under section 2 with respect to an activity of the entity to receive such payment, and the President has no information of any activity that would require such a report; and

(C) the United States will receive goods or services of value to the United States commensurate with the value of the extraordinary payments made.

(2) For purposes of this subsection, the term ''maintenance'' means activities which cannot be performed by the National Aeronautics and Space Administration and which must be performed in order for the Service Module to provide environmental control, life support, and orbital maintenance functions which cannot be performed by an alternative means at the time of payment.

(3) This subsection shall cease to be effective 60 days after a United States propulsion module is in place at the International Space Station.

(h) EXCEPTION.—Notwithstanding subsections (a) and (b), no agency of the United States Government may make extraordinary payments in connection with the International Space Station to any foreign person subject to measures applied pursuant to—

(1) section 3 of this Act; or

(2) section 4 of Executive Order 12938 (November 14, 1994), as amended by Executive Order 13094 (July 28, 1998).

Such payments shall also not be made to any other entity if the agency of the United States Government anticipates that such payments will be passed on to such a foreign person.

SEC. 7. DEFINITIONS.

For purposes of this Act, the following terms have the following meanings:

(1) EXTRAORDINARY PAYMENTS IN CONNECTION WITH THE INTERNATIONAL SPACE STATION.—The term ''extraordinary payments in connection with the International Space Station'' means payments in cash or in kind made or to be made by the United States Government—

(A) for work on the International Space Station which the Russian Government pledged at any time to provide at its expense; or

(B) for work on the International Space Station, or for the purchase of goods or services relating to human space flight, that are not required to be made under the terms of a contract or other agreement that was in effect on January 1, 1999, as those terms were in effect on such date.

(2) FOREIGN PERSON; PERSON.—The terms ''foreign person'' and ''person'' mean—

(A) a natural person that is an alien;

(B) a corporation, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group, that is organized under the laws of a foreign country or has its principal place of business in a foreign country;

(C) any foreign governmental entity operating as a business enterprise; and

(D) any successor, subunit, or subsidiary of any entity described in subparagraph (B) or (C).

(3) EXECUTIVE ORDER 12938.—The term ''Executive Order 12938'' means Executive Order 12938 as in effect on January 1, 1999.

(4) ADHERENT TO RELEVANT NONPROLIFERATION REGIME.—A government is an ''adherent'' to a ''relevant nonproliferation regime'' if that government—

(A) is a member of the Nuclear Suppliers Group with respect to a transfer of goods, services, or technology described in section 2(a)(1)(A);

(B) is a member of the Missile Technology Control Regime with respect to a transfer of goods, services, or technology described in section 2(a)(1)(B), or is a party to a binding international agreement with the United States that was in effect on January 1, 1999, to control the transfer of such goods, services, or technology in accordance with the criteria and standards set forth in the Missile Technology Control Regime;

(C) is a member of the Australia Group with respect to a transfer of goods, services, or technology described in section 2(a)(1)(C);

(D) is a party to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction with respect to a transfer of goods, services, or technology described in section 2(a)(1)(D); or

(E) is a member of the Wassenaar Arrangement with respect to a transfer of goods, services, or technology described in section 2(a)(1)(E).

(5) ORGANIZATION OR ENTITY UNDER THE JURISDICTION OR CONTROL OF THE RUSSIAN SPACE AGENCY.—(A) The term ''organization or entity under the jurisdiction or control of the Russian Space Agency'' means an organization or entity that—

(i) was made part of the Russian Space Agency upon its establishment on February 25, 1992;

(ii) was transferred to the Russian Space Agency by decree of the Russian Government on July 25, 1994, or May 12, 1998;

(iii) was or is transferred to the Russian Space Agency by decree of the Russian Government at any other time before, on, or after the date of the enactment of this Act; or

(iv) is a joint stock company in which the Russian Space Agency has at any time held controlling interest.

(B) Any organization or entity described in subparagraph (A) shall be deemed to be under the jurisdiction or control of the Russian Space Agency regardless of whether—

(i) such organization or entity, after being part of or transferred to the Russian Space Agency, is removed from or transferred out of the Russian Space Agency; or

(ii) the Russian Space Agency, after holding a controlling interest in such organization or entity, divests its controlling interest.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from Connecticut (Mr. GEJDENSON) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. GILMAN).

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GILMAN. Mr. Speaker, I yield myself such time as I may consume.

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

Mr. GILMAN. Mr. Speaker, today we consider the Iran Nonproliferation Act of 1999, H.R. 1883, which the gentleman from Connecticut (Mr. GEJDENSON), the gentleman from Wisconsin (Mr. SENSENBRENNER), the gentleman from California (Mr. BERMAN), and I introduced on May 20 of this year.

This bipartisan legislation currently has almost 230 cosponsors and just last week it was reported unanimously by both our Committee on International Relations and our Committee on Science.

The purpose of our legislation is to reverse the very dangerous situation confronting us today in which firms in Russia, in China, in North Korea and elsewhere are transferring to Iran goods, services, and technology that will assist in the development of weapons of mass destruction and missiles capable of delivering such weapons.

In the hands of a rogue state like Iran, these weapons pose a clear and present danger, not only to our friends and allies in the region but also to the tens of thousands of our military personnel in the Persian Gulf and in adjacent areas.

The proliferation of these technologies to Iran has been going on for a number of years. And to its credit, the administration has worked to try to stop this kind of proliferation, but all available evidence indicates that to date their efforts have failed.

The proliferation is as bad today as it has ever been. With support from key supplier nations, Iran has now started work on a medium- to long-range missile, with a range of 3,000 to 5,000 kilometers. Many analysts believe that the volume and pattern of continued transfers from Russia could not exist without their acquiescence, if not encouragement, of at least some elements in the Russian Government.

The purpose of our legislation is to give the administration new tools in which to address this problem, the countries that are transferring these items to Iran powerful new reasons to stop proliferating, and Congress greater insight into just what is happening.

Our legislation picks up where we left off at the end of the last session of Congress. My colleagues will recall that during the 105th Congress we passed a similar bill entitled the Iran Missile Proliferation Sanctions Act. That measure passed both the House and Senate by overwhelming margins but regrettably was vetoed by the President.

The President pleaded with us not to override his veto assuring us that with more time he would be able to resolve the problem diplomatically, and we bowed to his wishes and decided not to seek an override of that veto.

The verdict is now in on that decision. Clearly, the President overestimated his ability to handle this problem diplomatically; and Congress erred in not forcing a vote on that issue. We have learned from that mistake, and we do not intend to repeat it.

This bill contains many important improvements over the legislation that we passed 2 years ago. It takes into account many of the administration's objections to the prior bill, and it refines our approach to the problem.

Mr. Speaker, this is an important measure that will make a vital contribution to our Nation's efforts to reverse the proliferation of dangerous weapons technology to Iran. Accordingly, I urge my colleagues to support this measure, H.R. 1883.

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

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

Mr. Speaker, I want to join the gentleman from New York (Chairman GILMAN) in supporting this legislation and commending him for his actions. Clearly, there is great frustration here and at the White House over the failure of the Russian Government to get to a point where it can control the proliferation of serious weapons of mass destruction.

We have been hopeful, frankly, that under Prime Minister Stepashin that we would see some progress in Russia. And there have been a number of promises made; but with the rate that the Russian governments have been changing, we have been seeing very little progress in an area that is critical to our national security and many of our allies throughout the world.

Proliferation is an issue not just in Russia. The Chinese Government has proliferated a number of its most critical technologies and this Congress needs to address all of these issues, but today we focus on Russia. And we should have a policy that both engages Russia and provides penalties when they fail to live up to the agreements that we have reached with them.

The Russians have a significant portion of the world's technology of weapons of mass destruction, and there has been leakage of these systems and these technologies to the Iranians.

The United States has been in this kind of situation before. At the end of World War II, America moved into Germany hiring many of the scientists that had worked for the Nazis to prevent them from working for countries who were our adversaries. Today we find ourselves in a similar situation. The talent and the brain power in Russia can be a great opportunity to move us forward in many areas of peaceful uses of these technologies, but they can also provide a great danger. Whether it is fissionable material or rocket technology, the United States has to take every effort possible to make sure that proliferation is halted.

I join with the chairman and many others in this House in offering this legislation, which we hope will send a very strong message to the Russian Government that as difficult as these times are for them, this is an area where they can allow no seepage, where they have to make the effort to stop the loss of these technologies to dangerous countries around the globe.

So I commend the chairman for moving this legislation today.

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

Mr. GILMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin (Mr. SENSENBRENNER), the distinguished chairman of the Committee on Science.

Mr. SENSENBRENNER. Mr. Speaker, I thank the gentleman from New York (Mr. GILMAN) for yielding me this time, and rise in support of this bill, which will assist the administration's efforts to prevent the spread of ballistic missiles and weapons of mass destruction to Iran.

H.R. 1883 contains several provisions that require the administration to report any credible information it receives about the entities transferring technology to Iran.

The bill's teeth, however, are in section 6, over which the Committee on Science has jurisdiction and which the committee unanimously endorsed last week. Section 6 prohibits the administration from transferring any funds to the Russian Government for the International Space Station unless the President determines that it is the policy of the Russian Government to actively oppose proliferation to Iran, that the Russian Government is carrying out that policy, and that the Russian Space Agency and the organizations under its jurisdictions have not transferred technology to Iran.

Some question linking the International Space Station and proliferation arguing that they are separate issues. Using the space program as a nonproliferation tool follows the path the White House laid out in 1993 when it invited Russia into the International Space Station partnership. The White House explicitly linked Russian participation in the Space Station to its goal of discouraging Russia from engaging in proliferation activities, and numerous administration witnesses since then before the Committee on Science and its subcommittees have stated that if Russia proliferates to Iran that is a deal breaker as far as the Space Station goes.

So, H.R. 1883 is consistent with the administration's policies regarding both the Space Station and nonproliferation.

Unfortunately, we have received consistent reports since 1993 that Russia is assisting Iran's efforts to acquire weapons of mass destruction and ballistic missiles. The CIA and the State Department conceded as much in open hearings over the last 2 years.

Faced with such evidence, H.R. 1883 is an appropriate and measured step that Congress can and must take to halt such proliferation. The bill does not change Russia's rights or obligations as a partner in the International Space Station. It does not prohibit NASA from making payments to the Russian Space Agency if the Russian

Government is doing what it promises, namely stopping the flow of technology to Iran. It only prohibits NASA from making such payments if Russia is increasing the threat to our friends, allies, and troops in the Middle East and in Europe.

Congress must not look the other way in the face of proliferation or one day it will come back to haunt us. We must do our part to promote international peace and security. H.R. 1883 is a good first step, and I urge my colleagues to vote in favor of this bill.

Mr. GEJDENSON. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. GORDON).

Mr. GORDON. Mr. Speaker, I rise in support of H.R. 1883, the Iran Nonproliferation Act of 1999.

I have been a cosponsor of this bill because I feel very strongly about the need to control proliferation of weapons of mass destruction. The end of the Cold War did not mean that we have escaped the threat posed by those who would do harm to us or to our allies in the world. There is a very real threat posed by the proliferation of dangerous weapons technologies into the hand of our enemies. We must do all we can to see that they do not succeed in getting those harmful technologies.

I see H.R. 1883 as one of the ways in which we can help to control proliferation. It sends a strong message to those who would proliferate that the United States will not stand idly by.

This bill is not intended to take away from the efforts currently being made by the administration to control proliferation. Neither is the bill intended to slap in the face those in the Russian Government who are trying to stem proliferation. In fact, I want to note the progress that has been made over the past year by the administration and the Russian Government. There have been positive steps taken. These include the Russian enactment of the federal law of export controls; the Russian adoption as official policy of the Gallucci-Koptev action plan, which is designed to stop all contact between Russian aerospace entities and Iran; the joint Russian-U.S. establishment of export control list; and a number of other substantive actions.

I am encouraged by these initiatives. At the same time, it is important for Congress to signal to those who would proliferate that their actions will have consequences.

I believe that H.R. 1883 sends such a signal. Therefore, I support H.R. 1883, and I urge Members to vote to suspend the rules and pass this important bill.

Mr. BEREUTER. Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. BURTON), a member of the committee.

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman from Nebraska (Mr. BEREUTER) for yielding me this time.

Mr. Speaker, we had a hearing not long ago involving some whistleblowers from various agencies of government and one of the people we had testify before our committee was a man named Jonathan Fox. Mr. Fox is a defense security analyst at the Department of Defense; and in October of 1997, he was asked to write a national security assessment about Communist China and about the agreement for cooperation in the peaceful uses of atomic energy between China and the United States.

Now, Mr. Fox was told that he had to have this national security assessment done by October 25, 1997, because the administration wanted to have everything ready before the state visit of Chinese President Jiang Zemin.

The day after Mr. Fox submitted his memo, he was called by a man who was one of his superiors named Michael Jackson.

He said, okay, how bad is it, about his memo, meaning the reaction to his candid memo? And Mr. Jackson answered, you will be lucky if you still have a job by the end of the day.

□ 1200

Fox indicated he did not think Johnson was joking. Johnson told him people were upset by the memo and it had to be revised and say that the agreement was not a threat to national security.

Now, I hope everybody gets this straight. He wrote a national security assessment which said that giving any additional nuclear technology or anything that would help them with their nuclear program would be a threat not only to the United States, but to the allies of the United States as well. And just before President Jiang Zemin came over, he got a call from his superior saying, if you do not change this memo to say that they are not a threat, then you are going to be fired.

Now, Mr. Fox said to one of his colleagues he was so concerned about his job because he had a wife and kids and he had been at the Defense Department for a long time that he did change that national security assessment because of the threat to his employment. He said China was not only a threat to the United States of America, but to our allies as well. And because President Jiang Zemin was coming over to meet with President Clinton, he got orders from above to tell him to change that national security assessment 180 degrees to say that China was no threat, or he might lose his job.

Now, I think everybody in this country ought to be concerned about that. If an expert at the Defense Department says there is a national security threat to this country if we continue to give nuclear technology to Communist China and he is ordered by the White House to change that or somebody above him, and the guy said it was high above my pay grade that this order came from, indicating it was way up the chain of command, if people are being told to change national security assessments that threaten our national security, then somebody ought to be hung out to dry.

I came down here today to talk about this because we really do need to impose economic sanctions on those who are proliferating nuclear weapons because it is a threat to everybody in the world; but in particular, we ought to really be going after Communist China because they have been giving nuclear technology that those countries can use, to Iran and to North Korea, and to others; and they are a threat to the security of the United States and to our allies, as Mr. Fox has stated.

I think it is reprehensible that somebody above Mr. Fox's pay grade, and they said it was way above his pay grade, ordered them to change his national security assessment simply because President Jiang Zemin from Communist China was coming over to meet with the President of the United States and they wanted everything to be cool, everything to be on an even keel. It is unbelievable this happened.

This was brought out before my committee, and none of the national media reported it, and I thought it was a shame that they did not. I called ABC, NBC, CBS, and CNN; and I said why would you not think this was a major story, because a national security assessment was made regarding the security of America and our allies and whether or not China was selling nuclear weapons to potential enemies, and they told him that if he did not change it 180 degrees to where it looked like they were not a nuclear proliferator and there was no threat to America, he was going to lose his job, and not one of the networks picked that up. All I can say is shame on them. Shame on them. The American people need to know the truth. At least they got this much of it today.

[From the Committee on Government Reform]

JONATHAN FOX ARMS CONTROL SPECIALIST
DEPARTMENT OF DEFENSE

PROFESSIONAL BACKGROUND

Fox is an Arms Control Specialist in the Defense Threat Reduction Agency (formerly known as Defense Technology Security Agency). Fox's wife also works at the agency as a photographer. Fox fears both he and his wife will be retaliated against for speaking to Congress.

FOX'S CONCERNS

In October 1997, Fox was asked to write a memo regarding the implementation of a 1985 ''Agreement for Cooperation in the Peaceful Uses of Atomic Energy'' between China and the U.S. The terms of the reciprocal agreement allowed annual opportunities between the U.S. and China to:

Send technical experts to each others' civil reactor sites; observe operations and reactor fueling; exchange and share technical information in the operation and maintenance of nuclear power generative and associated facilities; exchange detailed confidence-building and transparency information on transfer, storage and disposition of fissionable fuels utilized for peaceful purposes; and disclose detailed reactor site operational data, to include energy generated and loading.

In his initial memo, Fox concluded that count ''this assessment concludes that the proposed arrangement presents real and substantial risk to the common defense and security of both the United States and allied

countries.'' Fox pointed out that Chinese past practices as a proliferant presented considerable risks to national security.

Fox said he was told that the memo had to be done by October 25, 1997 because the Administration wanted to have everything ready before the state visit of Jiang Zemin.

The day after Fox submitted the memo, he was called by Michael Johnson. When Fox asked him ''OK how bad is it?'' [meaning the reaction to his candid memo], Johnson answered: ''You'll be lucky if you still have a job by the end of the day.'' Fox indicated he didn't think Johnson was joking. Johnson told him people were upset by the memo and it had to be revised and say that the agreement is not inimical to U.S. national security. Fox said he told Johnson that everything in the memo was true and Johnson responded, ''I know, but that doesn't matter the issue has already been decided far above our pay grade.'' Johnson said the changes had to be made by 11:30 a.m. that morning. Fox said Johnson also said if he didn't change the opinion, he would have to explain to his Director why a GS–14 was blocking a Presidential summit.

Fox returned to his meeting and discussed the matter with his colleagues (including Peter Leitner). They told him it was a done deal and there was no point in him falling on his sword and fighting this.

Fox called Johnson back to ask what would make him happy and Johnson sent over the revisions that Fox then had a secretary incorporate. Johnson told him to have someone else sign the memo because it would look too obvious if he signed it after having done a memo that was initially so different. The memo was signed out by his boss, who signed it to help him out of a difficult situation.

RETALIATION AND/OR INTIMIDATION

When these matters became subject of an investigation by the Senate Governmental Affairs Committee, Fox spoke with Senate investigators and believes he has been blacklisted since then for telling the truth. He was in line to get a position in DTRA which came to a stop allegedly when David Tarbell heard ''things'' about Fox.

JONATHAN D. FOX, ARMS CONTROL SPECIALIST, DEFENSE THREAT REDUCTION AGENCY

I. PROFESSIONAL BACKGROUND

Jonathan Fox is currently an Arms Control Specialist at the Defense Threat Reduction Agency (''DTRA'') at the Department of Defense (formerly known as the Defense Technology Security Agency or ''DTSA''). A lawyer, he was hired by the Department of Defense in 1990, and in 1993 he was detailed to handle counter proliferation duties. In 1997 he was the export control coordinator. He was relieved of those duties in October of 1998 and transferred back to arms control.

He has received ''Outstanding'' ratings in every category of job performance for the last three evaluations given (1995, 1996 and 1997). Cash bonuses for his job performance have also been recommended. He has not, however, received an evaluation since concerns over retaliation have arisen.

II. FOX'S CONCERNS

In late October of 1997, Fox received an urgent request to review a proposed state-to-state agreement regarding transfer of nuclear technologies from the United States to China. Fox was asked to write an analysis regarding implementation of a 1985 ''Agreement for Cooperation in the Peaceful Uses of Atomic Energy'' between China and the United States. The terms of this proposed reciprocal agreement allowed annual opportunities for China and the U.S. to:

Send technical experts to each others' civil reactor sites; Observe operations and reactor fueling; Exchange and share technical information in the operation and maintenance of nuclear power generative and associated facilities; Exchange detailed confidence-building and transparency information on transfer, storage and disposition of fissionable fuels utilized for peaceful purposes; and Disclose detailed reactor site operational data, to include energy generated and loaded.

The request came from Mike Johnson, the Deputy Director of Nonproliferation Policy in the Office of Threat Reduction Policy.[1] Fox was told that he had to complete his review by Friday, October 25, 1999. Fox also believes that the document indicated that the deadline was tied to the arrival of Chinese President Jemin that weekend.

On Thursday, October 24, 1997, Fox sent Johnson a fax of his analysis. The document was transmitted at about 8:30 or 9:00 p.m. Fox stated:

''This assessment concludes that the proposed arrangement presents real and substantial risk to the common defense and security of both the United States and allied countries. It is further found that the contemplated action can result in a significant increase of the risk of nuclear weapons technology proliferation. This assessment similarly concludes that the environment surrounding these exchange measures cannot guarantee timely warnings of willful diversion of otherwise confidential information to non-nuclear states for nuclear weapons development. Concurrently, the agreement, as presented, cannot ensure that whatever is provided under this reciprocal arrangement will be utilized solely for intended peaceful purposes.''

* * * * *

''[U]nless there exist definite, meaningful verification provisions engrafted upon this diplomatic agreement, there is no practicable way of determining or enforcing adherence to the admittedly peaceful goals enumerated within the proposed reciprocal agreement. Without such bilateral undertakings or unilateral safeguards, the proposed measure presents such significant degree of risk as to be clearly inimical to the common defense and security.''

He thought that his analysis might raise concerns, but he felt that he had to be honest.

The next morning, while on his way to a meeting at the State Department, he checked his messages and found that Michael Johnson had called at approximately 8:30–8:45 a.m. He got a beeper notification that Johnson had called and was told that it was urgent. He called from State and couldn't get through. He left his number at the meeting and was pulled out of the meeting at 9:30–9:45 a.m. He was told it was Johnson, and that it was urgent.

Fox began the conversation by asking ''Okay, how bad is it?'' Johnson responded ''You'll be lucky if you still have a job at the end of the day.'' Fox said Johnson did not sound like he was joking. Fox asked what the problem was and Johnson said: ''It's your opinion. People read it. This has got to be revised. It cannot go.''

Fox said that the analysis was true. Johnson said: ''Yes. It's well written. Too well written. It doesn't matter. The matter has already been decided far above us.'' Johnson did not elaborate, but Fox got the impression that the decision had been made above Johnson and that Johnson was under the gun. [DoD brought Michael Johnson before Committee investigators to give his side of the story. He maintains that Fox's work was substandard because it included political and historical observations and was not limited to technical considerations. He claims that he told Fox that the analysis was substandard. Fox states that Johnson did not call his analysis substandard—to the contrary, he says Johnson said ''you're right and it doesn't matter.'' Fox also says that all similar analyses had elements of politics and history included and that Johnson did not reject those analyses.]

Johnson told Fox that if he didn't have a clean technical opinion (an approval) by 11:30, the next call would be to Fox's Director—''he can explain why a GS–14 is blocking a summit.'' Fox asked Johnson for 15–20 minutes to think about what he had been told. Johnson responded: ''clock's ticking.'' Fox went back into his meeting and discussed what had happened with a number of people (Peter Leitner, Benson, Mihnovets). Benson took him aside and said that the work was good, but that the ''fix was in.'' He was told that he should not be ashamed to give in, and that the matter had been decided at a higher level—that there was no use falling on his sword for this issue. (Fox noted that Leitner incorrectly thought that Fox's immediate superiors were in on the threat. Fox denies this.)

After talking to his colleagues at the State Department meeting, Fox called Johnson back and asked for Johnson to send suggested changes. Johnson faxed him the analysis prepared by Fox with suggested changes. (ATTACHED) Johnson also said that he wanted someone else to sign the analysis because it would be too obvious that Fox had been pressured to change his conclusions if he signed it. Johnson went through a list of types of people who might sign, including Presidential appointees and SESs. Fox said that there were no such people in his immediate section and Fox suggested Dr. Gallaway, a GS–15. [Johnson has a different explanation for the request for a different person to sign the analysis. He now says that it would be routine in an inter-office squabble to have a higher ranking official sign.]

Fox called Gallaway, who was already aware that there was some ''excitement'' over Fox's analysis. Fox asked for Gallaway's assistance (''ya gotta help me out''). They had a short discussion over whether it would be improper for Gallaway to sign, and whether he would get into trouble. Gallaway said he would help out and sign.

Fox had his secretary transmit a copy of the changed analysis to Gallaway, who reviewed it and signed. Gallaway sent the reworked analysis to Johnson about 12:15 p.m.

III. INTIMIDATION AND/OR RETALIATION

The threat by Johnson

When Johnson said ''You'll be lucky if you have a job at the end of the day,'' Fox became worried. He had only been on the assignment that he was on for 4–5 months. When Johnson threatened to call Fox's Director if a revised opinion was not sent within two hours, and when he said ''he can explain why a GS–14 is blocking a summit,'' Fox was concerned. His director had a fierce reputation. A number of personal factors also combined to make it critical that he not lose his paycheck. In short, he was worried about the worst case scenario of Johnson's criticism leading to him getting fired. [In its briefing to the Committee, DoD lawyers argued that Johnson and Fox were in different chains of command, and that Fox could not have been threatened by Johnson. Johnson, however, certainly appears to be on a higher employment level than Fox. To this end, DoD appears to be misleading the Committee.

Footnotes at end of article.

Subsequent call from Johnson

In February of 1999, as Senate investigators prepared to question Fox, Johnson called Fox and gave a different version of what had transpired. Fox said that ''it didn't happen that way.'' He told Johnson ''you know you threatened my job.'' That was the end of the conversation. After this conversation, Johnson gave Fox some more responsibility by making Fox the DoD representative to the Zangger Commission. Johnson was responsible for getting Fox on a delegation that went to Vienna.

Blacklisting from export control issues

Fox states that he has been blacklisted from any involvement with export control matters. Michael Maloof told Technology Security Directorate Director Dave Tarbell that Fox wanted to do more on export control matters. Tarbell agreed to endorse Fox for a job that would enable him to do this. Fox was to be moved to a temporary position that would become permanent.

Shortly thereafter, it became clear that Congressional investigators wanted to talk to Fox. Fox notified DoD General Counsel that he had been contacted by Senate investigators. On a Monday in late February he was interviewed by Eliana Davidson from Pentagon General Counsel's office. On Friday of that same week Fox was interviewed by Senate investigators. Within days Tarbell told Maloof that not only was Fox not welcome to the position that had been under consideration, he was not welcome to any job in export control. Maloof asked ''Why?'' and was told by Tarbell that he had ''heard things.'' Tarbell declined to be specific.

Fox filed an IG complaint, but the IG was unable to resolve the issue because Tarbell has declined to be specific about what happen. Fox filed an EEO complaint and the investigator who interviewed Tarbell was told that Tarbell received unsolicited information about Fox's capability. Tarbell said he didn't remember who the person was.

Service of subpoena

On June 21, 1999, a Committee staff member went to Mr. Fox's place of employment to serve a subpoena to testify. She was told by the head security guard: ''Mr. Fox talked to the public and we don't do that here. He doesn't work here any longer.'' The subpoena was ultimately served, but the odd exchange prompted Mr. Fox to ask rhetorically whether we think it odd that he is concerned for his job. (See Attached Memo)

FOOTNOTES

[1] Fox was shown a copy of the request when interviewed by Senate investigators. Thus, DoD was able to produce the document to the Senate. We asked DoD for this document specifically on June 21 and had not received it as of June 23.

[2] Conversations are recounted to the best of Mr. Fox's recollection.

DEFENSE SPECIAL WEAPONS AGENCY,
Alexandria, VA, October 23, 1997.

MEMORANDUM

To: OSD/ISP/N&I (Mr. Michael Johnson).
Subject: Review of Reciprocal Arrangement with People's Republic of China.

In 1985, the U.S. and China negotiated an Agreement for Cooperation in the Peaceful Uses of Atomic Energy. As part of the implementation of this agreement, Congress mandates that the President must certify that any reciprocal arrangements concluded thereunder must be designed to effectively ensure that any nuclear materials, facilities or components provided under this agreement be utilized solely for peaceful purposes. Congress has also determined that arrangements concerning information exchanges and visits negotiated under this agreement will be deemed ''subsequent arrangements'' pursuant to section 131a of the Atomic Energy Act of 1954, as amended, and subject to the required findings and determinations defined therein. as the parties to this agreement are both nuclear weapon states, diplomatic channels establishing mutually acceptable information exchange and visit arrangements are utilized in lieu of bilateral safeguard provisions.

The United States and China have negotiated an information exchange and technical cooperation reciprocal arrangement which conforms to the definition of a ''subsequent arrangement''. Pursuant to section 131 of the Atomic Energy Act (42 U.S.C. Sec. 2160), the Department of Enegy has requested consultative review of this proposed implementing arrangement in compliance with the provisions of the Nuclear Non-Proliferation Act of 1978. This memo is provided in accordance with the provisions of DSWA Instruction 5100.40 (which governs the agency response to such requests), and details the results of our technical assessment to the Office of Secretary of Defense.

The terms of the reciprocal agreement are relatively simple and direct. The U.S. and China will be afforded annual opportunities to: send technical experts to each others' civil reactor sites; observe operations and reactor fueling; exchange and share technical information in the operation and maintenance of nuclear power generative and associated facilities; exchange detailed confidence-building and transparency information on transfer, storage and disposition of fissionable fuels utilized for peaceful purposes; and disclose detailed reactor site operational data, to include energy generated and loading.

Section 131 of the Atomic Energy Act and related legislation requires a thorough inquiry into such arrangements. The inquiry must address whether the contemplated state action will result in a significant increase of the risk of nuclear weapons technology proliferation. It must also consider whether the information and expertise shared under the proposed reciprocal arrangement could be diverted to a non-nuclear state for use in the development of a nuclear explosive device, and whether the U.S. can maintain an environment where it will obtain timely warning of the imminence of such diversion.

Given that the 1987 MOU between the United States and China on this subject provides for:

1. The right to obtain information required to maintain an invent of all U.S. supplied items, and of material used in or produced through the use of such items;

2. The right to confirm periodically, on-site, the accuracy of the inventory and the specified peaceful use of all items on this inventory;

3. The right to obtain this information, and to conduct on-site confirmation of this information, for as long as any such invent items remain in China or under its control.

The Defense Special Weapons Agency determines that the proposed Agreement is not inimical to the common defense or the security of the United States.

DR. GALLAWAY.

OPENING STATEMENT OF JONATHAN D. FOX BEFORE THE UNITED STATES HOUSE OF REPRESENTATIVES COMMITTEE ON GOVERNMENT REFORM, THURSDAY, JUNE 24, 1999

Mr. Chairman, Members of this honorable House:

I am obliged to appear before you today by order of subpoena. I have neither sought nor solicited this honor. It is an obligation on my part which has arisen through disclosures of a public and independent nature offer which I have had no control or influence. It is an obligation not without risk, and I would be less than honest if I did not admit that it is undertaken with no small concern for my personal and professional future prospects.

Duty compels me to be here today. It is a duty enforced by the oath I took as an attorney, and as a member of the public service. In its simplest form, it is the duty to obey the law. It is the obligation to afford the workings of the law, and that of a duly constituted legislative inquiry, the utmost respect. And it is the duty to execute those responsibilities entrusted to me without fear or favor.

It is incumbent upon me to tell the truth. It is a key responsibility of public service. I am prepared to answer whatever questions you may have with candor and honesty. My answers will be grounded upon direct knowledge, information and belief. I cannot speculate upon things of which I have no knowledge, and will respectfully decline to do so if called upon. Unfounded speculation will only hinder the progress and credibility of this inquiry, and my respect for this House is too great to engage in such conduct.

Two hundreds years ago, President John Adams advised his son John Quincy to ''Never let the institutions of polite society substitute for honesty, integrity and character.'' My father, a concentration camp survivor, memorized that phrase and taught it to me when I was very young. I have always tried to comport my career in public service according to that standard. Whether I have succeeded will be determined, to no small extent, by the impressions you carry away from today's proceedings.

Mr. Chairman, members of this committee, this concludes my opening statement. Thank you for your kind indulgence. I am prepared to answer any questions you may have.

MEMORANDUM

To: Memo to the Jonathan Fox file.
From: Kimberly Reed.
Date: June 21, 1999.
Re Service of Jonathan Fox subpoena.

On June 21, 1999, I served Jonathan Fox a subpoena to testify at a June 24, 1999 hearing on the flow of dual-use technology to China and whistleblowers.

For service, Mr. Fox gave me the DTRA address of 45045 Aviation drive, Dulles, VA 20766–7515. He told me to notify the front desk security guard that I had a congressional subpoena and that he phone the DTRA general counsel's office and Mr. Fox. The rationale for this action was to give the DTRA general counsel's office notice of the subpoena and allow them the opportunity to accept service on behalf of Mr. Fox if this was the normal protocol.

Arriving at DTRA at 1:30, I did as Mr. Fox instructed. The front desk security guard phoned Mr. Fox and then the general counsel's office. After talking to a staff member in the general counsel's office, the security guard told me they were unable to determine the general counsel's protocol for subpoenas (the chief general counsel was away on vacation). While waiting for an answer, the head security guard approached me and asked that I follow her into a room away from the public (the vending machine room), where others could not overhear our conversation. I believe her initials were T.P., but would recognize her name in a list or her by appearance.

The head security guard questioned my actions and I told her ''I was to serve a subpoena on Mr. Fox to testify before Congress and wanted to see the appropriate person to serve, whether it be the general counsel or Mr. Fox.'' She approximately replied: ''Mr. Fox talked to the public and we don't do

that here. He doesn't work here any longer.'' She seemed inquisitive and perplexed by my presence.

I told her that I spoke with Mr. Fox earlier in the day and he was expecting the subpoena and showed her his telephone number. She returned to the front desk, where she was informed that the general counsel didn't need to see the subpoena. She phoned Mr. Fox (who was listed in their phone directory) and arranged to have me serve him at his building—44965 Aviation Drive. I served Mr. Fox at 1:55 pm.

[From the Wall Street Journal, June 10, 1999]

THE ADMINISTRATION QUASHES TRUTH TELLERS ON CHINA

(By Michael Ledeen)

* * * * *

Despite pressure from the White House, Jonathan Fox, an attorney on the arms-control staff of the Defense Special Weapons Agency, wrote a memo stating with certainty that China was a nuclear proliferator and that the proposed arrangement was ''a technology transfer agreement swaddled in the comforting yet misleading terminology of a confidence-building measure.'' Mr. Fox's memo argued against the agreement on these grounds:

It ''presents real and substantial risk to the common defense and security of both the United States and allied countries.''

It ''can result in a significant increase of the risk of nuclear weapons technology proliferation.''

''The environment surrounding these exchange measures cannot guarantee timely warning of willful diversion of otherwise confidential information to non-nuclear states for nuclear weapons development.''

There was no guarantee that the nuclear information would be limited to non-military applications in China itself.

Mr. Fox noted that the Chinese chafed at their inferiority to the West and ''now [seek] to redress that balance through industrial, academic and military espionage. China routinely, both overtly and covertly, subverts national and multilateral trade controls on militarily critical items.'' (Those who have been lured into the deceptive debate over when we knew about Chinese espionage should note that civil servants like Mr. Fox, well below the pay grade of National Security Adviser Samuel Berger and Secretary of State Madeleine Albright, were well aware of the general phenomenon).

On Oct. 24, 1997, Mr. Fox was called out of an interagency meeting to receive an urgent telephone call. According to three people to whom he gave a contemporaneous account of the phone conversation, he was given an ultimatum from superiors in the Office of Non-Proliferation Policy in the Department of Defense: either revise the memo and recommend in favor of the agreement, or look elsewhere for employment. (Mr. Fox himself declined to comment on the matter.)

Within an hour, all the critical language had been deleted, and the memo now simply concluded that the agreement ''is not inimical to the common defense or the security of the United States.'' Worried that his earlier draft might fall into unfriendly hands, Mr. Fox's superiors insisted that somebody else sign the new memo.

The arrangement was in place in time for the summit with the Chinese ruler, who was no doubt quite satisfied that his American friends had given him a good-conduct certificate, even though he, Mr. Clinton and the entire American national-security team knew full well that China was spreading militarily useful nuclear technology to such nations as Iran and Pakistan. Indeed, it was precisely this knowledge, and the fear that somebody in the media or Congress might enunciate it at an embarrassing moment, that drove the administration to silence potential truth-tellers.

Mr. Fox is not the only weapons expert in the government to have been instructed to lie or remain silent about the true consequences of sending military technology to China. Notra Trulock and his colleagues were told by their superiors at the Department of Energy that they should stop annoying people with accounts of Chinese espionage at Los Alamos. Similarly, professionals in the Pentagon such as Michael Maloof and Peter Leitner were told to keep quiet about the approval of high-tech licenses that would strengthen Chinese military power. Both of them spoke out; others remain silent.

But even when the professionals stick by their principles, their superiors have chosen to substitute facts with politically expedient disinformation. On at least two occasions, military experts who argued against high-tech exports to China later discovered that their recommendations had been altered in the Pentagon's computerized data base.

Had President Reagan's appointees attempted such heavy-handed censorship, the Democrats in Congress, constantly on the lookout for cooperative whistle-blowers, would have cried bloody murder. Yet despite being well aware of the level of internal censorship, Republican leaders from Rep. Dick Armey to Sen. Fred Thompson have all but remained silent. Mr. Thompson's Governmental Affairs Committee asked the Pentagon's Inspector General to investigate this matter last August. With the lightning speed that has characterized Republican investigations, the Inspector General's report is due to arrive on June 18, nearly a year later.

Congress's behavior is thus the reverse of what it was during the Reagan years, which is one reason the president has breezed through revelations that would have threatened the tenure of his predecessors. Republicans have yet to present a coherent challenge to the administration's China policy, and for several years have largely ignored the cries of alarm from the professionals who have spent their lives protecting our security.

We don't yet know why Mr. Clinton chose to help arm China and why Congress has been slow to stop it. But one thing ought to be clear: The blame for this scandal lies not in the distant past with the Reagan administration, which tried to prevent our military technology from falling into the hands of real and potential enemies, but with Mr. Clinton, who has consciously and systematically done the opposite. On this point, there must be neither doubt nor silence.

Mr. GEJDENSON. Mr. Speaker, I yield myself such time as I may consume to say to the gentleman from Indiana that I would hope he would share the documentation of his charges with the members of the committee who are all very interested in seeing it. I have no question of the gentleman, but I would just hope he would share it with other members of the committee.

Mr. BURTON of Indiana. Mr. Speaker, will the gentleman yield?

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

Mr. BURTON. Mr. Speaker, I would be happy to share them with anyone who would like to see these documents, all of them.

Mr. GEJDENSON. Mr. Speaker, we would be happy to see them.

Mr. Speaker, I ask unanimous consent that the gentleman from Florida (Mr. WEXLER) control the time that I am in charge of.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. GEJDENSON. Mr. Speaker, before I do that, I yield 4 minutes to the gentleman from California (Mr. LANTOS).

Mr. LANTOS. Mr. Speaker, I rise in support of the legislation we are considering, but I want to broaden my comments to deal for a few moments with our overall relations with Russia.

Last week I was in Moscow for a lengthy and substantive discussion with the foreign minister of Russia and for a meeting with the Diplomatic University, which trains the future diplomats of Russia. I think it would be a very serious mistake if we would engage over the course of the next few months in bashing Russia which, in point of fact, with all of their problems, they have made enormous achievements since the collapse of the Soviet Empire.

Now, all of us wish that the evolution of Russia that we have seen this past decade would have been more smooth, would have been more democratic, would have been more friendly to our interests. But I think the fact remains that Russia is about to have free and open parliamentary elections; next year, free and open presidential elections. Every Russian has a passport, they are anxious for American investment, and they are along many lines working with us as a country ready to share with us some international responsibilities as they did in Kosovo.

Now, I think it is extremely appropriate that this piece of legislation deal with placing penalties on Russian institutions that engage in proliferation of weapons and mass destruction technology. But I think it is equally important to keep the problem in perspective. There is an enormous amount of anti-Americanism that permeates Russian society today. This was a society which, 15 years ago, was one of the two super powers on the face of this planet. It is now a destitute, chaotic, Mafia-infested society with enormous material and psychological problems; and I think it is extremely critical that in properly criticizing them for things that they do wrong, and they have done wrong by not controlling the proliferation of weapons, we do not draw the general conclusion that we are going back again to an era of confrontation with Moscow.

There are powerful democratic forces in Moscow. There are important political figures who share our values, and it is important to strengthen the democratic forces in Russia. It is extremely important that we continue strengthening the democratic forces in Russia, because I predict in 10, 15, or 20 years, Russia will again be a great power. Their resources are unlimited. They are a highly talented, well-educated,

impressive quality of people, and I think it is absolutely in our national interests to recognize our overriding concern in developing more cordial, more friendly, more ongoing relations with the people of Russia.

We should also not forget that the Russian Government is facing terrorism from Islamic fundamentalists. In the last 10 days, there were four explosions, taking the lives of hundreds of innocent Russian civilians in the heart of Moscow, in the very heart of Moscow. These people deserve our support, our friendship, and our cooperation; and I call on my colleagues to give it to them.

Mr. GILMAN. Mr. Speaker, I am pleased to yield 7 minutes to the gentleman from Pennsylvania (Mr. WELDON), the distinguished chairman of the Subcommittee on Research and Development of the Committee on Armed Services and a member of the Cox Committee.

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise today in support of this legislation, and I thank my good friend and colleague for yielding to me, and I rise as a good and long-term friend of the Russian people.

Mr. Speaker, I have had the pleasure of traveling to Russia some 19 times. I will be leading another delegation to Russia within the next 30 days. I have over 150 members of the Federation Duma who are personal friends of mine, and I am working on initiatives like developing a housing mortgage financing system for the Russian people, helping them deal with the problem of nuclear waste, helping them encourage more economic investment, helping to strengthen the regions and regional leaders; and right now in fact I have 20 young Russian leaders coming to my district as a part of an exchange program that we started this past summer where 2,000 young Russians are coming to America; and I just initiated a new program to have staff members in this Congress engage and participate with exchanges with staff members of the Russian Duma.

All that being said, this legislation is necessary not because we have a problem with the Russian people, but in my opinion because of the policies of this administration, which have helped cause the instability in Russia, both economically and politically.

Mr. Speaker, proliferation is out of control in Russia, not just in words or rhetoric. I have here, Mr. Speaker, a Russian accelerometer and a Russian gyroscope. These were clipped off of Russian SSM–19 missiles. We caught them, Mr. Speaker, not once, not twice, but three times, being transferred from Russia to Iraq. In fact, Mr. Speaker, we have over 100 sets of these devices.

We did nothing about the transfer, Mr. Speaker. We did not impose the required sanctions under the missile technology control regime. We basically allowed Yeltsin to tell President Clinton, do not worry, we will conduct a criminal investigation, and nothing happened. So why should we be surprised, Mr. Speaker, if Russia cannot control proliferation?

I did a floor speech last June, which I will include in the RECORD again, at least the study done by the Congressional Research Service. Mr. Speaker, I documented 37 violations of arms control agreements in the last 6 years by Russia and China. Thirty-seven violations. We imposed the required sanctions twice, and that was when we caught China transferring M–11 missiles and ring magnets to Pakistan, and what did we do? After 2 years we waived the sanctions. We saw technology flow to Iran, to Iraq, to Syria, to Libya and North Korea from China and Russia. I was not surprised when India and Pakistan's saber rattled, because we saw Russia transferring technology to India and China transferring technology to Pakistan.

Mr. Speaker, the problems that are inherent here are in many cases our own doing, an administration that has been so preoccupied with not embarrassing the relationship between Boris Yeltsin and Bill Clinton that it does not want to call into question, when we have solid evidence that technology is being sent abroad illegally, and the same problem with the IMF funding. We did not want to embarrass Yeltsin because his crony friends were ripping off billions of dollars of IMF money, and we wonder why Russia is a basket case.

The policies of this Government are turning their head the other way, are ignoring obvious violations of arms control regime violations. An obvious turning of our head when billions of dollars of IMF money is going to the failed oligarchs who corrupted the Russian banking system are many of the reasons why Russia today is a basket case economically and politically.

We passed the Iran missile sanctions bill in the last session with 395 votes in this body, and 96 votes in the Senate, in spite of Vice President GORE lobbying 12 of us personally. The gentleman from New York (Mr. GILMAN) was there, Mr. Hamilton of Indiana was there, Senator LEVIN was there, I was there, twice not to pass that bill, because the Congress has lost confidence that this administration can stop proliferation.

And this is not a Republican issue. Democrats and Republicans have joined together and said to this administration, we cannot keep bolstering up Yeltsin when it is obvious the system around him is corrupt and all we have done is reinforce Yeltsin's leadership, and now we are paying the price.

The Russian people and the members of the Duma look at us and they say, where were you, America, when you basically turned the other cheek and pretended these transfers were not taking place? Where were you, America, when Yeltsin's cronies were siphoning off billions of dollars of IMF funding? Why did you not call into question what Yeltsin's cronies were doing? Why did you not call into question Yuri Koptev in the space agency when these transfers were taking place? Is it any wonder, Mr. Speaker, that the Russian people have lost their confidence in America as a friend and partner?

The 95 percent of the Russian people, Mr. Speaker, who are good and decent people, who are not members of the Communist oligarchy, many of whom took over the reigns of the Yeltsin administration, they see through this charade in Russia. These people saw the IMF money being bilked away, these people saw this kind of technology being sold abroad time and again, and they saw this country and this President ignoring the realities of the instability just so that Yeltsin could be reelected again.

We have a terrible crisis on our hands, Mr. Speaker. I agree with the last individual who spoke. This should not be a time to bash Russia as a nation, nor the Russian people, nor the emerging Russian leaders; and they know my position very clearly on these issues.

□ 1215

This is a time where we have to call into question our administration for helping to foster and encourage this kind of instability in Russia today.

We need to pass this legislation, not to create the feeling in Russia that somehow they are our enemy, because they are not. We need to pass this legislation because we need to let Russia know that we will no longer tolerate incompetence, gross abuse, and tolerate the illegal activities that the Yeltzin government foisted on the Russian people for the past 7 years while we turned our heads, pretending that these situations were not real.

I urge my colleagues to support this legislation, as they did 2 years ago. In fact, Mr. Speaker, when President Clinton vetoed the bill that the distinguished chairman and the distinguished gentlewoman from California, Ms. Harman, introduced in the House, we could have overridden that veto. But it was the Speaker of the House, a month before the congressional elections, who said that we would not be allowed to vote to override the President's veto.

I am convinced had we had that vote, with the support of AIPAC, and they were in the room when we met with the Speaker, with the support of those people concerned with proliferation, we would have sent this administration this signal 2 years ago.

Here we are 2 years later. Technology is still flowing. The fat cat oligarchs are still getting richer and the Russian people are still suffering. I urge my colleagues to support this legislation.

Mr. WEXLER. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. ROTHMAN).

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

Mr. ROTHMAN. Mr. Speaker, I want to thank the gentleman for yielding time to me.

Let me see if I can remind my friends in this body that we are talking today about the Iran Nonproliferation Act of 1999. We are talking about the Iran Nonproliferation Act.

We live in a hostile and dangerous world. One of the reasons why the world is so hostile and dangerous is because there are nations like Iran who are committed to wreaking havoc in their region and literally all over the globe. If Iran were to be successful in its intended desire to send weapons of mass destruction, biological, chemical, and nuclear devices, not only to our friends and allies in the Middle East but to our friends and allies in Europe, they also would love to develop and have intended to develop the technology to send those weapons of mass destruction to the United States of America. That is why I support the Iran Nonproliferation Act of 1999.

So it is important for us to keep our eye on the ball here in Congress, and note that with regard to this law that we are proposing, we want to remind everyone that it is Iran, as well as Iraq and North Korea, who make this world dangerous, but this bill has to do with Iran.

I would also like to say it is a reminder to nations like Russia and China that the Congress of the United States will not forgive their assisting Iran in developing these weapons of mass destruction and the technology to deliver these weapons to not only the United States but to our allies around the world.

There is a great deal of wishful thinking with regard to our enemies. We in America would like to believe that people around the world have as good intentions, as warm hearts, as we do. Not everyone is like us.

The people of Iran need to create a government in Iran which will stop threatening the peace of the world. That is not the case yet. Iran is a danger to the world. It must be isolated, it must be stopped, until they are ready to join the family of nations in peace. This legislation will help.

The SPEAKER pro tempore (Mr. BONILLA). The gentleman from Florida (Mr. WEXLER) has 8 minutes remaining and the gentleman from New York (Mr. GILMAN) has 2 minutes remaining, so the Chair will continue to recognize the gentleman from Florida (Mr. WEXLER) to yield time.

Mr. WEXLER. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, as a cosponsor of this legislation and one who has strongly supported and will continue to support disarmament and peace initiatives throughout the world, I rise in strong support of H.R. 1883. It is my belief that this legislation will move us one step closer to nonproliferation of weapons of mass destruction in the Middle East and throughout the world by taking actions to stop foreign companies from exporting goods, services, and technology that can make a material contribution to Iran's weapons of mass destruction programs.

I believe we must take any and all actions to stop the spread of weapons of mass destruction in the Middle East and throughout the world.

The statistics of weapons of mass destruction are terrifying, to say the least. In terms of nuclear weapons, for example, we know that over 36,000 nuclear warheads exist between the nuclear powers.

I have just returned from a visit to Israel with several of my colleagues. The security concerns of the entire region are great, but so are the prospects for peace. This bill, the Iran Nonproliferation Act, moves us toward both, peace and security.

Foreign companies, just as any company, are in the business of making profits. Exporting goods, services, and technology that contribute to Iran's weapons of mass destruction program allows billions of dollars to be made to create a more hostile region and a more hostile world. This bill is a serious effort to tailor sanctions to foreign companies that are the true wrongdoers.

As we move into the next millenium, we need to work with Russia, our friend in the Middle East, and those who are not our friends to find ways to create security and a lasting peace for our children. Selling technology that would destroy the world certainly takes us in the wrong direction.

I thank the gentleman from New York (Mr. GILMAN) of the Committee on International Relations, and the ranking member, the gentleman from Connecticut (Mr. GEJDENSON), for moving forward with this legislation in a bipartisan manner. I join and urge my colleagues to support H.R. 1883.

Mr. WEXLER. Mr. Speaker, I yield 4½ minutes to the gentleman from California (Mr. BERMAN).

Mr. BERMAN. Mr. Speaker, I thank my friend, the gentleman from Florida, for yielding me the time.

First, I would like to express my sincere appreciation to the gentleman from New York (Chairman GILMAN) for introducing the legislation, for allowing me to be a participant in the development of the legislation and its cosponsorship, and to the Republican leadership for putting the bill over until after the recess to deal with some of the concerns and misunderstandings that I think would have existed which would have impeded the progress of this bill, had we rushed to a markup the last week before the recess. I do appreciate that delay.

I rise in very strong support of the bill. The purpose of this legislation is not to bash Russia. It is not to kill the Space Station. It is not even to bash Iran.

One thing we know, it has been reported everywhere and we all know it, Iran is on a program to develop nuclear, chemical, biological weapons and the ballistic missiles to deliver those weapons. Iran has determined that that is in their national interests.

A recent CIA report estimates that in the next few years Iran could test a long-range missile capable of delivering a small payload to many parts of the United States. Within a decade, Iran could test a more advanced nuclear-capable ICBM.

Again, my goal is not to demonize Iran. I would welcome improved U.S. ties with Iran. If they would simply stop supporting Hamas and other terrorist groups who seek to disrupt the Middle East peace process, release the 13 Jews currently in detention, and otherwise moderate their behavior, I would like to have our relationship with Iran improve.

But no matter what the status of our bilateral relationship, it will always be in our clear interest to prevent or delay Iran's acquisition of weapons of mass destruction. I doubt we will ever convince the Iranians to halt their weapons programs. Therefore, the next best thing we can do is to do everything in our power to cut off the flow of technology and expertise from other countries to Iran.

This legislation will do several things. First, it will help us get a more complete picture of which foreign entities are transferring technology to Iran, and authorize, he already has the power, but authorize, it will authorize even more clearly, but not require, the President to impose sanctions on those entities.

Congress has a right to know and understand the full extent of the proliferation to Iran. This bill helps to provide that information to the Congress. The bill will also limit extraordinary payments to Russia for the international Space Station. Certain exemptions have been made, but it will limit the extraordinary payments and new programs on the Space Station; in other words, payments for work that Russia already pledged to do at their own expense, unless the President certifies that the Russian Government is taking concrete steps to stop proliferation and that the Russian space agency and the entities under its jurisdiction or control have stopped making unauthorized transfers.

I do not want to bash Russia. I am not interested in playing the blame game, as some of my colleagues are right now, for this situation in Russia and the U.S. policy towards Russia.

I believe, particularly in the last couple of years, that this administration has made great efforts to try and persuade the Russians to do more to stop the proliferation. I believe Russia and its top leadership understand that proliferation to Iran is no more in their interest than it is in our interest.

But the fact is that if, in a program that we are participating in through

the Russian space agency, they allow their own subsidiaries and subordinate agencies that they can control to proliferate and to continue that technology, they should not expect to be partners with us in new programs. They have to make a choice.

The entity that is a joint venture, the entity that is a joint venture with us, with Lockheed on the launches, has understood that and has made that choice, and has resisted any temptations to proliferate. We want the Russian space agency to do the same thing with all their agencies. That is why this legislation, prospective in nature, is being introduced.

I congratulate the chairman, again, and the other cosponsors, and urge its adoption.

Mr. WEXLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I strongly urge my colleagues to think twice before believing recent rumors that the Iranian government has moderated its hardline policies towards the United States and our allies in the Middle East. The so-called moderate Iranian government has not ended its program to build weapons of mass destruction, and it continues to support terrorist groups that commit up conscionable acts of death and destruction.

The Iranian government also remains adamantly opposed to the Middle East peace process. Make no mistake about it, an unstable Iranian regime with weapons of mass destruction is a threat to the entire world and to the fragile peace evolving in the Middle East.

Since the end of the Cold War, missile and weapons technology has flowed unhindered from foreign companies to Iran. The United States must lead the fight to stop foreign companies from exporting their services and technologies to Iran. H.R. 1883 allows the United States to sanction foreign companies contributing to Iran's weapons buildup.

Russian companies in particular have been guilty of providing the Iranian government with weapons technology. The Iran Nonproliferation Act holds the Russian government and Russian companies accountable for the flow of technology and services reportedly transferred to Iran.

The greatest threat to the security of the United States in the next century will be posed by nations that are governed by unstable regimes like Iran, Iraq, and North Korea that are developing weapons of mass destruction. Our own intelligence agencies have warned us that in a short time these nations may have the capability to strike cities in the United States.

I strongly urge my colleagues to support this legislation and send a strong message that the United States will not tolerate individuals and companies aiding rogue regimes in their deadly efforts.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GILMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentleman on the other side for making this a strong bipartisan appeal to stop this kind of action in supporting Iran's development of long-range missiles. 5

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to support this bill. Initially, I was hesitant to support the Iran Nonproliferation Act of 1999. But this bill has undergone many changes in the International Relations Committee and in the Science Committee, of which I am a Member, and I am hopeful that this bill will adequately prevent nuclear proliferation while providing fair treatment to our Russian counterparts.

I am cognizant of the continuing United States concerns with nuclear proliferation, and clearly we all understand the significance and importance of the proliferation issue. We must keep ever vigilant for the leakage of our military secrets, and I have been an ardent supporter of nonproliferation policies. I realize from my briefings on the subject that Iran seems determined to develop a nuclear weapons program. Their ballistic missile arsenal already contains the Shahab 4 and the Shahab 3 missile and there is an apparent effort to develop a new missile called the Kosar. It is even more evident from the nuclear race between India and Pakistan that the United States has a vested interest in seeing further proliferation halted. As we strive towards our goal we must ensure that our good intentions are not misdirected.

I appreciate Representative WELDON's amendment to this bill in the Science Committee, and this amendment has done much to clarify the definition of ''maintenance'' in regards to the Service Module. I must acknowledge my disappointment in the fact that I was unable to add ''safety functions'' to this amendment. Considering that the amendment included environmental control, life support, and orbital maintenance under the definition of activities under maintenance, it seems to me that ''safety functions'' logically should be included in this list. It is my hope that the intent of the bill will incorporate this notion.

The Iran Nonproliferation Act of 1999 creates Congressional oversight of proliferation to Iran by requiring the President to report to Congress every six months regarding all foreign entities and any transfers of goods, services, or technologies to Iran. The bill also authorizes the President to apply punitive measures to those entities that permit the proliferation to Iran.

This piece of legislation does not require the President to apply punitive measures; instead it simply gives him the option to do so. We do not want to implement procedures that are too harsh, nor do we want to diminish the authority of the President.

This bill comes under the jurisdiction of Committee on Science because of Section 6. This legislation could prohibit our Nation from making ''extraordinary payments in connection with the International Space Station'' to the Russian Space Agency or entities under the Russian Space Station jurisdiction unless the President determines that it is the policy of the Russian government to oppose proliferation to Iran.

While we want to preserve our country's military secrets, we must also remain fair to our Russian partners. It is worth noting that the administration has already moved to curb the proliferation of weapons of mass destruction and is also committed to imposing trade sanctions on those who violate the Missile Technology Control Regime. A year ago, the administration sanctioned seven Russian aerospace enterprises for possible violations of the Missile Technology Control Regime. Potentially lost in this issue is the fact that Russian Space Agency has attempted to make the transition from military technology to civilian and space related technology. One reason that this transition has been slow is because Russia simply cannot pay its scientists to complete the transition. As confirmed by NASA the subsidies to the Russian Space Agency coupled with the work that they perform on the International Space Station help America's non-proliferation policy.

This bill has come a long way. I am glad that we have done much to improve it, for we do not want to alienate our Russian partners, nor do we want to undermine the efforts of NASA. While I can appreciate the national security interests that have guided this bill to us, I am fully aware of the concerns expressed by NASA. NASA seems concerned about Russian reaction to the passage of this bill. A negative reaction by the Russians could erode away the sense of goodwill that has been forged by the International Space Station.

I am hopeful that this bill will have the desired effect on the proliferation of our country's secrets, and for that reason, I support his bill.

Mr. CLEMENT. Mr. Speaker, I rise today in strong support of H.R. 1883, the Iran Nonproliferation Act. As a cosponsor of this measure, it is my hope that the House will adopt this bill. As a member of the International Relations Committee and a strong supporter of Israel, I believe that we must send a strong signal to Iran that we will not tolerate nuclear proliferation. We must not tolerate countries supplying military technology to Iran which has flight tested a missile capable of hitting Israel.

The threat of nuclear proliferation is not only a serious destabilizing force in the Middle East, but it endangers American interests as well. Maintaining and enhancing the political and economic stability of our allies in the region and supporting the Middle East peace process must be two of our top foreign policy goals for this part of the world.

I urge my colleagues to support this bill and send a clear signal that we will not tolerate nuclear proliferation and that we are determined to do what is necessary to bring peace to this troubled region.

Mr. NETHERCUTT. Mr. Speaker, I strongly support this legislation and am proud to be a cosponsor. We send a clear message to Russia with this legislation that any assistance to Iran with weapons of mass destruction or missile systems will be grounds for ending fruitful scientific relationships with the United States. We are forcing Russian scientists and government entities to choose between a symbol of international peace, the space station, and the proliferation of deadly technologies.

When the Science Committee considered this legislation last week, it accepted an amendment I offered that tightens the bill slightly. The Government of Russia has consistently argued that ''rogue'' elements within the scientific and military establishment are exporting deadly technologies to Iran. It is

conceivable that this fiction could be maintained, and private labs or independent agencies could continue to proliferate to Iran, even as they receive taxpayer funding for work on the ISS. This legislation ensures that this would not be the case, as the bill now prohibits extraordinary payments for the ISS to any foreign person or entity that Secretary of State finds has materially contributed or attempted to contribute to the proliferation of WMD or missile technology. The legislation also prohibits the indirect financing of such proliferators through another entity. For example, NASA could not make a payment to the RSA if it knew that a subcontractor for the work was involved previously with proliferation.

This is consistent with Executive orders 12938 and 13094 which prescribe procurement, assistance, and import bans for proliferating entities or countries. The current legislating essentially codifies these Executive Orders, raising their profile and raising the stakes for Russian entities that choose to engage in proliferative activities.

With this bill, we demonstrate to Russian entities that there is a long-term consequence to cooperating with Iran on missile or WMD programs. H.R. 1883 terminates ISS funding for these Russian labs if they have been designated as proliferators subject to the executive orders.

As the President said in his statement on EO 13094, ''being able to offer both incentives and disincentives enhances our capacity to deal with these threats.'' Clearly, this bill also allows for incentives and disincentives. Russian entities are encouraged to work with NASA on space station issues and are firmly discouraged from working with Iran. In a statement on the same Executive Order, Vice President GORE said that ''today's Executive Order . . . will explicitly bar assistance to and imports from entities now being investigated by Russia.'' Again, we are going no further than the Administration's stated intent of barring assistance to proliferative entities. This is an important bill and I urge my colleagues to support it.

Mr. CROWLEY. Mr. Speaker, I rise today in strong support of H.R. 1883, the Iran Nonproliferation Act of 1999.

Everyone in this Congress is aware that Iran has continually threatened the peace and security of the Middle East. Even today, Iran is still committed to the destruction of Israel, opposes the Middle East peace process and supports terrorist groups such as Hamas. In fact, Iran remains the world's leading sponsor of international terrorism.

Despite these very real security concerns, cash strapped Russia has supported the $800 million Bushehr project, a 1000-megawatt light-water reactor, in southern Iran.

Why Iran needs such a reactor remains an open question because Iran has one of the world's largest oil and natural gas reserves. However, many security experts believe that such projects provide good cover to a nuclear weapons program and provide Iranian technicians with expertise in the development of nuclear weapons.

These developments, along with Iran's successful test of the Shahab-3 missile, with a range of 800 miles, pose the greatest risk to Middle Eastern stability in history.

Mr. Speaker, the results of an Iran armed with nuclear weapons are almost too horrifying to imagine. But, if current trends continue, it may become an all too real nightmare for the United States and our Middle Eastern allies.

Former Israeli Prime Minister Binyamin Netanyahu put it best when he stated, ''The building of a nuclear reactor in Iran only makes it likelier that Iran will equip its ballistic missiles with nuclear warheads . . . Such a development threatens peace, the whole region and in the end, the Russians themselves.''

Given the potential threat of a nuclear-armed Iran, I believe it appropriate to withhold the $590 million in U.S. assistance for the Russian contribution to the International Space Station.

If Russian policymakers see the danger of their activities, they can certify that they are not transferring technology that would help develop weapons of mass destruction and aid will resume.

Mr. Speaker, the House took similar action when we passed H.R. 1477, the Iran Nuclear Proliferation Prevention Act of 1999 by a vote of 383 to 1. H.R. 1477 withholds the U.S. voluntary contributions from programs and projects of the International Atomic Energy Agency in Iran unless the Secretary of State makes a determination that they will not provide Iran with training or expertise relevant to nuclear programs' development.

I was proud to be an original cosponsor of the Iran Nuclear Proliferation Act, and I am proud to be a cosponsor of the Iran Nonproliferation Act.

Mr. Speaker, H.R. 1883 passed the International Relations Committee, on which I am proud to serve, by a vote of 33 to 0. I urge my fellow Members to give this legislation the same overwhelming support on the floor, that we gave it in Committee.

Mr. LAMPSON. Mr. Speaker, I listened very carefully to Chairman SENSENBRENNER's opening remarks during the hearing on this bill a couple of months ago. He stated that ''We must ensure that the Russian government is not facilitating the proliferation of missile technology * * * If the President finds that Russia is contributing to Iran's attempts to acquire weapons of mass destruction and ballistic missiles, then the bill prohibits NASA from transferring U.S. tax dollars to the Russian Space Agency and any enterprise under its jurisdiction.'' I can't agree more with the intent of this statement.

During Committee markup, I had planned on offering an amendment to this bill that I believe would have clarified and honored the original intent of the bill by changing the nature of Section 6 to one that would have prohibited payments if proliferation was to occur, but wouldn't require advance certification that it hasn't. No one will disagree, I believe, that we should punish cheating, and this amendment would have achieved that goal in a less burdensome manner than the existing provision.

However, I decided against offering this amendment. While I still have major concerns that Section 6 will not materially improve the effectiveness of this legislation in discouraging weapons technology transfer to Iran, and will cast a shadow over the greatest example of international cooperation in the peaceful use of space, I will reluctantly support H.R. 1883. That being said, I will diligently work to have the section relating to Space Station removed as soon as possible. I continue to believe that singling out Space Station is not the answer to stopping proliferation—Russian contributions to the International Space Station, a permanently inhabited research facility in space, in fact are not close to the weapons technologies that are of so much concern to us, and we should encourage the Russians to continue on with us in the peaceful exploration of space.

In addition, the reporting requirements of Section 6 unnecessarily duplicate other sections of the bill. Section 2 already requires that the President identify every Russian against whom ''credible information'' exists regarding tech transfers to Iran. This is, in fact, a harder test than the requirement for a ''policy'' certification from the President. I support this bill with the hope that my concerns will be addressed by all parties involved, at a later date.

Mr. HALL of Texas. Mr. Speaker, I would like to speak in support of H.R. 1883. As you know, I am a cosponsor of H.R. 1883. I think that it is a useful bill, and one which I believe has been improved by an amendment that I offered at the Science Committee's markup of the bill last week. I am pleased to see that my language has been included in the bill that is before the House today. Basically, my amendment shortened the notification requirements in order to avoid unnecessary bureaucratic delays and costs that do nothing to enhance our security.

In addition, it corrected a problem that had arisen when an amendment was adopted by the Science Committee's Space Subcommittee in its markup of the bill. That Subcommittee markup had included an amendment requiring partial transfer of Service Module ownership to the United States in the event of any extraordinary payments. My amendment changed that to ''goods and services''. The issue of transferring ownership of the Service Module is a complicated one in light of the existing international agreements. And I don't think that we'd really want to own part of the Service Module in any event.

Most members would agree with me, I think, that controlling the proliferation of weapons of mass destruction is one of the most important challenges facing our nation. I think that this bill helps address that challenge, and I urge Members to vote to suspend the rules and pass H.R. 1883.

Mr. GILMAN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and pass the bill, H.R. 1883, as amended.

The question was taken.

Mr. GILMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This 15-minute vote on H.R. 1883 will be followed by a 5-minute vote on the motion to instruct conferees offered by the gentlewoman from California (Ms. PELOSI).

The vote was taken by electronic device, and there were—yeas 419, nays 0, not voting 14, as follows:

[Roll No. 409]

YEAS—419

Abercrombie	Allen	Armey
Ackerman	Andrews	Bachus
Aderholt	Archer	Baird

Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—14

Becerra
Bonilla
Deal
Fattah
Hastings (FL)
Jefferson
Jones (NC)
Kaptur
Kingston
McDermott
Porter
Pryce (OH)
Ros-Lehtinen
Shaw

□ 1250

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. JONES of North Carolina. Mr. Speaker, on rollcall No. 409, I was unavoidably detained. Had I been present, I would have voted "yes."

APPOINTMENT OF CONFEREES ON H.R. 2606, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS OPERATIONS ACT, 2000

MOTION TO INSTRUCT OFFERED BY MS. PELOSI

The SPEAKER pro tempore (Mr. BONILLA). The pending business is the question of agreeing to the motion to instruct offered by the gentlewoman from California (Ms. PELOSI).

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentlewoman from California (Ms. PELOSI).

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

RECORDED VOTE

Ms. PELOSI. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 419, noes 0, not voting 14, as follows:

[Roll No. 410]

AYES—419

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell

Pastor	Saxton	Thomas
Paul	Scarborough	Thompson (CA)
Payne	Schaffer	Thompson (MS)
Pease	Schakowsky	Thornberry
Pelosi	Scott	Thune
Peterson (MN)	Sensenbrenner	Thurman
Peterson (PA)	Serrano	Tiahrt
Petri	Sessions	Tierney
Phelps	Shadegg	Toomey
Pickering	Shays	Towns
Pickett	Sherman	Traficant
Pitts	Sherwood	Turner
Pombo	Shimkus	Udall (CO)
Pomeroy	Shows	Udall (NM)
Portman	Shuster	Upton
Price (NC)	Simpson	Velazquez
Quinn	Sisisky	Vento
Radanovich	Skeen	Visclosky
Rahall	Skelton	Vitter
Ramstad	Slaughter	Walden
Rangel	Smith (MI)	Walsh
Regula	Smith (NJ)	Wamp
Reyes	Smith (TX)	Waters
Reynolds	Smith (WA)	Watkins
Riley	Snyder	Watt (NC)
Rivers	Souder	Watts (OK)
Rodriguez	Spence	Waxman
Roemer	Spratt	Weiner
Rogan	Stabenow	Weldon (FL)
Rogers	Stark	Weldon (PA)
Rohrabacher	Stearns	Weller
Rothman	Stenholm	Wexler
Roukema	Strickland	Weygand
Roybal-Allard	Stump	Whitfield
Royce	Stupak	Wicker
Rush	Sununu	Wilson
Ryan (WI)	Sweeney	Wise
Ryun (KS)	Talent	Wolf
Sabo	Tancredo	Woolsey
Salmon	Tanner	Wu
Sanchez	Tauscher	Wynn
Sanders	Tauzin	Young (AK)
Sandlin	Taylor (MS)	Young (FL)
Sanford	Taylor (NC)	
Sawyer	Terry	

NOT VOTING—14

Buyer	Hilleary	Porter
Deal	Jefferson	Pryce (OH)
Fattah	Jones (NC)	Ros-Lehtinen
Goodling	Kaptur	Shaw
Hastings (FL)	Kingston	

□ 1300

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HILLEARY. Mr. Speaker, on rollcall No. 410, I was inadvertently detained. Had I been present, I would have voted "yes."

Mr. JONES of North Carolina. Mr. Speaker, on rollcall No. 410, I was inadvertently detained. Had I been present, I would have voted "yes."

The SPEAKER pro tempore (Mr. BONILLA). Without objection, the Chair appoints the following conferees: Messrs. CALLAHAN, PORTER, WOLF, PACKARD, KNOLLENBERG, KINGSTON, LEWIS of California, BLUNT, YOUNG of Florida, Ms. PELOSI, Mrs. LOWEY, Mr. JACKSON of Illinois, Ms. KILPATRICK, Mr. SABO and Mr. OBEY.

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 417, BIPARTISAN CAMPAIGN FINANCE REFORM ACT OF 1999

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 283 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 283

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 417) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on House Administration. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. All points of order against the amendments printed in the report are waived except that the adoption of an amendment in the nature of a substitute shall constitute the conclusion of consideration of the bill for amendment. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from California (Mr. DREIER) is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my very good friend, the gentleman from Dallas, TX (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. DREIER asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. DREIER. Mr. Speaker, House Resolution 283 is a fair rule which provides for the consideration of H.R. 417, the Campaign Finance Reform Act of 1999, under a structured rule. The rule provides 1 hour of general debate divided equally between the chairman and ranking minority member of the Committee on House Administration. The rule makes in order 13 amendments which were printed in the report accompanying this resolution. Ten of the amendments are perfecting amendments debatable for 10 minutes each. After the disposition of those amendments, the rule makes in order three substitutes by the gentleman from California (Mr. DOOLITTLE), the gentleman from Arkansas (Mr. HUTCHINSON) and the gentleman from California (Mr. THOMAS) which are debatable for 40 minutes each. The Doolittle and Hutchinson substitutes were reported without recommendation by the Committee on House Administration and the Thomas substitute was favorably reported.

The rule waives all points of order against these amendments except that the adoption of an amendment in the nature of a substitute shall constitute the conclusion of consideration of the bill for amendment which, and I will underscore this, Mr. Speaker, is the standard amendment process in the House. So this process that we are going to be proceeding under will be regular order.

Mr. Speaker, 26 perfecting amendments and three amendments in the nature of a substitute to the Shays-Meehan bill were submitted to the Committee on Rules. All three substitutes were made in order. Of the 26 perfecting amendments, only one was submitted by a Democrat, and that amendment was in fact made in order in this rule.

The rule also permits the Chairman of the Committee of the Whole to postpone votes during consideration of the bill and to reduce voting time to 5 minutes on a postponed question if the vote follows a 15-minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

I would like to commend Speaker HASTERT for his very judicious handling of what obviously has been a hotly debated issue over the years. Earlier this year, he gave his word that the House would consider campaign finance reform in September under a fair process. Today, the Speaker has again demonstrated his leadership and good faith by bringing this measure to the floor under this rule. I also want to recognize the hard work of the gentleman from California (Mr. THOMAS) who held weeks of hearings and reported out four competing proposals. His committee did a tremendous job in framing the debate that we will have here this afternoon.

Mr. Speaker, free speech, particularly free political speech, is a cherished right enshrined in the first amendment to our Constitution. For democracy to flourish, a free people must be able to express their political views without government restriction. Our Founding Fathers recognized that this is in fact the fundamental precept of democracy. Without free political speech, our great American experiment cannot continue to thrive into the next millennium.

I do not believe that the current problems with the campaign system are caused by too much political

speech. They are caused by the outmoded rules and regulations which currently restrict speech. Although I commend the authors of the Shays-Meehan bill for their good intentions, I believe they are taking the wrong approach. Adding more layers of rules and regulations, more bureaucracies and barriers, to an already flawed system is not the answer. It is increasingly clear after 25 years of living with the Federal Election Campaign Act of 1974 that the current Federal campaign laws are fundamentally flawed. Just as the current Shays-Meehan proposal is the product of good intentions, the Campaign Act which we now live with was also the product of people driven to do what was right. It was praised for eliminating the possibility of another Watergate, lowering the costs of political campaigns and reducing the advantages of incumbency.

It is ironic that 25 years later, many of the law's same supporters are urging Congress to pass another campaign finance reform bill to accomplish what the Federal Election Campaign Act has failed to do. Limiting the amount of money spent and contributed in Federal campaigns will not lead to increased competition. Nor will it cause the influence of large contributors to wane or make politicians more accountable to their constituents. The Federal Election Campaign Act places limits on contributions and expenditures, but since 1974 campaign spending has more than tripled in real dollars. Incumbents have enjoyed huge advantages raising campaign funds, and they have generally had an easier time getting reelected. While history shows that limits do not work as advertised, the focus of reform continues to be on new contribution restrictions and suspending the free speech rights of grassroots organizations and their members. We are even looking at the prospect of regulating the use of the Internet and the World Wide Web for political purposes. Mr. Speaker, this is not the right way for us to go as we try to focus concern for first amendment rights.

To reduce the advantages of incumbency, I believe that contribution limits should be raised, at least to account for 25 years of inflation, and tax credits should be reinstated to encourage more individuals to participate in the electoral process. I will be supporting the Doolittle substitute which will encourage individuals to exercise their free speech rights more effectively, free political candidates from their frequent fund-raising activities, and reduce the advantages of incumbency. Rather than trying to regulate the Internet, a hopeless effort in the long run, I believe 21st century technology should be used to increase political openness. I support the establishment of electronic filing procedures and requiring that Federal Election Commission disclosure information be published on the Internet. With information related to political giving freely available in an understandable format on the Internet, Americans will no longer need to rely on special interests and the media to interpret the Federal Election Commission data for them.

Mr. Speaker, just as free trade encourages vitality in our economic markets, I believe free speech fosters a stronger democracy based on competition in a free market of ideas. Therefore, I will choose more freedom over more regulation.

This is not an unorthodox rule. It does not stack the deck against the Shays-Meehan bill. The rule does not make in order so-called ''poison pill'' amendments as some have suggested. The fact is this rule provides for a debate and amendment process closer to regular order than any campaign finance rule that has been debated in the past decade. If the proponents of Shays-Meehan have the votes, they will prevail.

Now is the time to cut through the rhetoric and approve this rule so that the House may work its will on this issue of campaign finance reform. This is a very serious issue, Mr. Speaker, that demands very serious thinking. I urge my colleagues to support the rule.

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

Mr. FROST. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, on the road to a vote on real campaign finance reform, our friends in the Republican Party have set up an ambush. In this Congress, the Republican leadership has accommodated supporters of the Shays-Meehan campaign finance proposal by scheduling the bill for consideration, but appearances can be deceiving.

First, the rule reported by the Republican majority on the Committee on Rules gives opponents of campaign finance reform the opportunity to wound the bill by taking pot shots at Shays-Meehan. Then, when the bill is down and bleeding, the rule allows opponents to bring out the heavy artillery to try and finish it off. This rule may not give Shays-Meehan a clean vote. And, Mr. Speaker, unless Members of the House stand up and vote against the amendments designed to wound and weaken and eventually kill real and meaningful campaign finance reform, the Republican majority will once again, through a cynical exploitation of the process, stymie the efforts of those Members who are dedicated to reforming how Federal campaigns in this country are financed.

Mr. Speaker, House Resolution 283 makes in order a series of 10 amendments to Shays-Meehan. This series includes amendments that would, in essence, take away the ability of labor unions in this country to represent the views of their members in the political process, while others would allow individuals to increase their contributions to candidates from $1,000 to $3,000. There is even an amendment in this mix that puts limits on the campaign of the First Lady in the State of New York. These amendments are, by design, intended to seriously maim and wound Shays-Meehan.

The rule then provides for the consideration of three substitutes. These substitutes are intended to inflict mortal wounds. Should any one of them be adopted, Shays-Meehan will be declared DOA. While we can speculate that the first two substitutes, those offered by the gentleman from California (Mr. DOOLITTLE) and the gentleman from Arkansas (Mr. HUTCHINSON), will not pass, the third substitute, which is a proverbial sheep in wolf's clothing, stands a good chance of passing the House and killing Shays-Meehan.

That substitute, to be offered by the chairman of the Committee on House Administration, embodies a number of reforms to the operations of the FEC but does not affect the financing of campaigns. The Thomas amendment is indeed campaign reform. The problem, Mr. Speaker, is that it is not campaign finance reform. The intent here is quite clear and very obvious. This rule is designed to ensure that the House will never get a straight up-or-down vote on Shays-Meehan.

All that being said, Mr. Speaker, Democrats are not going to oppose this rule, for we know full well if this rule is defeated, that means the end of any discussion on the subject of campaign finance for the remainder of this Congress. In the last Congress, Shays-Meehan passed this body by a vote of 237–186 after the Republican leadership set up a series of roadblocks designed to keep the House from getting a vote on that bill. We can only hope that a majority in the House remains committed to campaign finance reform and will find a way to foil this ambush of the only proposal that fits that description.

Mr. Speaker, I urge my colleagues to reject the amendments made in order in this rule.

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

□ 1315

Mr. DREIER. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CAMPBELL), my very good friend.

Mr. CAMPBELL. Mr. Speaker, I thank the Chairman of the Committee on Rules, my good friend from California, for yielding this time to me.

Mr. Speaker, let me begin with a note of gratitude to the Speaker of the House. Last year we tried to get this bill up for a vote, and it took a discharge petition, with Republicans and Democrats together, to make it happen. That was under a different Speaker. This Speaker, by contrast, promised that we would have a vote on the floor in September. He has fulfilled that promise without being forced to by a discharge petition. There were many skeptics who said that it was a subterfuge; they were wrong. He deserves to be honored for keeping his word.

On the merits, as I see the rule, and I intend to support the rule, it allows a

fair discussion of Shays-Meehan and legitimate alternatives that colleagues wish to put forward. I intend to be supporting Shays-Meehan throughout today's debate. I intend not to be agreeing to amendments that would kill Shays-Meehan. But other people have their reasonable attitudes about their own approach, and it is simply fair to allow them to present their alternatives. There is nothing unfair in a rule that allows this House to debate alternatives.

I am going to use the remainder of my time just to identify one very important thing we will do today, when we pass Shays-Meehan.

A television ad that was run in the last campaign stated:

> Head Start, student loans, toxic clean up, extra police protected in the budget agreement, but the President stood firm. The President's plan: Politics must wait, balance the budget, reform welfare.

Almost the identical words appeared in a similar ad, the first one, however, by the DNC with soft money on May 31, 1996; the second, by the Clinton campaign, on June 2, 1996.

What we have today is a huge loophole in campaign finance. We run the exact same ads almost, but we run them as soft money ads through a political party, and anybody can contribute any amount of money to finance those ads.

Mr. Speaker, if we intend to have a system that limits how much people can influence the system to prevent corruption, then we must not allow a loophole as large as this whereby we can run almost exactly the same ads and have them excused because it is soft money rather than hard.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. MEEHAN), the author of the legislation.

Mr. MEEHAN. Mr. Speaker, I thank the gentleman from Texas for yielding this time to me.

Members of the House have a unique opportunity today to make a real difference and to pass campaign finance reform, legislation that is long overdue.

As my colleagues know, we have had lots of disagreements between Democrats and Republicans about how to determine tax policy, what to do with the surplus, a patients' bill of rights, education reform and what to do to improve education across our country. Finally today we have an issue that Democrats and Republicans can agree on.

There were 50 to 60 Republicans who supported this legislation in the last Congress. We got 251 votes from Members of this House in the last Congress. This is our opportunity today to pass real comprehensive campaign finance reform, to make soft money illegal, illegal because it is a loophole that came out of the Campaign Finance Reform Act of 1974 and has had a corrupting influence on presidential elections in this country.

Mr. Speaker, it is not good enough to just stand up and have hearings and spend millions of dollars talking about the abuses in the last campaign and then do nothing about it. It is just not good enough to have hearings and create an environment where Democrats attack Republicans, Republicans attack Democrats, on the abuses in the last campaign and then do nothing about it. Today is the day. Today is the day when the votes are going to be counted and we are going to determine who is for campaign finance reform and who is not.

During the course of this debate there are a number of what we call ''poison pill amendments,'' amendments that are designed to do nothing but kill this unique coalition that has been established. I urge the Members of this House to see through these amendments and recognize them for what they are, nothing more than an attempt by the opponents of campaign finance reform to kill this legislation.

Let us kill these amendments, and let us pass comprehensive campaign finance reform today.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to the gentlewoman from New Jersey (Mrs. ROUKEMA), my good friend, and neighbor and classmate.

(Mrs. ROUKEMA asked and was given permission to revise and extend her remarks.)

Mrs. ROUKEMA. Mr. Speaker, certainly I rise in strong support of this bill that is finally bringing Shays-Meehan to the floor, and I might say better late than never. Neverthless, I do express appreciation to the Speaker for fulfilling his promise that we conduct this debate.

I do think that without question, as already has been stated here, the American people believe that we have a rigged and corrupt system, and perhaps with good reason, but we have a good opportunity today to really put that behind us and vote this reform. This will put us on the road to reestablishing our credibility.

I must say that with the campaign costs skyrocketing candidates and incumbents, as the American people have seen, find themselves devoting more and more time and energy to fund-raising and the reach and influence of special interests has grown out of control, and as a consequence, people do believe that their elected officials are bought and paid for; and it is at the core, I believe, of the voter cynicism that is leading Americans to drop out of our political system and the political process of our democracy.

We have here today the opportunity, without question, to address one of the most corrupt, corrosive developments in our system, the explosion of soft money; and that is what we are about today. If we do nothing else, we must lay the foundation and take this giant step for correcting this problem and ban soft money. It will not do everything, but it will be the foundation and a giant step forward, and we must do it.

The American people are cynical; they are disgusted. Let us take this first giant step to restoring faith in our democratic process. Support the rule, and support Shays-Meehan, the soft money ban, outright. It is a strong ban, a hard ban, on soft money.

Mr. Speaker, I rise in support of this rule and would like to begin my remarks this afternoon by saying: ''better late than never.

I have been part of a bipartisan group of Members who have been seeking a full and a fair debate on campaign finance reform.

We should have had this debate last Spring.

As a result, America will be forced to witness another general election conducted under rules the American people think are rigged and corrupt.

But we are finally having it now and I thank the Speaker for fulfilling his promise to conduct this debate.

Mr. Speaker, the lack of fundamental change in our campaign finance reform is one of Congress' most significant failings. Clearly, our campaign finance system is out of control. The signs of impending disaster dominate the headlines every day. Campaign costs are skyrocketing. Candidates, incumbents and challengers alike, find themselves devoting more time and more energy to fundraising. The reach and influence of special interests continue to grow. As a consequence, many people believe elections are ''bought'' by those organizations with the most money! And is at the core of voters cynicism leading to Americans dropping out of the political process of our democracy.

Without question the most corrosive recent development has been the explosion of so-called ''soft money''—donations from wealthy corporations, labor unions and individuals to the major parties.

Of course, there are many critically important issues that we will examine during the course of this debate—the so-called paycheck protection amendment, issue ads, independent expenditures, and others.

But if we do nothing else—let's ban soft money. My Colleagues—soft money was at the heart of each and every one of the scandals of the last Presidential campaign today—nights in the Lincoln Bedroom, White House coffees, alleged contributions from the Chinese military to the DNC, and more.

The American people are cynical and disgusted. They should be.

Support the rule. Then, to ban soft money outright, support Shays-Meehan.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. LEVIN).

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

Mr. LEVIN. Mr. Speaker, 20 years ago in Buckley versus Valeo, the Supreme Court said, and I quote, ''To the extent that large contributions are given to secure political quid pro quos from current and potential officeholders, the integrity of our system of representative democracy is undermined. Of equal concern is the danger of actual quid pro quo arrangements and the impact of the appearance of corruption stemming from public awareness of the opportunities for abuse inherent in a regime of large individual financial contributions.''

Twenty years ago the main problem was unlimited individual contributions going for undisguised campaign ads. Today the problem is different. It is unlimited contributions from individuals and groups going for campaign ads that are disguised transparently as issue ads.

So this is the real question. Will it take a Teapot Dome scandal to get action under this dome on campaign finance reform?

The Annenberg study says the abuse of sham issue ads is growing. I read for my colleagues this campaign ad from last year:

''Linda Smith on education: I have decided the U.S. Department of Education is not necessary. That explains why Smith cosponsored a bill to eliminate the Department of Education, voted to cut Head Start and student loans, voted against testing standards to make schools accountable. Linda Smith even voted to slash safe and drug-free schools in half. Linda Smith puts her narrow political agenda ahead of our schools. Tell her to stop voting against kids.''

If the words had been used ''defeat Linda Smith,'' under our campaign laws, instead of the word ''tell'' which was used, that was clearly a campaign ad. Games played with language using the word ''tell'' instead of the word ''defeat'' should not thwart the law.

Corruption by money of the democratic process is not freedom.

Mr. DREIER. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi (Mr. WICKER), my good friend.

Mr. WICKER. Mr. Chairman, I thank my friend for yielding this time to me.

Mr. Speaker, I will vote for this rule of course, but against final passage of Shays-Meehan. Let me make one thing clear at the outset of this debate. There is no public clamor for this legislation. I have been in almost every corner of my 24-county district during the last month, and not once did a single citizen bring up the issue of our campaign finance laws. No, the hue and cry for this bill is occurring inside the Beltway of Washington D.C. largely by those who would receive a special advantage by this proposed tilting of the playing field.

Mr. Speaker, I am proudest of this House when it works in a bipartisan manner, but this is not what we will have today. There may be high-sounding tones in the media about the winds of reform, but for its liberal advocates this bill is really about party politics, and here is why. The big labor bosses use the forced dues of their union members to further their political goals, and that usually means support only for Democrats. This bill would do nothing to stop that practice.

Shays-Meehan takes no action to limit another of the most significant abuses of the liberal labor bosses, and that is the in-kind, unreported use of union employees for get-out-the-vote, organization efforts, and other political activities. These actions benefit one party exclusively and, frankly, are beyond the scope of anything we can do as a Congress.

Mr. Speaker, this debate should be about freedom of speech, freedom of expression, the first amendment to the Constitution of the United States.

Look at this diagram, Mr. Speaker. We should shudder to contemplate the arcane, complex, Rube Goldberg limitations on American expression which are contained in this bill. This is the convoluted process that the courts and the FEC, candidates and citizens will have to go through in order to make sure their advocacy is permissible under Shays-Meehan.

Now, Mr. Speaker, I have friends on both sides of the aisle who legitimately believe that there is too much money in campaigns today, and I will admit that there is a certain nostalgia for the one-on-one campaigns of yesteryear; but this bill, Shays-Meehan, does not get us there. When I was a youth growing up in Mississippi, there was always a huge crowd around the court square on a Saturday morning. A candidate could come into town with a loud speaker on top of his station wagon and get his point across to a large percentage of the voters. But those days are over. We live in the days of malls and cable TV with 99 channels, the Internet, not to mention radio, direct mail and the print media. Those are the methods we use in the United States of America to convey information today, and it costs money to buy that form of advertising.

Freedom of speech is worthless if no one can hear it. The truth is that it takes funds to amplify our political discourse to a level which reaches the public.

Mr. Speaker, there are solutions out there to rectify the most unpleasant aspects of campaigning and raising funds to do so, but that will not occur today. It will not occur as long as one political party believes it can achieve a significant and unfair advantage under the guise of reform.

I urge passage of the rule and defeat of Shays-Meehan.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I rise reluctantly to support this rule because it remains the only way that we will get real campaign finance reform on the floor for a vote. The underlying Shays-Meehan bill is strong, bipartisan legislation that deserves the support of every Member of this House. It is the only bill that shuts down the soft money system and reins in the phony issue ads; but in order to get to Shays-Meehan, this rules forces us to navigate a minefield of poison pills, killer amendments and substitutes introduced by many Members who have absolutely no intention of voting for the underlying bill.

The most dangerous of these is the Thomas substitute. It would strengthen the FEC, a cause I have long championed. Along with my colleague, the gentleman from Tennessee (Mr. WAMP), we introduced an amendment that would incorporate the Thomas substitute as a perfecting amendment, as many of us did with the commission bill of the gentleman from New Jersey (Mr. FRANKS) and others last year. But, Mr. Speaker, this was rejected.

I urge my colleagues, vote for the rule, against all substitutes, all killer amendments, and for campaign finance reform.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. SHAYS), the lead author of the campaign finance reform bill which brought us to this point.

Mr. SHAYS. Mr. Speaker, I thank the gentleman for yielding this time to me, and I thank this Congress for debating this issue.

This is legislation that clearly has bipartisan support. It is a team effort, and it has probably been one of the more satisfying activities that I have been involved in.

□ 1330

I just want to say that I disagree strongly with the gentleman from Mississippi talking about it being one party. It is not about one party, and it is not about freedom of speech because we retain freedom of speech. It is about ending corrupt politics. That is what it is about.

It has been against the law since 1907 for corporate treasury money to be used in campaigns, but it happens. It has been against laws since 1947 for union dues money to be used in campaigns, but it is happening. It has been against the laws since 1974 for foreign nationals to contribute to campaigns but they are, and they are because of two loopholes: Soft money, the unlimited sums of money from individuals, corporations, labor unions, and other interest groups; and the sham issue ads which are truly campaign ads.

We do not prevent those ads for money. We just call them campaign ads. What that means is, out goes the corporate treasury money, the union dues money, and the foreign national money. That is what this debate is about. It is about having a fair system, where everyone has a right to speak out, and where we enforce the 1907 law, the 1947, law and the 1974 law.

I would want to just end by saying this is a fair rule, but it is a fair rule that gives the opponents of our legislation seven shots to kill us as amendments and three shots to kill us through substitutes. It is still a fair rule. It is a rule, though, that does not allow for one amendment, and that is the Thomas amendment. We wanted it as a perfecting amendment rather than as a substitute because it is a very good piece of legislation, but it is process, not reform, in our judgment.

So I salute sincerely the chairman of the Committee on Rules for making sure we have a debate that will not go on for months, giving us time limits,

letting us know what is coming, and I thank him for doing it; and I thank our Speaker for living up to his word.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I rise in reluctant support of this rule, in strong support of the Shays-Meehan bill, and in opposition to the poison pill amendments. Today's votes present clear choices. If one is a Member of this House and they like spending more and more of their time raising money, vote for the poison pills; but if they prefer working on issues important to their constituents, support Shays-Meehan.

If one works for a corporation or a labor union and they like getting hit up for soft money donations again and again, support the status quo; but if they prefer to invest money in their own organization, support Shays-Meehan.

If one is a TV viewer and they like endless streams of deceptive anonymous issue ads in election years, oppose reform; but if one prefers honest and less frequent ads, support Shays-Meehan.

If one is an American and likes their voice being drowned out by special interests, big money, support the DeLay-Doolittle coalition; but if one wants a greater say in how our laws are made, support Shays-Meehan.

I urge approval of the rule, defeat of the poison pill amendments and passage of the underlying legislation.

Mr. DREIER. Mr. Speaker, I yield 1 minute to my friend, the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Speaker, I thank the gentleman from California (Mr. DREIER) for yielding me this time.

Mr. Speaker, I do rise in support of the rule and I do rise in support of Shays-Meehan and in opposition to the amendments. There has been a lot of fussing over the rule here today. I do not think there is anything unexpected there. That is what the majority of the majority parties wants, to have a certain limited circumstance. I think, in fact, the Committee on Rules and the leadership deserves credit for letting us vote on this at all; and because there has been so much attention paid to it, I think we all know exactly what we have to do on the individual votes under this particular rule so I do not think that is a problem.

I hope that all of us will support it.

I hope everybody will consider very carefully what we are doing here. It should concern every one of us that there are corporations, there are labor unions, there are organizations out there which are contributing to the political parties in soft money a quarter million and more, perhaps something less than that. And if anyone believes they are doing it because they believe in good government, I would tell them to look at the underlying legislation that those groups are interested in.

The bottom line is that I think we need to do something about it. I am for individual contributions. I am for complete disclosure of all contributions and all expenditures which are made. I think we have to limit the special issue groups so that is obviously not in order. And I think Shays-Meehan would do it, and I would encourage all of us to do it.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. FORBES).

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

Mr. FORBES. Mr. Speaker, I rise in support of this rule. I think it is clear in this body last year we made it known that a majority of the Members here believe, as the public does, that we have a need for campaign finance reform.

The people have lost faith in the current system, a system that should be of the people, by the people, and for the people. The people wonder actually, does it belong to the people?

The current system really makes it impossible for people who want to give voice to their issues to get into electoral office. They feel shut out. We need Shays-Meehan so that we can restore confidence in our electoral system and make this great democracy even greater.

Today we have a chance to change all of that. We can restore faith in this political system breathing democracy by passing Shays-Meehan. The proposed amendments only cloud the main issue, and the substitutes unfortunately seek to gut it. We need to send a clean bill to the Senate and represent the change that Americans want, starting here in the House.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. HUTCHINSON), the author of one of the key substitutes.

Mr. HUTCHINSON. Mr. Speaker, I thank the gentleman from California (Mr. DREIER) for yielding me this time.

Mr. Speaker, I rise in support of the rule being offered today. I believe it is fair. It will allow a broad-ranging debate on campaign finance reform. The rule makes in order four major alternatives, one of which is the substitute that I have offered, along with the gentleman from Kansas (Mr. MORAN), the gentleman from Missouri (Mr. HULSHOF), the gentleman from Montana (Mr. HILL), and the gentleman from Texas (Mr. BRADY). It is the Campaign Integrity Act which does three things that I think are very important.

One, it bans soft money to the national parties which is the most significant problem that we have on our scene.

Second, it empowers individuals in our system by increasing the information that is available to them through more disclosure.

Third, it raises the individual contribution limits to prevent the value of the small contributor from being eroded through rising inflation. Ours is the only substitute that does that.

As my colleagues examine which alternative is the right one to support, we should all ask a couple of questions.

First of all, what fixes the most significant problems?

Second, what can realistically get passed in the Senate?

Third, what is consistent with the Constitution?

I believe that is the framework for the debate as we engage in this under the rule.

The Hutchinson–Moran-Hill-Brady-Hulshof substitute accomplishes all three of these objectives. So I believe it is a fair rule that is being offered today.

The question has been raised, does the public support reform? I believe that they do. In fact, I believe the reform is more intense in the body politic in America than it is in this body, because we know the script; we know what is going to happen, and we know the Senate is not going to consider the same bill that they considered the last time.

So I think the public is wiser. They support reform, but they want good reform and they are willing to debate the substance of each proposal.

Alexander Hamilton in Federalist No. 15 said, why has government been instituted at all?

The answer is, because the passions of men will not conform to the dictates of reason and justice without constraint.

I believe that defines the debate on campaign finance reform, that reason and justice demands this type of reform and the rule will support that.

Mr. DREIER. Mr. Speaker, may I inquire of the Chair how much time is remaining on both sides?

The SPEAKER pro tempore (Mr. BONILLA). The gentleman from California (Mr. DREIER) has 9½ minutes remaining; the gentleman from Texas (Mr. FROST), 19½ minutes remaining.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, if we sweep campaign finance reform under the rug, what legacy will we be leaving our children? Political mistrust, apathy? Or today, will we take a giant step forward in reforming a political system and leaving a system that our children can be proud of?

Enough is enough, Mr. Speaker. The American people want campaign finance reform. They want it now.

The American people are weary of the glaring abuses and outrageous sums of money spent on political campaigns. The American people believe big money is destroying our political systems.

Campaign reform is not a Democratic or Republican problem. It is a Democratic and Republican responsibility.

Mr. Speaker, it is time to come to this House floor and honestly address

campaign finance reform. Let us do it and let us do it once and for all. Let us vote yes on Shays-Meehan. Let us vote no on all poison pill amendments.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. Mr. Speaker, I thank the gentleman from Texas (Mr. FROST) for yielding me this time.

Mr. Speaker, I respectfully depart from some of my colleagues here who think that this rule is a fair rule. I suggest that this rule is, in effect, a somewhat hidden attempt to kill the only campaign finance reform proposal that probably has a chance of passing this year. We know that because last year when it was presented, it passed by 252 votes to 179. It had 61 Republicans on it. It was, in fact, a bipartisan effort. This year, instead of showing a willingness to either take a stand and be counted on the issue of banning unregulated soft money donations to parties, of regulating phony issue ads on television, and imposing new fund-raising disclosure rules, some are trying to use the rules, I believe, to obfuscate the issue, take 10 swipes either killing it with a poison pill or killing it by substituting suggestions that are unpalatable to most of the Members of this Congress.

In fact, the New York Times, in an editorial on September 13, I think, justifiably called these junkyard tactics of 1998. It is essentially the same tactics that we saw last year.

This rule, in a good world, would be defeated; but apparently it is going to pass because people fear that without this rule we will have no chance at campaign finance reform at all.

We should have that chance. We should vote for Shays-Meehan without all the other shenanigans.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentlewoman from Michigan (Ms. RIVERS).

Ms. RIVERS. Mr. Speaker, I rise with little enthusiasm for this rule but in great support for the Shays-Meehan proposal.

Mr. Speaker, I have a picture on the wall of my office that I purchased several years ago from a high school art competition in my district. It was produced by Jeff Vogelsberg, a student at that time in Belleville High School. It is a picture of a car made out of money that has lassoed and is towing away the capitol of the United States.

We have a saying in our language, out of the mouths of babes, which really recognizes the pure and perfect insight that children often possess, their ability to get to the nub of the issue; and in fact, Mr. Speaker, this is how our children see us, how the public sees us. Of course, it is the children who will grow up and write the history books of the future.

What do we think they will have to say about us and this Congress? How will history portray us? Will this Congress be portrayed as supporters of a system with integrity and honor, or one of money that is so powerful it can pull the capitol of the United States from its very foundations? Support Shays-Meehan.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Speaker, I rise in support of the rule because it is going to present an opportunity to the House of Representatives to vote on the merits of this very important bill that I am a cosponsor of, the Shays-Meehan bill.

It has been suggested earlier, there is not public clamor for us in Congress to take up campaign finance reform, and I think that statement alone really demonstrates what a problem we have here.

The public is leaving it to us to figure out the details on how to rid this system of its excesses. What they want from us, what the public is clamoring for, is simply independent judgment.

□ 1345

They want control over this political process returned to people. They expect us to judge each of the issues that come before us on the merits. If they were exposed to what we are exposed to, the incredible acceleration in the rate of soft money and sham issue ads pouring into the system, overshadowing their individual votes, they would expect us to take up this very bill today. We have to be on guard to defeat the poison pill amendments.

The Shays-Meehan bill is not a bill that favors Democrats or Republicans, it favors ordinary citizens who want their vote to count. We need to defeat the poison pill amendments, we need a straight-up vote on Shays-Meehan, we need to return control of our elections of this Congress to the people of the United States.

Mr. FROST. Mr. Speaker, we reserve the balance of our time.

Mr. DREIER. Mr. Speaker, is the gentleman from Texas prepared to yield back the balance of his time?

Mr. FROST. Mr. Speaker, I would respond to my friend from California by saying that we have additional speakers; however, they are not currently on the floor. We have Members who have requested the opportunity to speak.

Mr. DREIER. How much time is remaining on both sides, Mr. Speaker?

The SPEAKER pro tempore (Mr. BONILLA). The gentleman from California (Mr. DREIER) has 9½ minutes remaining, and the gentleman from Texas (Mr. FROST) has 15½ minutes remaining.

Mr. DREIER. Mr. Speaker, does my friend anticipate that he is going to fill that entire 15-minute period?

Mr. FROST. Mr. Speaker, we have requests for that time, but the Members are not currently on the floor. It is our anticipation that we would use the time. We had planned to.

Mr. DREIER. So if I were to move the previous question, would the gentleman yield back the balance of his time?

Mr. FROST. Not at this point, Mr. Speaker, because there are Members who are in transit. There are Members who are coming to the floor who would like to speak.

Mr. DREIER. In light of that, Mr. Speaker, I yield 2 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. Speaker, I rise today in strong support of the rule that will help to deliver comprehensive campaign reform to the American people.

Last session, I was one of the authors of a bill to create an independent commission that would be empowered to make specific proposals that Congress would have been required to act upon. But today, the underlying bill before us combines the best of two approaches: the independent commission and Shays-Meehan.

While the old Shays-Meehan legislation addressed some of the most corrupting elements of our campaign finance system by banning soft money, reforming issue ads and imposing tougher FEC disclosure, it failed to address a variety of other legitimate concerns. But now, with the independent commission having become part of the Shays-Meehan proposal, the bill before us now has an added dimension. The commission created by this legislation will provide a means to address those issues that continue to breed public mistrust in our campaign finance system.

Today, Congress needs to face a harsh reality. Shays-Meehan, which now includes the independent commission, is the only real opportunity to deliver to the American people a campaign finance system that they can trust. I urge my colleagues to strongly support this rule.

Mr. DREIER. Mr. Speaker, as we rapidly use up our time on this side, leaving my friends with 15 minutes on their side, I am happy to yield 1 minute to my good friend, the gentleman from Tennessee (Mr. WAMP).

Mr. FROST. Mr. Speaker, I yield 2 additional minutes to the gentleman from Tennessee (Mr. WAMP).

The SPEAKER pro tempore. The gentleman from Tennessee (Mr. WAMP) is recognized for 3 minutes.

Mr. DREIER. Mr. Speaker, I thank the gentleman from Texas (Mr. FROST) for helping us out here.

Mr. WAMP. Mr. Speaker, it is great to be loved by both sides here today.

I rise in support of the rule and in great appreciation for the distinguished chairman of the Committee on Rules who I think has been very fair and courteous through this process, and also in great appreciation to the Speaker of the House who is proving to all 435 Members of the House today that he can be trusted to follow through on his word; that we would, in fact, this week in September consider the issue of campaign finance reform

after an overwhelming success last year on basically the same decision, and that is, the underlying text of Shays-Meehan, which we have before us today.

Of the four major alternatives that the gentleman from Arkansas laid out a few minutes ago, three of them truly address systemic campaign reform, that is, the issue of money and influence on the federal process. One of those four alternatives, though, frankly, does not stack up to the level of significant campaign finance reform as the other three. And that one is the Thomas substitute.

Now, the gentleman from California (Mr. THOMAS), the chairman of the Committee on House Administration is a brilliant man in this House; we all know that. He understands all of these issues extremely well, but what he has offered and the Committee on Rules embraced as a substitute really is an amendment, and my colleague, the gentleman from Florida (Mr. DAVIS), and I appeared before the Committee on Rules and asked that that amendment be ruled in order, not as a substitute or an alternative to the other three major provisions, but as an amendment so that it could be attached to our bill, because frankly, there is nothing in it that everybody would not desire as an amendment to any of the three major alternatives. Yet, it was chosen as a substitute.

Now, folks out there do not know what this really means, but what happens here is if it gets more votes than the rest of the bills, it goes forward; the rest stop, dead in their tracks, and therein lies somewhat of a gimmick in this whole process of today.

So there are issues that will be considered as we go through this day, and we are grateful for the opportunity that will not be what they appear on the surface, because people will be voting against things that are perfectly good so that the underlying bill, the Shays-Meehan bill, the bill with momentum, the bill that is the most significant campaign finance reform legislation to move through this Congress since 1974 can be considered on its own merits.

Now, today, as we go through all of this debate, Members are going to look for places to hide. I have seen this; this is my fifth year here. They look for some way to position themselves so that they can say I am for it, but. And the American people should say, the buts must stop now. You are for it, you are going to vote for it, you are going to move it forward. Soft money is the target. There are a lot of details that people will hide behind, but soft money is not defensible in today's environment. It is excessive, onerous, egregious, and should be removed.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume to first thank my friend for his complimentary remarks and then to respond to a couple of points that he raised.

First, what he described as somewhat of a gimmick is, in fact, something called regular order. We are proceeding with the regular Rules of the House here. And to describe the Thomas substitute as a measure which should, in fact, be considered as an amendment and not a substitute would be doing a disservice to the chairman of the committee which will be managing this legislation as it moves forward, and in fact, the Thomas substitute was the only substitute that was favorably reported from the Committee on House Administration, so I think it is important for us to just clarify the record. Again, under this regular order procedure, we are allowing the Members the opportunity to consider a wide range of alternatives.

Mr. Speaker, I yield 1½ minutes to the gentleman from Long Beach, California, Mr. HORN.

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

Mr. HORN. Mr. Speaker, I thank the Speaker. Speaker HASTERT told us in March, we will bring it up in September, and here it is September, and it is brought up. He is a person of his word.

I support the rule; I support Shays-Meehan. The question is, ''Do we have the will to get a majority?'' We had it last year; let us get it again this year. Will it stop current practices? Will it stop the auctioning off of the Lincoln bedroom? The greatest scandal in American history was the collection of foreign and domestic money for the 1996 presidential campaign. Shays-Meehan will stop that.

The time is now. Twenty-five years ago well-meaning colleagues thought that Congress was banning soft money. It turns out they were not. They had reform for individual candidates, but they failed when corporate money, union money, and very wealthy individuals' money, could be laundered through party organization committees of both parties and smaller parties. This flow of money was readily welcomed and the parties simply became great Automatic Teller Machines that one can push in at one end and millions of dollars come out at the other end. If we did that as candidates, we would be indicted. The parties are not. They had found a huge loophole. Shays-Meehan will end that.

Mr. Speaker, every right that we have flows to us in the governing of this country. We need to really reaffirm it by doing the right thing. We need to decide now whether our elections will be governed by law or manipulated by loophole. Let us do the right thing. Let us change the law. Let us make sure that people have faith in this institution and the institutions of government generally. If we do not do it, we will continue to see people as doubters about how ethically clean are legislators at the local, State, and the national levels. This is the chance to clean house. Let's do it.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. GEPHARDT), the Democratic leader.

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

Mr. GEPHARDT. Mr. Speaker, I rise today first to congratulate the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) for their excellent across-the-aisle, bipartisan work in bringing about this legislation. I might say that I hope that this bipartisan effort that they have put together with lots of Members from both parties is something that we cannot only win with today, but have repeated with other bills: the patients' bill of rights, education. We ought to be able to find a way to work across party lines to get things done for the American people. I want to congratulate both of them vociferously for the hard work that they have done day in and day out to get us to where we are today.

I would also like to recognize the work of our Democratic Blue Dogs and their discharge petition effort which forced the leadership to take our demands for a vote on campaign reform seriously. Because of their work, 202 Members of the House signed the discharge petition, urging the Republican leadership to bring Shays-Meehan to the floor, and we are able to be here today on the floor discussing this because of that discharge petition and the work that was done, again, in a bipartisan way to get this on the floor.

The truth is, some of the Republican leaders have done their best to prevent this issue from coming to the floor, despite the fact that a bipartisan majority of the House wants this vote. And they are still trying to kill reform with poison pill amendments and substitute bills. I hope that does not succeed. I hope the bipartisan majority for good campaign reform prevails.

This is a very simple issue. A vote for Shays-Meehan today is the best way and, in my view, the only way to begin to roll back the influence of wealthy special interests in government. It is the only way to focus the Congress back to the issues that the people I represent care about; to make our politics more responsive to their needs and not simply listening to wealthy special interests.

We have all seen what being bound to big money from special interests has done to our present legislative agenda. Republican leaders put the needs of powerful lobbyists ahead of average families and their needs. They killed gun safety legislation. They have tried to block a real patients' bill of rights, and they have refused to take action to make prescription drugs affordable to every senior.

Instead, they have introduced a tax bill which gives a small minority of wealthy Americans and corporations an $8 billion tax break which threatens the economic growth that is the best I

have seen in my lifetime. We have gone from a government by the people, for the people to a government of lobbyists and special interests.

By passing Shays-Meehan we take the first major step toward restoring the trust of the people in their government, in their House of Representatives, and returning us all to the agenda of ordinary American families.

□ 1400

It is time to begin this process. It is time for Shays-Meehan to be the law of the land. I ask every Member, Republican and Democratic, refuse to vote for the amendments designed to kill this reform, reject the Thomas substitute, which will only distract us from what we are supposed to be doing, and stand up today for Shays-Meehan, for real campaign reform. Return the people's Houses to the people of this great country.

Mr. FROST. Mr. Speaker, I yield 5 minutes to the gentleman from Maryland (Mr. HOYER), the ranking member of the committee of jurisdiction.

Mr. HOYER. Mr. Speaker, I rise in opposition to this rule and urge its passage. What did he say? What kind of doublespeak is this? Is he speaking out of both sides of his mouth? I will leave it for the Members to determine, and I will discuss this rule and why I think it ought to be passed, and why I think it is an unfortunate rule in that context.

Mr. Speaker, there is a disease infecting American politics today. That disease is cynicism—cynicism towards our public institutions and our public officials.

The symptoms are plain to see: civic disengagement, voter apathy, detachment, disaffection, and erosion of trust. In my view, this cynicism is inextricably linked to our current campaign finance system.

In the 1996 presidential election cycle, less than one-tenth of 1 percent of Americans contributed the maximum $1,000 per election for any candidate, according to the Advocacy Group on Public Campaigns. Yet, Americans cannot help but be awestruck by the so-called soft money contributions pouring into our politics. In the 1996 election cycle, the two major parties raised $260 million in soft money. The same group predicts this figure will explode to $750 million in this cycle.

Today, Mr. Speaker, we have a rare opportunity to attack this cynicism before it hardens into a more debilitating contempt. We also can show the American people that we indeed can work together in a bipartisan manner.

Just 13 months ago this House overwhelmingly passed the Shays-Meehan campaign finance reform bill, 252 to 179, 61 Republicans, 190 Democrats. There is no reason that we cannot pass this important measure by even a larger margin today.

As we all know, Shays-Meehan would chip away at this cynicism by banning soft money contributions. In addition, it would regulate issue advertising that is clearly aimed at electing or defeating a specific candidate.

While I am hopeful that we will pass Shays-Meehan once again, I am mindful that the path to victory is treacherous. That is because the rule governing today's debate in my view is designed to do one thing only, to kill Shays-Meehan. That is why I said at the beginning that I rise in opposition to this rule but urge its support, because I fear if it goes down, we will not have the opportunity to consider Shays-Meehan.

Here is what the Washington Post said about the 10 amendments made in order by this rule: ''They were written and chosen either to vitiate the Shays-Meehan bill, or to poison it for Democrats who might then take the lead in killing it. Perhaps even worse, this rule pits noncontroversial Federal Election Commission reform, the Thomas substitute, against Shays-Meehan.'' If the Thomas substitute receives more votes than Shays-Meehan, the latter, of course, dies, and we will never even get to vote on it.

The substitute on FEC reform is not nor was it ever intended to be campaign finance reform. I ought to know. The Thomas substitute we will consider under this rule incorporates many of the provisions that I sponsored in H.R. 1818. But make no mistake, FEC reform is not campaign finance reform. FEC reform should have been on a suspension calendar or made as an amendment to Shays-Meehan. It was not. It was not because if it is adopted, it will automatically kill Shays-Meehan.

I urge my colleagues to vote against the Thomas substitute, which I support, but I support Shays-Meehan today, and we can support Thomas tomorrow.

I should note, too, that not one of our four committee hearings this summer, not one, was focused on FEC reform. Frankly, as best I can tell, their only real purpose was to try to discredit Shays-Meehan.

Finally, despite the fact that this is an unfair rule, as I said at the outset, I urge my colleagues to adopt it, to adopt it so that we can consider legislation critical to trying to allay the cynicism of which I have spoken.

Rules, of course, are not always fair, but there is no reason we cannot overcome the obstruction in our path, pass the bipartisan Shays-Meehan bill, and chip away at the cynicism toward American politics that exists today. I urge my colleagues to reject the poison pill amendments, to reject the Thomas substitute so we can adopt it on another day, to leave standing Shays-Meehan, and to vote in a bipartisan, overwhelming fashion to tell the American public that we are in fact, as our leader has said, going to return this House to the people.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I want to put this debate into a little perspective. When the United States became independent, when our Constitution was adopted, there were many skeptics who said that our new system of government would not last, a republican form of government, a democratic form of government. There had been many republics and democracies in the past and in antiquity, in Middle Ages, but they had not lasted. They all, every single one of them, degenerated into oligarchies or autocracies. Skeptics said this new democratic republic would not last, either.

There have been two greatest tests of our democratic system. In the Civil War, because of slavery, Lincoln quite correctly characterized it as a test of whether a government of the people, by the people, and for the people could survive.

Now we face a second great test, the increasing domination of our politics by big money. People are cynical, and rightly so. They believe that their participation, their voices, cannot count against the power of big money, and recent experience says they are right.

We all know the power of the HMOs, the pharmaceutical companies. We watched this Congress pass a $50 billion giveaway to big tobacco companies. We gave away, not sold, not rented, gave away a $70 billion spectrum to the broadcasting companies. Why? Because of the power of big money.

That power has corrupted both major political parties, and if we do not stop it, if we do not take this step, Shays-Meehan is the first step towards shopping it, when the histories are written, they will say the United States had a good 200-, 250-year run with democracy, and then it degenerated into an oligarchy and not a democratic system.

We must begin to stop it now. We must pass Shays-Meehan. We must reject the trickery and the conniving of the Republican leadership in putting all these procedural obstructions in its path. If we want democratic government to survive into the next millenium, this is the time to start saying so today.

Mr. DREIER. Mr. Speaker, I yield 1½ minutes to my very good friend, the gentleman from Pennsylvania (Mr. GREENWOOD).

Mr. GREENWOOD. Mr. Speaker, I thank the chairman for yielding time to me, and I thank him, as well as the Speaker, for his fairness in allowing us to bring this to the floor today.

Mr. Speaker, the issue of how we finance our campaigns overshadows and undermines every other issue we debate in this Capitol. It distorts our policy with regard to the national defense of our Nation, it distorts and skews our policy with regard to health care, it distorts and skews our policy with regard to environmental protection.

Reasonable men and women of this Chamber, friends of mine who come to

the floor and argue otherwise, they will argue that when unions or corporations contribute hundreds of thousands of dollars in soft money to the parties, that in fact that has no effect whatsoever on the policy that proceeds from this House.

I do not believe that, but reasonable people can differ. What is clear, though, is that the fact that there is this question before us undermines public confidence in democracy, and the public's confidence in our institutions of democracy is too important, far too important to act in any way but to err on the side of prudence.

Mr. Speaker, the standard for conduct in public office is not simply for public officials to avoid conflicts of interest. It is for us to avoid the appearance of conflicts of interest. Clearly, indisputably, the current system creates at least the appearance of conflict of interest, conflicts of interest between what is in the best interest of the American people and what is in the interest of those who donate such large sums to the parties.

Shays-Meehan allows us to transcend that conflict of interest. I urge its support.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota (Mr. VENTO).

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

Mr. VENTO. Mr. Speaker, this is a bad rule and a bad deal, but it is the only option we will get in this Republican controlled House.

The effort here is to try and defeat, and if not to defeat to undercut, any positive step to make a downpayment upon true campaign finance reform. The Republican leadership does not want to enact campaign reform. Their transparent behavior and actions speak louder than words, the Republican postponement of the Shays-Meehan bill so it will not likely reform the 2000 election cycle late in this session, and even then to float so many amendments, such wood decoys, as to distract and shoot down true campaign finance reform.

Today, hopefully, the House and the American public, will let them know it's not duck season, will avoid falling into this public relations trap and demand reform which will ensure the empowerment of voters.

Pass Shays-Meehan. Restore credibility. Empower voters, not just the special interests in this cycle. Restore confidence to the American public. Elections are at the core of our democracy. We need to take this step and pay an installment in terms of campaign reform.

Mr. Speaker, today the Majority leadership is trying to turn the old saying, ''If it quacks like a duck, if it walks like a duck, it must be a duck'' on its head. Under that strategy, they hope to put out enough wooden decoys to distract our attention and the attention of the American people. With such waddling around and a cacophony of quacking on campaign reform, they hope that they will be able to distract, to decoy the House from voting for a responsible change in our campaign laws and to avoid public accountability for their actions to block real campaign reform.

Mr. Chairman, that strategy will not work. The Members of this House, are working on a bipartisan basis for positive change within the limits of the Constitution. The American people know that today's system of political campaigns and how we fund them is broken. The American voter also knows that we have to enact meaningful reforms to return our political process to free our political process from the perception and reality of special interest control and empower the public interest as vital to a democracy.

The essence of this debate is returning our political process to the American people; clarifying the election process as inviolate and making certain that the people have a restored sense of control through their participation; making certain that their vote makes a difference. As campaign spending has skyrocketed and campaigns have come to rely more and more on paid media, paid phoners and paid consultants, the growing disillusionment of the American public has been evidenced by declining numbers at the voting booth across the nation. A simple review of the Federal Elections Commission compilation of national voting turnout reflect a steady erosion in turnout over the past 30 years. In 1960, over 63 percent of the U.S. voting age population voted. In the last Presidential election, only 49 percent eligible citizens actually voted. For non-presidential years, the percentage of voting age population who actually voted dropped by an alarming 11 percent.

There is no need to explore in great depth, the causes for voter drop-off. Legions of political scientists have debated this matter in academic circles for over the past decade. And we, the practitioners of politics, also have our own preconceptions of what has brought about the decline in voter turn-out. For too many voters political campaigns have become too slick and too negative. The result, the voter just disengages from political campaigns.

Unfortunately, most of the options before us do nothing or too little to address the totality of this problem. Instead these proposals are new schemes designed to sidetrack this Body; to subvert the goal of campaign finance reform; and to embed in law special advantages and special interest control. In particular, I would like to draw my Colleagues' attention to the amendment to be offered by the Member from Pennsylvania, Mr. GOODLING. This amendment, masquerading as ''campaign reform'', in reality targets one segment of our society, labor unions, and gags them from communicating with the membership. This amendment ignores the fact that unions today are prohibited from using union dues in federal political campaigns and that individuals cannot be forced to pay funds that will be used for political purposes. This Shays Meehan legislation in fact treats unions the same as everyone else by clocking the use of ''soft money'' and closing the ''express advocacy'' loophole. Perhaps that is the problem with this legislation, it is too fair. It treats Democrats and Republicans, labor and business, the NRA lobby and gun safety groups alike. The opponents of this bill would rather have a bill that tilts the process in their direction. The inherent balance of Shays Meehan is the correct way to go, not an approach that gives an advantage to any group.

By approving the Shays-Meehan bill, Congress will be taking the first positive step in campaign finance reforms in decades. This legislation will certainly not eliminate all problems. This bill will not stop negative campaigning. Nor does it bring all campaign spending under control. The Shays-Meehan bill will, hopefully, be the first step in restoring some sanity to our campaign process. By eliminating the infusion of ''soft money'' into campaigns and closing the ''issue advocacy'' loophole, we are taking important positive steps to regain control and public accountability into our political base. This foundation will hopefully lead to further positive legislation to restore the rightful role of the American people in our political process. Critics say it will not work because of the courts or that the only way to go is public financing. The fact remains that this bill addresses serious loopholes and presents a common ground basis to act today.

To restore the role of the people and to return campaigns to a debate on issues, not sound bites, we must defeat the distracting phony decoy ducks that the Republican leadership and other anti-reform groups have floated and pass the Shays-Meehan bill today, as installment payment to restoring voter confidence and credibility to the federal election process now not later.

Mr. DREIER. Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I feel very strongly about the need to reform the system that finances our elections on political parties. Far too much of the time of this Chamber is devoted to fund-raising. We as Members know it, and so do our constituents. It is not surprising that the current system has led to a serious erosion of public confidence in the democratic process.

Also, we know that all too often the policy has been shaped by campaign contributions. One needs look no further than what we have seen with the tobacco industry over time. The most egregious example I have seen since I have been in Congress was the $50 billion tax break for the cigarette manufacturers slipped into the 1997 tax reform legislation unannounced.

This campaign finance legislation, authored by the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN), does not just improve our terribly flawed system. More important, it will break a logjam that has prevented reform.

It will show the American people we can deliver something that is good for the political process and good for America. It will help us clean up the political process and make other reforms easier and more likely. It will help us exercise the bipartisan collaborative reform tendencies that can have a huge impact on the people's business in this Congress and beyond.

I urge a rejection of the poison pill amendments, and to pass Shays-Meehan.

Mr. FROST. Mr. Speaker, I yield myself such time as I may consume to close.

Mr. Speaker, it is important that campaign finance reform come to the floor and be voted on. For that reason, we will not oppose this rule, even though this is an unfair rule, an unusual rule, and a rule structured by the majority to provide the maximum opportunity for mischief and the maximum opportunity to deny the House a direct vote on Shays-Meehan.

This is not a good rule. This is not a fair rule. But the minority has no choice but to permit the process to go forward and attempt to frustrate the majority's mischief by uniting our side with Members on the other side who want true campaign finance reform.

We will support Shays-Meehan. We reluctantly agree that this rule should go forward so the debate may begin.

Mr. DREIER. Mr. Speaker, I yield myself the balance of my time.

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

Mr. DREIER. Mr. Speaker, I am happy, even though it is reluctant, to have the support of Members of the minority for this rule. But I have to tell the Members that they should be enthusiastically supporting it.

Why? Because it is in fact a very fair and balanced rule. In fact, the degree of fairness is greater than what it was when my friends on the other side gave when they were in the majority.

□ 1415

This is something called regular order. Now, our regular order, in fact, says that the gentleman from California (Mr. THOMAS), as chairman of the Committee on Administration, has allowed to move forward the one substitute that was reported favorably from his committee and have that considered as a substitute. We have also chosen to make two other substitutes in order.

As I said in my opening remarks, 26 amendments were submitted to the Committee on Rules. Of those, we have made in order 13. One amendment was offered by a Democrat, and that amendment was made in order. So my Democratic colleagues have had every amendment that they submitted to the Committee on Rules made in order under this measure.

So it is a very fair rule. It is what is known as regular order. There is no poison pill involved in here. We are following regular order, which is exactly what Speaker HASTERT said when he stood in this well on the opening day of the 106th Congress. So I urge my colleagues to support the rule.

I will say that I am one who does believe very, very strongly in the importance of the First Amendment to the U.S. Constitution. I think that the gentleman from California (Mr. THOMAS) is right on target in trying to provide a wide array of information to the American people as they look at the prospect of choosing their leaders.

The issue of campaign finance reform is important. It is important for us to make sure that we do everything that we can to protect and nurture that First Amendment to the Constitution. That is the reason that I am supportive of the Doolittle substitute, and I will be supporting the gentleman from California (Mr. THOMAS) in his effort.

I know there has been a lot of talk about what the level of public interest is in this issue, and clearly there are some people who want to spend a lot of time focused on it. I do not think that we should be legislating based solely on what is the highest rated poll item. But I will say this, the issue of campaign finance reform is not quite as important as some of my colleagues have said.

When the gentleman from New York (Mr. NADLER) talked about this being such an important issue, a decisive issue, as we juxtapose it to the Civil War, it seems to me that there are a wide range of important things that have taken place betwixt the Civil War and today, ranking all the way from the Second World War to the civil rights legislation, which was very, very important for our country. As the gentleman from California (Mr. THOMAS) has just reminded me, we had a man who walked on the moon 3 decades ago. So there are lots of things that are important.

We are, because of the level of interest that exists in this body, proceeding with consideration of this campaign finance reform measure under regular order, and I look forward to a free-flowing and stimulating debate.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON S. 1059, NATIONAL DEFENSE AUTHORIZATION ACT OF 1999

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 106–316) on the resolution (H. Res. 288) waiving points of order against the conference report to accompany the Senate bill (S. 1059) to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1655, DEPARTMENT OF ENERGY RESEARCH, DEVELOPMENT, AND DEMONSTRATION AUTHORIZATION ACT OF 1999

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 106–317) on the resolution (H. Res. 289) providing for consideration of the bill (H.R. 1655) to authorize appropriations for fiscal years 2000 and 2001 for the civilian energy and scientific research, development, and demonstration and related commercial application of energy technology programs, projects, and activities of the Department of Energy, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1551, CIVIL AVIATION RESEARCH AND DEVELOPMENT ACT OF 1999

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 106–318) on the resolution (H. Res. 290) providing for consideration of the bill (H.R. 1551) to authorize the Federal Aviation Administration's civil aviation research and development programs for fiscal years 2000 and 2001, and for other purposes, which was referred to the House Calendar and ordered to be printed.

BIPARTISAN CAMPAIGN FINANCE REFORM ACT OF 1999

The SPEAKER pro tempore (Mr. BONILLA). Pursuant to House Resolution 283 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 417.

□ 1420

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 consideration of the bill (H.R. 147) 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. HOBSON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from California (Mr. THOMAS) and the gentleman from Florida (Mr. DAVIS) each will control 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Chairman, I ask unanimous consent that the gentleman from Connecticut (Mr. SHAYS) be permitted to control 11 minutes of my time and the gentleman from Massachusetts (Mr. MEEHAN) be permitted

to control 9 minutes of my time during the general debate.

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

Mr. THOMAS. Mr. Chairman, reserving the right to object, what would then be the time division? The gentleman from Florida (Mr. DAVIS) would remain with how many minutes?

Mr. DAVIS of Florida. Mr. Chairman, that would leave 10 minutes.

Mr. THOMAS. Eleven, nine, and ten.

Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. THOMAS).

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

Mr. Chairman, as we enter into this debate, I do think it is important to listen to ourselves. The chairman of the Committee on Rules made reference to the gentleman from New York (Mr. NADLER) in terms of this particular vote being the most important vote to occur in this society since the Civil War. That statement is just silly. But I am much more concerned about statements made such as, ''The American people believe we have a rigged and corrupt system.'' Or ''Elected officials have been bought and paid for.''

To the degree that those are presented as factual statements, I can assure my colleagues, any evidence that would prove that I would love to have it in my possession. The Federal Election Commission would love to have it. I believe these are basically rhetorical comments about what they believe to be the situation.

Well, I can assure my colleagues, if that is going to be the level of debate, if anybody disagrees with the Shays-Meehan supporters, they are therefore corrupt or that if they believe firmly that substantive differences offered in substitutes are not honestly represented, then I think we are going to have characterized on the floor of the House one of the fundamental problems we have in the area of campaign reform and that is some people believe that what they are advocating is not only perfect, but truth, that simply by positing it, everyone else in the system is somehow less than they are if they do not agree with it.

One of the things I think we need to establish at the beginning of this debate is that people can honestly differ and not be sinister, not be corrupt, not try to rig the system. Frankly, I think the supporters of Shays-Meehan have to get over hurdle number one, and that is go back to the definitive Supreme Court case dealing with this era of campaign reform and explain to many of us why Shays-Meehan is not simply, absolutely, flat-out unconstitutional.

Because back in 1976, the court said, ''We agree that, in order to preserve the provision against invalidation on vagueness grounds, that the Federal Election Campaign Act definition must be construed to apply only to expenditures for communications that in express terms advocate the election or defeat of a clearly identified candidate for Federal office.''

The courts have held to that position consistently. All one has to do is look at some recent cases. Only go back to 1988. Shays-Meehan section 201 is unconstitutional based upon the decision in the Right to Life of Duchess County versus the FEC. Section 206 of Shays-Meehan is patently unconstitutional in the 1999 decision FEC versus the Christian Coalition.

We are going to be talking about money spent in the system, and they are just absolutely concerned about ''soft money.'' Well, then, why do they not focus on the need to change the hard money provisions? Those were set back in the 1970s. This year in Nixon versus Shrink Wrap, in the 8th Circuit Court, overturned Missouri's $1,000 contribution limit as being so low that it impaired free speech.

I think it is fairly ironic that, when we look at this legislation, the question I think we really ought to address is whether or not the supporters of Shays-Meehan have a problem with other Members of the House of Representatives duly elected presenting their position and their constituents' position or whether or not they have a problem with the Supreme Court of the United States that somehow stubbornly believes that the First Amendment requires some degree of privilege; and that rather than follow the slippery slope of it sounds like, it may be, it appears to be, it ought to be campaign speech, the court very rightly bright-lined the test, express advocacy.

My colleagues can shop around it, they can sneak around it, but we will deny people the freedom of speech only if it is express advocacy.

Frankly, in many sections of the Shays-Meehan bill, it tromps all over, it tramps all over people's individual First Amendment freedoms. There is no question that, if this legislation became law, major sections of Shays-Meehan would be declared unconstitutional. We have gone down this route before. Let us not go down it again. Let us talk about passing legislation that can actually become law and begin to make changes.

Mr. DAVIS of Florida. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, I do not think the debate here today is about whether the system here is broken. I think, fortunately, that debate is over. This system is broken. This system is rancid. It needs repair.

I do not think the debate here today is about constitutionality. We know, those of us who proudly support Shays-Meehan, that we are about to pass a constitutional bill.

But let me set forth some facts here. In the 1991–1992 election cycle, $86 million in soft money was raised and spent by both political parties. By 1996, that number had exploded to $260 million. In next year's election cycle, it appears that may reach an unprecedented level of $500 to $750 million.

This is a system out of control. This is an example of excess. Control is moving further and further away from people and more and more in the hands of special interests. Those are the facts.

The same problem is developing with respect to the sham issue ads. The argument that we are having to debate here on the floor of the House of Representatives is whether people in this country who have special interests before Congress should have a right to anonymous political advertising. These groups on the right and left are so ashamed of their ads, they are unwilling to put their names on it.

As a result, the voters are disenfranchised because they are misled, they are deceived, they do not know whose voice they are hearing that is telling them how to vote for a particular candidate.

These are the merits we are going to defeat today. We need to defeat amendments like the Doolittle amendment that are designed to gut this bill.

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

Mr. THOMAS. Mr. Chairman, it is my privilege to yield 3½ minutes to the gentleman from Arkansas (Mr. HUTCHINSON) who, from the day that he set foot in this Chamber, has been for responsible campaign reform.

Mr. HUTCHINSON. Mr. Chairman, I thank the gentleman from California for yielding me this time, and I thank him for his leadership on this issue, who has been very mainstream and careful about his approach to it.

The gentleman from California (Mr. THOMAS) mentioned the Nixon case in Missouri that it set contribution limits of $1,000, and the 8th Circuit Court of Appeals said that that is too onerous and set that aside. Now that is going to be at the United States Supreme Court level, but it raises a problem.

The Supreme Court has said that contribution limits are constitutional, that it is certainly fair and reasonable for this body to determine that there is an appearance of impropriety or concern about the appearance of corruption and, therefore, we can set contribution limits. But we know that we set those in 1974.

Since then, they have been eroded by inflation to the value is only $300 today. So now the courts are taking a fresh look at this and saying, are those contributions limits constitutional in today's atmosphere and in today's economy?

So I think that it is important that we protect the role of the individual by having contribution limits but at the same time making sure they are indexed for inflation so that they do not continue to erode.

During this debate, we will be offering the Hutchinson substitute sponsored by many of my former freshmen colleagues. In that, we are the only proposal that actually increases the role of the individual by indexing limits to the rate of inflation. I think that is real progress. It will assure the constitutionality of the limits that we place in terms of contributions.

□ 1430

My good friend from Florida (Mr. DAVIS) who has been such an ally in understanding the need for reform, and I agree with him, there is the need for reform in our society; but he mentioned that we should be ashamed of anonymous ads out there.

If we go back to Thomas Payne and ask him about anonymous pamphleteering, he would say that is a basic freedom that we have. We put out information, and I think every group, they should be able to identify who they are and how much money they are spending. I think that is relevant information for the American public. But what is wrong, and this is proposed in the Shays-Meehan bill, is that we go into their contributor list, we go in and say, who gave to you, and restrict how much these groups can raise and where they get their money and make sure they disclose it.

The NAACP challenged this one time and said that we do not want to disclose our contributor list because they could be intimidated, during the civil rights era. The United States Supreme Court said, that is right, we cannot disclose the donors to a group like that.

Let us do not erode that freedom that we have by going in and saying that we want to disclose the contributors to every group that is out there.

So the bill that we are offering that will be in the debate accomplishes the main objectives of banning soft money to the federal parties.

Secondly, it increases information to the public, but it does not trounce upon the Constitution of the United States.

As candidates, we do not like criticism and ads ran against us. But does our discomfort justify restraining the freedom of others? I think the answer is no.

The Hutchinson substitute does not trounce upon the Constitution. It provides strong, reasonable reform that can pass this body, that can go to the Senate and have a better chance of capturing the vote. I believe that is the direction that we should go. I compliment all of my colleagues that have been moving toward reform and showing the American people that we can accomplish this in the United States Congress.

Mr. SHAYS. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Chairman, let me thank, first of all, the author of the bill and the gentleman from Massachusetts (Mr. MEEHAN) for their leadership on this issue.

We dealt with this in the Florida legislature back in 1992. We reduced the amount of money that PACs and individuals could give. And everybody said at that time Armageddon. It will not work.

My colleagues, let me just tell all those listening: the Republican party actually won. They are in control of the House, the Senate, and the Governor's mansion. So our party should not fear this issue. Because I think the voters recognize there is a significant problem in politics today, and it is called money. Money influences politics.

This is not unreasonable. This does not limit free speech. This is not Armageddon, political suicide, unilateral disarmament. I think we are fighting a war rather than a sensible discussion on campaign finance reform.

So I urge all of my colleagues as they are listening today to think about the average individual.

Yes, I have heard from my side of the aisle that people at town hall meetings do not bring up campaign finance reform. Of course they would not. Why would they? They want to know what is happening on crime, education, health care, things that matter to their lives. But if we ask them one stand-alone question, Do you think campaign finance influence politics? they would give us a resounding ''yes.''

Let us fix the system. Shays-Meehan does it. I am proud to support it.

Mr. MEEHAN. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Mrs. MALONEY), a leader in the effort to pass meaningful campaign finance reform.

Mrs. MALONEY of New York. Mr. Chairman, I rise in strong support for the bipartisan Shays-Meehan bill.

I would first like to commend the authors of the bill, the gentleman from Massachusetts (Mr. MEEHAN) and the gentleman from Connecticut (Mr. SHAYS), for their extraordinary consistent leadership. They have worked selflessly along with a bipartisan coalition.

The American people strongly believe that money should play less of a role in American politics, that candidates should be elected on the strength of their ideas and not the depths of their war chests.

Campaign finance reform is not just about one issue. It is about every issue that Congress considers: gun safety, patients' bill of rights, minimum wage. And the American people know it.

Shays-Meehan will significantly reduce the role of special interests and money in American politics. Let us show the American people that our Government is not for sale, that our elections are not auctions to the highest spender. Vote for Shays-Meehan and campaign finance reform.

Mr. THOMAS. Mr. Chairman, I yield myself 10 seconds.

Mr. Chairman, the gentlewoman from New York (Mrs. MALONEY) talked about campaign war chests. Those are basically hard money. They are, in fact, totally hard money, not soft money. Sometimes we get carried away with our rhetoric. She is referring to something which is not at issue in this bill.

Mr. Chairman, I yield 4 minutes to the gentleman from Nebraska (Mr. BEREUTER.)

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

Mr. BEREUTER. Mr. Chairman, I thank the gentleman from California (Mr. THOMAS) for yielding me the time.

Mr. Chairman, campaign finance reform is far afield from my committee assignments; but I think I, like every Member of the House, must focus on this issue because it is of fundamental importance to the American political system.

The way that we conduct our affairs here, what we do and what we do not do, is so often related to campaign finance issues. More importantly, I think, much beyond that is the fact that the citizens' perception of the relationship between campaign finance and the way their elected representatives vote and perform is very negative. They have a view that the current campaign finance system causes us to fail to act in their interest.

That is causing a corrosive effect upon our system. We need to deal with it. Both parties know that we need to have campaign finance reform. Neither, however, is willing to give up the particular special advantages that that party has in the current system or process.

Now, back in the last Congress in which I served in the minority, we had, I believe, a very extensive, thorough task force effort to begin to focus on what changes were needed in campaign finance reform. It is the basis of much of the legislation that I have introduced or cosponsored over the years.

Our failure to reduce the disproportionate impact of money in elective politics is, my friends, having a corrosive effect upon the American political process. It contributes to suspicion and skepticism among our citizens. Furthermore, there is more than enough blame to go around for both parties.

I would like to focus just on two elements here. First, I would say, with respect to the Shays-Meehan bill, I think that, unfortunately, the gentleman from California (Mr. THOMAS) is right that some aspects of that legislation are indeed unconstitutional. But what disappoints me about our two colleagues who have introduced this legislation is that they have ignored the action of the House twice now on the subject of campaign contributions from noncitizens and from people that are not U.S. nationals.

This House has expressed itself, saying that the elections, specifically the campaign contributions process leading up to it, should be reserved for citizens and U.S. nationals, like those from American Samoa for example.

When these two distinguished colleagues said they made minor adjustments in the legislation they reintroduced in this Congress, they specifically did not do what the House had instructed them to do by a wide majority vote: restrict contributions to Federal campaigns to U.S. citizens and U.S. voters. And we know that the American people expect that prohibition is or should be law. This is a loophole that became very apparent in the course of the last presidential campaign, and we have a responsibility to deal with that issue.

The charges against the Bereuter-Wicker amendment are not true. I will show in the course of the debates on the Wicker-Bereuter amendment that, in fact, the arguments against it are not valid, or are not procedurally correct.

I also want to say, as a representative from a State that has a low population, that citizens of our State are very disturbed about the fact that in recent elections in our State more than half of the money to elect a U.S. senator has come from outside the State. Indeed, in one of our races, over half the money came in from the State of California. In a recent open-seat election in the State of South Dakota, the most expensive Senate race per capita in history was from that constituency. Indeed the greatest proportion of money came in from other states. This is resented by the citizens of that state. It is not a proper approach. We need to limit the majority of the amount of money coming into House races and Senate races to contributions from citizens of those congressional districts and the respective states.

I urge my colleagues to support the Bereuter-Wicker amendment and the Calvert amendment.

Mr. DAVIS of Florida. Mr. Chairman, I yield 1 minute to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Mr. Chairman, as I was thinking about campaign finance reform last night, I also thought a little bit about the football game. Just imagine the headlines if teams started contributing to referees based on how that referee called their games. Sports fans everywhere would be absolutely outraged.

But our democracy is in the exact same quandary. Every Member of this chamber knows that millions of dollars can flow in and out of campaigns from soft money sources depending on how we call the game in Congress.

As a result, the family checkbook is playing a smaller role in our democracy. Special interests are gaining more influence than ever over who is in office, what they support, and what types of bills this Congress passes. Frankly, this is not what democracy is all about.

I realize that money and campaigns are impossible to totally separate, but a fair and open campaign finance system can exist if we support the Shays-Meehan campaign finance reform bill. We have the opportunity to do that today. Please do not support the poison pill amendments. Please support the Shays-Meehan campaign finance reform bill.

Mr. SHAYS. Mr. Chairman, may I inquire as to how much time the gentleman from California (Mr. THOMAS) has remaining versus the three that are dividing up the other time.

The CHAIRMAN. The gentleman from California (Mr. THOMAS) has 17¾ minutes remaining. The gentleman from Florida (Mr. DAVIS) has 7½ minutes remaining. The gentleman from Connecticut (Mr. SHAYS) has 10 minutes remaining. The gentleman from Massachusetts (Mr. MEEHAN) has 8 minutes remaining.

Mr. SHAYS. Mr. Chairman, I yield 1 minute to my colleague, the gentleman from Minnesota (Mr. RAMSTAD).

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

Mr. Chairman, I rise as a cosponsor and strong supporter of the bipartisan Shays-Meehan campaign finance reform bill.

The American people want us to be honest and fair, to play by the rules. That is why we need to eliminate soft money, which is clearly the biggest cancer on our political system, a cancer that has undermined people's trust in the system and many elected officials.

Soft money is not honest. It is obviously a way to circumvent campaign contribution limits. Soft money raises at least the perception of undue influence on elections and candidates. It is time to ban soft money and erase the suspicion that Washington is for sale to the highest bidder.

Also, Mr. Chairman, the so-called issue advocacy ads in many cases are nothing more than a sham, and we all know it. They are a way to avoid accountability and a way to avoid contribution limits. In short, they do not play by the rules, either.

Let us do the right thing today for the American people. Let us restore trust and accountability in our political process. I urge my colleagues to resist the poison pill amendments and pass the clean Shays-Meehan campaign finance reform bill.

Mr. MEEHAN. Mr. Chairman, I yield 1½ minutes to the gentlewoman from California (Mrs. CAPPS) who, when she got elected in the last session, the very first bill when she got elected to take the place of her husband in the Congress was a sign-on to the Shays-Meehan bill.

Mrs. CAPPS. Mr. Chairman, I thank my colleague for yielding me the time.

Mr. Chairman, I congratulate the authors of all the bills before us today. There are some good provisions in the various substitutes being offered, but that is what those bills are, a substitute for the real thing, a substitute for real reform.

Every major reform organization in this country agrees that the Shays-Meehan bill is the one bill which can restore integrity to our campaign finance system. It is the only proposal that deals with the two biggest problems in our federal elections, soft money and sham issue ads.

It is unfortunate that here we are again discussing the merits of Shays-Meehan versus other proposals. A year ago we debated many of these same proposals, and we passed Shays-Meehan by a vote of 252 to 179.

The House has already decided that Shays-Meehan is the bill we want to send to the Senate. None of these substitutes deal with the problem of sham issue ads, which allow powerful interest groups to pour unlimited, unregulated dollars, often from unknown sources, into our campaigns.

□ 1445

These ads clearly advocate the election or defeat of a particular candidate but are not subject to present campaign finance regulations.

Last year, as was mentioned, I endured four grueling elections and watched as wave after wave of attack ads flooded my district under the guise of informing voters. These ads distorted both my record and the record of my opponent.

The Shays-Meehan bill effectively ends the misuse of issue advertising. It does so by requiring all ads which clearly urge the support or defeat of a candidate in a Federal election to be treated like what they are, political ads.

Let us restore the public's trust in our political system. We need to pass the Shays-Meehan bill and send it to the Senate today.

Mr. THOMAS. Mr. Chairman, I yield myself 30 seconds.

I would remind the gentlewoman that the Supreme Court has said that expenditures for communications that in express terms advocate the election or defeat of a clearly identifiable candidate, and that only.

The statement she just made proves that Shays-Meehan is unconstitutional.

Mr. Chairman, I yield 3½ minutes to the gentleman from Texas (Mr. DELAY), the distinguished majority whip.

Mr. DELAY. Mr. Chairman, I appreciate the gentleman's comments. It also proves that Shays-Meehan is nothing more than incumbent protection.

Mr. Chairman, it continues to amaze me that Members of Congress, newspapers and ''senior scholars'' continue to advocate limiting free speech and prohibiting citizens from criticizing government officials and incumbents in the name of ''campaign reform.''

The first amendment, America's premier political reform, was not written for pornographers or flag burners. It was drafted to allow citizens to petition and criticize their government. But Shays-Meehan would stifle free speech and end criticism of elected officials at critical stages of the election process.

Make no mistake about it. Shays-Meehan guts the first amendment, threatens citizen participation in the political process, and ends the ability of citizen groups to educate the public unless they file bureaucratic paperwork with the Federal Government. All things considered, this is the mother of all government regulation, because it attempts to control the political process and limits freedom just to protect incumbents.

The Shays-Meehan bill will erect a Byzantine set of laws and over 275 new government regulations that will gag citizens' speech. These attacks on issue advocacy through statute and regulation have repeatedly been declared unconstitutional by the Supreme Court and other lower Federal courts. The high Court has always viewed issue advocacy as a form of speech that deserves the very highest degree of protection under the first amendment. That Court has not only been supportive of issue advocacy, it is untroubled by the fact that issue advertisements may influence the outcome of elections.

In Buckley v. Valeo, the Justices stated, and I quote, ''the first amendment denies government the power to determine that spending to promote one's political views is wasteful, excessive or unwise.''

The Court continues to state that it is the people, individually and collectively, some people call them special interests, but they are people, they are American citizens, individually and collectively in associations and committees who should retain control of the debate.

Some try to argue that free speech is not an issue here. But the free speech implications of the legislation are very clear. For example, Shays-Meehan supporter and House minority leader Richard Gephardt has said that we cannot have both freedom of speech and healthy campaigns in a healthy democracy.

Mr. Chairman, we must have both. Freedom and reform are not mutually exclusive principles. Shays-Meehan gives us neither. I urge my colleagues to vote ''no'' against Shays-Meehan.

Mr. SHAYS. Mr. Chairman, I yield 1½ minutes to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. Mr. Chairman, my good friends and colleagues seem to have thought that the Supreme Court ended its jurisprudence with Buckley v. Valeo in 1976. Ten years later, the Supreme Court ruled in FEC v. Massachusetts Citizens for Life, and I quote:

> The fact that this message is marginally less direct than ''Vote for Smith'' does not change its essential nature. The Edition goes beyond issue discussion to express electoral advocacy. The disclaimer of endorsement cannot negate this fact. . . . The ''Special Edition'' thus falls squarely within [the law] . . . for it represents express advocacy of the election of particular candidates. . . . 479 U.S. 238, 249–250 (1986).

Even though it did not say the magic words ''Vote for Smith.''

And also as the Supreme Court said 10 years after Buckley v. Valeo, and I quote,

> We have consistently held that restrictions on contributions require less compelling justification than restrictions on independent spending. 479 U.S. 238, 259–260 (1986).

In Shays-Meehan, we have a restriction that contributions raised outside of the $1,000 per person maximum, cannot show up in the funds that go for express advocacy television advertising. It is a restriction on the source of our money. On these two constitutional points, let us not make a mistake referring to Buckley v. Valeo as the last word.

I conclude with these two points. The Supreme Court said you can control contributions much more freely than you can control expenditure. The other side only quotes that it is hard to impose restrictions on expenditure. And, secondly, in FEC v. Massachusetts Citizens for Life, the Supreme Court said, it is the content, the effect, not the magic words. The words kill, the spirit giveth life.

Vote for Shays-Meehan.

Mr. DAVIS of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Chairman, I rise today as president of the freshman class and as a strong supporter of the Shays-Meehan campaign finance reform bill.

We need to get back to some common sense and to what folks are thinking back in their homes. When they watch their TV set and they see the unlimited independent expenditures and the so-called issue advocacy ads, when they open their mailbox and vicious propaganda comes spewing out, they know in their hearts that something is desperately wrong with the current system.

If we ask our voters a couple of questions, we know what the answers should be: Do you want your elected representatives to spend more time on the phone begging for dollars or more time with their constituents and studying issues? Do you want unlimited amounts of external money from untraceable sources to influence the outcome of your election or do you want the character and the knowledge and the ability of the candidates in competition to influence the outcome of the election? Do you want the legislative process to be skewed by big dollars or to be determined by the merits of the argument? That is what is at stake here. It is that simple.

Shays-Meehan may not be perfect, but it is pretty darn good, and it is the best we have had coming down the pipe in a long time. The American people know in their hearts it is time to fix this system. As President of the freshman class, I urge my colleagues to support Shays-Meehan.

Mr. MEEHAN. Mr. Chairman, I yield 1½ minutes to the gentleman from Michigan (Mr. LEVIN), a leader in our effort to pass campaign finance reform.

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

Mr. LEVIN. Mr. Chairman, I read earlier an ad in a Senate race from the State of Washington paid for by the Democratic Party. Now an ad from the Republican Party in Kentucky in a Senate race.

Voice: ''We all know Scotty Baesler voted to export thousands of Kentucky jobs to Mexico, what with that NAFTA trade deal.''

Voice of Mexican actor: ''Muchas gracias, Senor Baesler.''

Voice: ''But he also voted to give China special trade privileges, even though they're shutting out Kentucky-made products.''

In Chinese: ''Thank you, Scotty Baesler.''

''And now he wants,'' the voice says, ''to give U.S. tax dollars to the U.N.''

In a multiple foreign language voice or voices, ''Thank you, Scotty Baesler.''

And then in writing on the screen, ''Tell Scotty Baesler to start putting Kentucky first.''

If it had said ''defeat Scotty Baesler'' it's under Federal regulations. Because that one word is left out, although the whole atmosphere of that ad is a campaign ad, it falls outside of Federal regulations. Express advocacy is the test and that is express advocacy, that ad.

No one is accusing opponents of Shays-Meehan of being corrupt. They are defending a corrupting system. Sure the public does not run up and say to us, ''Vote for Shays-Meehan.'' And one reason is because they are cynical that this Congress will ever act. It is time for us to respond to that cynicism. It is time for us to act. Vote for Shays-Meehan.

Mr. HOYER. Mr. Chairman, I yield 1 minute and 10 seconds to the distinguished gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Chairman, I rise today in support of this legislation, and I want to extend my special thanks to the gentleman from Massachusetts (Mr. MEEHAN). We came into the Congress together. He has been a great colleague. If we had paid attention to him on campaign finance reform and independent counsel, this country would be in eminently better shape.

The American people want us to pass this. Why? Because they want to believe in their government, in the institution of the Congress. We continue to do less and less on this issue, and their faith in their government, in this institution of the Congress, in this place that is supposed to be the House of the people, they believe in less and less. Why? Because they know that money has more and more and more to do with the decisions that come out of this place.

The House of Representatives can distinguish itself by doing the right thing for the American people. Do we not try to engage our constituents to participate in our campaigns? They are

doing so less and less. They are engaging less and less because they know that money has more and more to do with what goes on here.

Today, this vote can inject more confidence in the system. We should comport ourselves the way our Founding Fathers and Mothers would. Pass this needed legislation.

Mr. SHAYS. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. GILMAN).

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

Mr. GILMAN. Mr. Chairman, I rise in strong support of the Shays-Meehan measure.

Mr. Chairman, this legislation will close the soft money loophole which currently allows unlimited, regulated funds from corporations, labor unions, and wealthy individuals to be funneled into to Federal election campaigns. In addition, it will clarify that it is illegal to raise any money—hard or soft—from foreigners or on government property.

As a member of the Government Reform Committee which has been investigating the alleged campaign abuses of the 1996 Presidential election, it has become obvious that it is the soft money system, the illegal raising of foreign money, and the illegal fundraising on government property that was the source of most of the alleged abuses and the principal device by which our current election laws were evaded.

By supporting Shays-Meehan this Congress can outlaw practices that the White House helped to prefect during the 1996 election cycle to make certain that they never can happen again.

I regret that Congress has been unable to approve or even consider an meaningful campaign reform measure until now, However, I am gratified and I look forward to the consideration of real campaign finance reform.

It is important that we effectively restore public confidence in our political system by eliminating the current protection for special interests, and address the growing problem of ''soft money''.

Accordingly, although I am disappointed that this legislation fails to limit PAC contributions, I support the Shays-Meehan reform measure since it is the only measure that will provide real campaign finance reform by banning soft money and clarifying the illegal fundraising of foreign funds.

Accordingly, I urge my colleagues to support the Shays-Meehan Bill.

Mr. SHAYS. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee (Mr. WAMP).

Mr. WAMP. I thank the gentleman for yielding me this time.

Mr. Chairman, we are now at the heart of the substantive debate and the general debate for a bill that makes significant progress to improve the current system. Since 1991, I have either been a candidate for election or reelection to the U.S. House of Representatives and filed the necessary paperwork. All the money that I raise and spend is regulated by the Federal Government. Should we in any way restrict what a candidate who files, who puts their life on the line and their body in the arena, so to speak, should they ever be restricted in what they say, whenever, however or whoever they talk about? Absolutely not. But we are going to talk about today whether or not these outside groups who call themselves citizens for motherhood and apple pie should live under the same rules that I do as a candidate, or that you might as a candidate.

Candidates should be able to speak and groups should be able to speak and we should all come under the same rules so the American people have some accountability to look to on who they are and who is pulling their strings.

Mr. MEEHAN. Mr. Chairman, I yield 1 minute to the gentlewoman from Connecticut (Mrs. JOHNSON), a leader in our effort to pass campaign finance reform in a bipartisan way.

□ 1500

Mrs. JOHNSON of Connecticut. Mr. Chairman, I thank the gentleman for yielding this time to me.

I rise in strong support of the Shays-Meehan campaign finance reform bill. We need to restore public confidence and accountability to our federal election system, and Shays-Meehan will advance these goals most effectively and forthrightly.

In addition to a ban on soft money, the bill closes one of the biggest loopholes in our current system of campaign finance laws by simply imposing the same rules, the same standards of public reporting, on groups that fund issue ads as we impose on candidates.

In recent elections we have watched special interest money go to campaign issue ads in congressional elections across the country. One study shows that between 275 and 340 million special interest dollars were spent on these ads in the 1997 to 1998 election cycle, yet no citizen could find out who contributed those dollars spent on these ads, though they can find out every dollar, who contributed every dollar to any candidate running in a federal election.

Shays-Meehan will simply clamp down on these special interest dollars, Mr. Chairman, and I urge support for this important election reform.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Texas (Mr. TURNER).

Mr. TURNER. Mr. Chairman, the time has come to take the for-sale sign off the door of the United States Congress. The public's trust and confidence in government has been seriously eroded by a system that allows big money to have too much influence on the political process.

Mr. Chairman, we currently have a broken system of campaign finance. There are two ways to give, hard money which honors the intent of the law to limit contributions and disclose the source, and the other way, soft money, which skirts the law and allows unlimited amounts to be given from undisclosed sources. No wonder most Americans no longer believe government to be of, by, and for the people; and the problem is getting worse.

In the 1992 cycle there was $86 million raised in soft money, in 1996 it climbed to $262 million, and in 2000 it is estimated to be $500 million or more; and no one benefits from the corrupting influence of soft money. The donors do not like the constant pressure or the shake-down to donate soft money, the political candidates do not like to be ambushed by soft money, and most importantly, the citizens of this Nation do not like the influence of soft money.

Mr. THOMAS. Mr. Chairman, I yield myself 15 seconds.

I find it amazing that the First Amendment protections are now called a loophole. Perhaps it is a good idea that we are just voting on campaign reform because, if the Bill of Rights was on the floor, I would fear for its continued support.

Mr. Chairman, I yield 4½ minutes to the gentleman from California (Mr. DOOLITTLE), someone who has been an active participant in terms of making sure that the First Amendment is defended.

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

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

Mr. Chairman, I find it fascinating to hear these same canned speeches given again and again identifying the so-called problem as a lack of adequate regulation. These people that are bringing to us today Shays-Meehan, it is these very same people and their philosophy which created this very problem. But for their regulation, we would never have heard of soft money.

Does anyone remember a few years ago? I certainly do because it was an issue in my campaign in 1990 and in 1992. Then the focus of their attack was hard money and the form of PACs, the political action committees, another spawn of the regulation that they gave us. This does not work, and it will never work, and Shays-Meehan is trying to tighten the screws a little further and put more limitations over here and box people in over there, and it will not work.

The Supreme Court recognized that years ago in the Buckley case. I will just quote from it. It said it ''would naively underestimate the ingenuity and resourcefulness of persons and groups desiring to buy influence to believe that they would have much difficulty devising expenditures that skirted the restriction on express advocacy of election or defeat but nevertheless benefited the candidates' campaign.''

The Supreme Court anticipated this very clearly, and obviously the profusion of soft money has fulfilled what they anticipated.

But they did not write the statute, the Congress did. It is their limits on hard dollars that have never been adjusted, that have been eroded by two-

thirds the purchasing power of the dollar that has given rise to soft money.

Furthermore, there is nothing wrong with soft money. It is the constitutional rights of groups to engage in political debate and in free speech. That is not a loophole. But big-government liberals like Senator Bradley, for example, has repeatedly talked about this problem of involvement in the political process as keeping ants out of the kitchen. Do my colleagues know what we do with ants that are in the kitchen? We wipe them out, and that is what Senator Bradley and Vice President GORE and all the other big-government thinkers would like to do to Americans' precious right to engage in unfettered political speech, the very thing the First Amendment was designed to protect.

Congress shall make no law abridging the freedom of speech, and Senator MCCAIN and the gentleman from Connecticut (Mr. SHAYS) and Mr. FINEGOLD and Senator Bradley and a host of others have come forth with bills designed to do exactly that, to abridge our precious, God-given freedom of speech.

It would be a nightmare to pass a law that placed in doubt whatever political communication we had. It would be a complete disaster, such as the Shays-Meehan bill does, to make it in doubt whether what is being said falls within what is permissible because it is subject to a totality test or reasonableness test. Indeed, this will severely crimp political debate at the very time when people most want to get information, and in this information-weary age, when people tune out from politics just about the whole time except just before the election, Shays-Meehan kicks in and severely restricts what kinds of communications can go on.

I would just call to everyone's attention, and I have distributed here a great editorial especially for people who think of themselves as conservatives or Republicans called Campaign Finance Charade. This article details why this whole scheme of regulation is really designed to disadvantage conservative ideas and to advantage left wing ideas. That is what the present regulation we have was designed to do, and it worked great for 20 years.

Mr. Chairman, this is a charade. Big-government regulation does not work anywhere. We know that. And it certainly does not work in campaigns. If it did work, we would not be having this debate today because everything would be fine in this country, and the fact of the matter is it has become a Rube Goldberg network of complication that will only be worse and made more complicated by Shays-Meehan. I urge defeat of that proposal and passage of the one proposal that takes us in the other direction, which is H.R. 1922.

Mr. SHAYS. Mr. Chairman, I yield myself 20 seconds to say that the gentleman from California (Mr. DOOLITTLE) is right. This is about not buying elections. It is about making sure that that cannot happen in a democratic form of government and making sure that everyone plays by the same rules. It does not restrict speech. It provides for all the speech my colleagues want under the campaign laws.

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

Mr. CAMPBELL. Mr. Chairman, in 1978 the Supreme Court upheld limits on how much individuals could contribute. In that opinion which has been cited so often, Buckley versus Valeo, the Court also dealt with the $5,000 limit on how much PACs could give; and the court upheld that, too. They said if they did not uphold it, we would have just the possibility of subterfuge, because the same individual could give to the PAC, and then the 1,000 limit would mean nothing.

The Supreme Court in that case cited by the gentleman from Texas (Mr. DELAY), and the other good friends who have spoken against Shays-Meehan, says, ''Rather than undermining freedom of association, the basic provision enhances the opportunity of bona fide groups to participate in the election process. . . .''

So today we go the next step to avoid the evasion of these limits through soft money and through advertisment where the exact same words as in a candidate's ad are said, but they do not exactly say ''vote for.'' Then there is no limit. We must close the loophole. If the Supreme Court upheld the limitation of 1,000 per individual, 5,000 per PAC, and an absolute ban on corporations and unions, surely they would uphold a limitation on as huge an end-run as soft money constitutes.

Mr. MEEHAN. Mr. Chairman, I yield myself 30 seconds.

The previous speaker, the gentleman from California (Mr. DOOLITTLE) talked about Bradley and GORE and all of these government centrists, liberals. Let me cite from an opinion in McIntyre versus Ohio Board of Elections by a couple of real regulators, Justice Scalia and Rehnquist. The First Amendment provides that the Government may not prohibit the expression of an idea. The disclosure law here by contrast forbids the expression of no idea, but merely requires identification of the speaker when the idea is uttered in the electoral context. That is Scalia and Rehnquist.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Michigan (Ms. RIVERS).

Ms. RIVERS. Mr. Chairman, for some reason this debate always moves me to use literary reference to illustrate my point. Last Congress I relied on Dr. Seuss and his work, The Cat in the Hat. This year, as I contemplated this upcoming argument, I was struck by the similarities between the continuing debate here in this House on campaign finance reform and a story by Edgar Allen Poe, the Telltale Heart. In that short story, Poe tells of a dastardly murder in which the murderer is undone by the fact that the victim's heart continues to beat after the terrible deed is done and the body has been dismembered and hidden. In this excerpt that I wish to share with my colleagues the murderer is being questioned by the police. Observe his tactics as he tries to shift attention away from his own guilt.

''No doubt I now grew very pale, but I talked more fluently and with a heightened voice. Yet the sound increased. What could I do? I gasped for breath, and yet the officers heard it not. I talked more quickly, more vehemently, but the noise steadily increased. I arose and argued about trifles in a high key and with violent gesticulations, but the noise steadily increased. I paced the floor to and fro with heavy strides as if excited to fury by the observations of the men, but the noise steadily increased. I foamed, I raved, I swore, but it grew louder and louder and louder, and the men chatted pleasantly and smiled. Was it possible they heard not? All mighty God, they have heard, they suspected, they knew.''

Mr. Chairman, opponents of Shays-Meehan have successfully killed this bill in the past, but each time its heart has lived on. This year opponents will try again, but just like in the tell tale heart, no matter how loud the voices grow, no matter how vigorously the arguments are made, the heart of reform will keep beating, and it will condemn those who seek to do it violation.

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

Mr. Chairman, I certainly was not a lit major in college, but my recollection of Edgar Allen Poe's The Telltale Heart, was that the heart beating was in his head, that in fact it was a dream, it was a myth. It was not reality, and I think the gentlewoman's point is excellent if, in fact, that is the case that she is making, that in fact there was no true heartbeat. There is no true problem here.

Let me also say that my friend from California (Mr. CAMPBELL) complaining that we use Buckley versus Valeo in the support for soft money just used it for hard money, and I would love to ask the gentleman if the Dow Jones average was about 800 in 1978, and of course it is about 10 times that amount now, would he support an increase in hard dollar amounts?

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

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

Mr. CAMPBELL. Mr. Chairman, I would indeed be pleased to include an increase in hard dollar amounts as part of a comprehensive package that bans soft money. Would the gentleman from California?

Mr. THOMAS. I would tell the gentleman at every opportunity to place that in Shays-Meehan and did not do it. It certainly would be more attractive if it was a fair, even-handed approach to dealing with dollars in the

system instead of what amounts to a choking down of available dollars.

Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. BRADY).

□ 1515

Mr. BRADY of Texas. Mr. Chairman, my mom came to visit over the Labor Day weekend to see our new baby boy, and I told her that in my second term I still pinch myself every day that I have the opportunity to serve in the U.S. House of Representatives. It is such a privilege, but one of my fears is that we are drifting away from a citizen Congress, a citizen Congress that our Founding Fathers and Mothers envisioned for us.

The cost of an open competitive campaign for Congress these days is just a little less than a million dollars, and it is doubling about every 4 years or so.

My fear is that there are a lot of good people in my community who will never raise their hands to run for Congress because they do not have a million dollars. They do not even know where they can find a million dollars laying around. I do not think the very wealthy can make great decisions for us. It is just that for a representative democracy like ours, I do not want to wake up some day and find out that a lot of good people who would make great decisions in Congress cannot ever run because of the cost factor.

I want to return to a citizen Congress. That is why I am a cosponsor with the gentleman from Arkansas (Mr. HUTCHINSON) of the Campaign Integrity Act we are voting on today.

First, common sense tells us new campaign laws will not do a whole lot if we do not first enforce the ones we have on our books. That is why I think the gentleman from California (Mr. THOMAS), the chairman, has a bill today that ought to become the law of the land.

Secondly, any campaign finance ought to preserve free speech. We ought to encourage the people to be involved in this process. This is their country. They ought to be speaking out strongly for it.

So today, I predict that Shays-Meehan will pass by a comfortable margin as it did last year, and I predict that it will die the same predictable public death it did last year in the Senate, for good reasons. It is constitutionally flawed. It will not pass the Senate. It will not pass constitutional muster.

So here is my message to the Senate. When Shays-Meehan dies, as it will again, look at the Hutchinson bill. If we are serious about real reform, if we are serious about closing the soft money loophole, if we are serious about preserving free speech but letting people know more about who is financing us and pushing us back into our districts and communities to raise money rather than up here in Washington, the Hutchinson bill is real reform. It is constitutionally very sound. It makes good sense; and, more importantly, the reason we need to pass that bill is that I am convinced the reason people do not talk about campaign finance more, it does not show up in the polls, is not that people do not want it but they have just given up hope that Congress will do something about it that we will actually do something to make life a little tougher for us up here and a little more grass-roots oriented back home. The Hutchinson bill does that. It is very important for America. I think it is very important to give hope to people to pass this bill.

Mr. HOYER. Mr. Chairman, it is a great honor to yield 1 minute to the distinguished gentleman from the State of Michigan (Mr. DINGELL), the senior Member of the House of Representatives who has had more experience with respect to this issue than any other Member, and cumulatively perhaps more than most of us elected.

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

Mr. DINGELL. Mr. Chairman, I hope my colleagues are listening to the people out there because if there is one thing to be heard, people think that the system is corrupt, that it is being further corrupted by money, that it is being corrupted to the point where Congress will do nothing except profit from this money.

I think it is time we do something. Let us restore the confidence of the American people to government, to this establishment, and to each of us. We are the system, and all of us are being hurt by this system.

I spent, the first election I ran, $19,000. I have spent since then in certain elections over a million dollars. That is far too much. It is unjustifiable. It is unnecessary. It denies deserving, good candidates an opportunity to participate in the system; and, on top of that, it brings a bad smell to the election process of this country.

Just a little while back, we spent something like $85 million in the 1997–1998 election cycle. More recently, we have spent as much as $193 million. This time, we are going to spend $500 million in that. That is a grotesque excess, and it is something which does neither credit nor does it build confidence in us or in the system.

I would urge my colleagues to support Shays-Meehan. It is the way to clean up the system and restore the confidence of the people.

I would also like to thank all of the Members on both sides of the aisle who have put partisanship aside and are truly interested in cleaning up the campaign financing process which has been corrupted, most notably by soft money.

This is not a partisan issue. Our national political party committees raised $193.2 million in soft money during the 1997–1998 election cycle, more than double the $85.3 million they raised during the last non-presidential cycle in 1993–1994. This increase is astounding and there are no signs that this trend will subside unless we act together today to stop this corruption of our election process.

I believe that those of us who benefit from the campaign system can not possibly agree on all the needed reforms. An independent commission must be created to thoroughly review the system and make recommendations to Congress regarding necessary changes. I am pleased to report that Shays-Meehan includes a provisions establishing such a commission.

Shays-Meehan is a good bill; it is a thorough bill; it is a bipartisan bill; and it is a bill that we passed last year and should pass again this year. As such, I urge my colleagues to once again vote in favor of Shays-Meehan.

Mr. SHAYS. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. METCALF).

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

Mr. METCALF. Mr. Chairman, we have an opportunity today to pass campaign finance legislation. Shays-Meehan is the real campaign reform that can become law. Unfortunately, some amendments and substitute bills are being offered today by people opposed to Shays-Meehan because they hope that these measures will kill the bill.

We cannot afford to make changes that have the potential to split off key voting blocks and thus sink the only chance for real reform this year.

Soft money is of special concern. By closing the soft money loophole, we restore the faith of our citizens in our political process.

I am confident that we will enact real and honest campaign finance reform today.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. ROEMER), co-chair of one of our largest centrist caucuses, cochairman of the New Democrats.

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

Mr. ROEMER. Mr. Chairman, one of our preeminent Supreme Court justices wrote that, and I will paraphrase him, that if one does not have access to millionaires or if one is not a millionaire, they might as well not run for political office.

Alexander Hamilton pointed at this great body and said, here, sir, the people govern, the people.

We hear loud and clear from the people today that they think the current system is dominated with dialing for dollars, negative advertising, and polsters.

The Shays-Meehan bill takes some modest steps to clean this system up and restore some of the trust and confidence by looking at and regulating soft money, or sewer money, and slamming the lid on the amount of soft money that comes into campaigns and trying to get some parameters around the issue ads, or the attack and the sham ads, that dominate TV today.

So many of the American people want to turn their TV sets off and not pay any attention to the elections. Vote for Shays-Meehan for responsible and modest campaign finance reform.

Mr. MEEHAN. Mr. Chairman, may I inquire as to how much time each of us has remaining?

The CHAIRMAN. The gentleman from California (Mr. THOMAS) has 5¼ minutes. The gentleman from Maryland (Mr. HOYER) has 2¼ minutes. The gentleman from Connecticut (Mr. SHAYS) has 4¼ minutes. The gentleman from Massachusetts has 1½ minutes.

Mr. SHAYS. Mr. Chairman, I yield 1½ minutes to the gentleman from South Carolina (Mr. SANFORD).

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

Mr. Chairman, everybody has a different perspective on this; but one thing that I do know is that there is a very simple break in the track and that is some people here in this body view government as coercive and that if it grows, it will basically destroy freedom.

Other people view that, no, it is not coercive. Leave it alone. Let it grow. It is not going to impact us one way or the other.

I am a conservative. I fall into that first camp, and if someone views the government as coercive, it seems to me logical to say that they would want to limit one's ability to control the leaders of government that would affect its ability to coerce others to do other things. Tamaraz, when asked by Senator THOMPSON, why did you give all the money that you gave, his response was, because it worked.

If we look at Bernard Schwartz, who was brought up with the technology transfer with China, we can see a clear correlation between money spent and results.

So it would seem to me perfect logic to say I am a conservative, I want to limit government, and I want to limit people's ability to pull the levers of government.

We can see this, for instance, again, with the sugar subsidy. If we look at, for instance, the sugar subsidy program, it is a perfect example of how a small group is able to coerce the wheels, the machinery of government, to their own gain because that program takes a billion dollars a year in the form of higher sugar prices for all of us as consumers and it distributes it to about 60 domestic sugar producers.

Mr. THOMAS. Mr. Chairman, I yield 2 minutes to the gentleman from Kansas (Mr. TIAHRT), someone who has a very personal message to convey.

Mr. TIAHRT. Mr. Chairman, many Americans believe that our campaigns are too long and too negative. Well, my campaign for the Fourth District of Kansas election in 2000 started today.

Today, the unions, the Washington union bosses, are purchasing television time to run ads against me this very day, almost 15 months out. Too long, too negative, false and misleading ads.

Now, it started with money taken by mandatory union dues and then it filtered its way into the Washington union bosses coffers, their pockets. Then from there it is sent, without the permission of the employees, to support issues that in most cases a majority of the union members oppose.

Thomas Jefferson said to compel a man to furnish contributions of money for the propagations of opinions which he does not believe is sinful and tyrannical; and yet, that is exactly what is happening today.

Campaign ads that are purchased today by the Washington union bosses will not be publicly disclosed. There will be no permission granted from the employees who contributed these funds, and there will be no public record; money taken without consent, spent on issues not reported, without any public disclosure, starting a campaign about 15 months from now.

Well, what is there in this piece of legislation that is before us that is going to prevent such injustice? What is there in Shays-Meehan that is going to correct this problem? There is nothing in here. There is no public disclosure. There are no limits on what these union bosses can say. There is nothing that they can do.

Mr. SHAYS. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I would like to ask the gentleman, since it has been against the law since 1947 for union dues money to be used in campaigns and they are able to get around it through two features, one, soft money and sham issue ads, why would the gentleman not want to end those two loopholes?

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

Mr. SHAYS. I yield to the gentleman from Kansas.

Mr. TIAHRT. The money that is taken to run these ads comes involuntarily from union dues.

Mr. SHAYS. It is against the law.

Mr. TIAHRT. Well, currently there is a Beck decision which has been supported by the Supreme Court, but it is not enforced by the Clinton administration and yet there is nothing in the legislation of the gentleman that helps us to enforce the Beck decision.

Mr. SHAYS. Mr. Chairman, reclaiming my time, I would say to the gentlemen he is an honest and good man and when he knows the facts, he should be voting for this bill because it has been against the law since 1947 for union dues money to be used in campaigns; 1907, for corporations to be used in campaigns, and both happened because of soft money and sham issue ads.

As soon as a sham issue ad is called a campaign ad, one cannot have either corporate money or union dues money.

Given that, why will the gentleman not support the bill?

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

Mr. SHAYS. I yield to the gentleman from Kansas.

Mr. TIAHRT. I would say that these ads have run in the past against me and they will be running very nearly in the future, and I see nothing in the legislation of the gentleman that will prevent them from occurring in the future.

Mr. SHAYS. I would like to reclaim my time and say, the gentleman needs to read the bill. The gentleman needs to read the bill. Read the bill. The bill is very clear. We ban soft money, and we call the sham issue ads what they truly are, campaign ads.

□ 1530

As soon as we call it a campaign ad, we cannot use union dues money. We cannot use corporation money.

Mr. TIAHRT. Mr. Chairman, this is not corporation money that we are talking about.

Mr. SHAYS. Yes, we are.

I would like to ask the Chairman how much time I have left.

The CHAIRMAN. The gentleman from Connecticut (Mr. SHAYS) has one and one-quarter minutes remaining.

Mr. THOMAS. Mr. Chairman, I yield myself such time as I may consume to indicate that I find it interesting that the gentleman from Connecticut will not accept language in his bill banning the use of involuntary union members' dues for political purposes, which I think is exactly the point that the gentleman from Kansas is making. Not even allowing an understanding of the fact that one does not have to contribute them and that union dues are being used in that sense.

The gentleman from Kansas I do not believe has had sufficient time to respond, and so I yield 1 minute to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Chairman, what the unions have been doing is running under the concept of political education activities, these sham ads, as the gentleman referred to as sham ads. What I think is an injustice is number one, this is money that should not be taken involuntarily. The Beck decision, if it was enforced by this administration, would stop that problem. The gentleman's legislation does not do that.

Mr. SHAYS. Mr. Chairman, the gentleman is not correct.

Mr. TIAHRT. Mr. Chairman, I think that is correct.

The second thing is, somehow I think that we need to have an opportunity for me to respond to this. I cannot do that under current campaign limits. I need the ability to raise the money in order to respond to these ads that are supposedly political education ads, but in truth are running to try to undermine my campaign for reelection.

Mr. SHAYS. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Connecticut (Mr. SHAYS) has 1¼ minutes remaining.

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

I just want to explain to the gentleman that it has been against the law since 1907 for corporate treasury money to be used in campaigns and since 1947 for union dues money to be used in

campaigns. The way they do it, the way they go after you, either corporations or unions, is through soft money, because it is not called campaign money, and sham issue ads, because it is not called campaign money. We abolish both. That is the basis, the very center of our bill.

The gentleman wants to give unions permission in their union dues to do it if they agree; we do not even allow it. It has been against the law since 1947. And so, sir, it would be an impossibility for those advertisements to run against the gentleman if our legislation passed, and that is why I am so dumbfounded why the gentleman would oppose it.

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

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

There seems to be some confusion. The gentleman from Kansas is talking about union money that is spent for ''political education.'' There is absolutely no limit on the use of forced union dues for registration, turnout, and political education. The advertisements are under the guise of educating union members. It is not a campaign ad; it is unlimited money for political education.

The unions have been allowed since the same 1940s to run a committee on political education, COPE, the political arm of labor unions. In this legislation, COPE is not required to open up its books; it is not required to show where and how its money is spent. The gentleman simply coddles unions at the expense of other people's ability to know where involuntary union dues, coerced by the labor bosses, are being spent.

Mr. Chairman, I yield 30 seconds to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Chairman, I thank the gentleman from California for yielding me this time.

If it has been against the law for the unions to do this, they have done it in the past, not only in my district, but across the Nation. If it is against the law, then why today are they purchasing time to run these ads against me which are, in fact, a sham ad. They are under the guise of political education, but they will occur. There is no enforcement of the current law. I do not expect even if your law did pass, there would be any enforcement by this administration, because it does coddle the unions.

I appreciate the gentleman's conversation.

Mr. MEEHAN. Mr. Chairman, I yield myself 45 seconds.

Mr. Chairman, this is really the crux of the frustration with getting campaign finance reform passed. I respect the gentleman from Kansas, and the gentleman got up and said that we had a Beck decision, which was a court decision that said the unions could not use their union dues to go to political advertisements, and then he criticized the Clinton administration for not enforcing the Beck decision.

Well, guess what? The Shays-Meehan legislation codifies the Beck decision. It puts it into law. So if we think the Clinton administration ought to enforce the Beck decision, then vote for Shays-Meehan, because we codify the legislation.

So I think if Members, with all due respect, would look at this legislation, they would find that this is not Democratic legislation, it is not Republican legislation. It represents both sides sitting down and working together, and that is the reason why the Shays-Meehan legislation codifies the Beck decision, and that is why the gentleman from Kansas should vote for this legislation for fairer elections.

Mr. THOMAS. Mr. Chairman, I yield myself 10 seconds.

Mr. Chairman, this debate is getting a little bizarre. As the gentleman from Massachusetts well knows, the Beck decision applies to nonunion members, to those who are not members of the union. The whole point is, the coerced union dues are being spent.

I appreciate the gentleman's attempt to obfuscate the issue. It is union members, not nonunion members.

Mr. MEEHAN. Mr. Chairman, I yield myself 10 seconds.

The gentleman from Kansas was talking about those monies that go to people who are part of a union that go to campaigns and they have a right to say, we do not want it to go to those campaigns. That is precisely what it is. The gentleman complained about the Clinton administration not enforcing the Beck decision, but he should vote for Shays-Meehan. Let us make it the law of the land.

Mr. SHAYS. Mr. Chairman, I yield such time as she may consume to the gentlewoman from New Jersey (Mrs. ROUKEMA).

(Mrs. ROUKEMA asked and was given permission to revise and extend her remarks.)

Mrs. ROUKEMA. Mr. Chairman, I am in strong support of Shays-Meehan and really appreciate this dialogue and this debate that has been going on. I strongly support Shays-Meehan.

Mr. Chairman, the rhetoric of this debate is out of control. Unconstitutional? This bill is not perfect. Let's remember the facts! Soft money is a loophole created to sabotage the constitutional and comprehensive reforms of the post Watergate Nixon Era corruption. Now we can return to reforms. The lack of fundamental change in our campaign finance practice is one of Congress' most significant failings. Clearly, our campaign finance system is out of control. The signs of impending disaster dominate the headlines every day.

But over the next several hours we will hear variations on the same theme from opponents of reform. They will say: "We are not hearing from anyone on this issue. The polls give this issue very low priority. The American people don't care about campaign finance reform." That's the refrain we will hear.

I submit that the American people do care. But they've given up on us. Is it any wonder?

They look at the way this system works—the explosion of soft money, fat cats buying access, White House coffees, the Vice-President dialing for dollars, foreign contributions, Members and Senators spending every waking moment raising cash, attack ad piled upon attack ad piled on top of attack ad.

The American people see a rigged system that serves the self-interest of the politicians already in power. They have absolutely no reason to believe that there will ever be any real reform. So to them: what's the use?

Perhaps the most corrosive development has been the explosion of so-called ''soft money''—donations from wealthy corporations, individuals, labor organizations and other groups to the major parties. These funds are raised and spent outside the reach of federal election law and are directly connected to many of the scandalous practices now the focus of numerous Congressional investigations

Of course, there are many critically important issues that we will examine during the course of this debate. The Shays-Meehan proposal addresses many of them—banning contibutions on federal property, an expanded ban on franked mail, the so-called Beck regulations, issue ads, new prohibitions on foreign contributions, et cetera.

But if we do nothing else—let's ban soft money. My colleagues—soft money is at the heart of each and every one of these scandals we see in the headlines today—nights in the Lincoln Bedroom, White House coffees, alleged contributions from the Chinese military to the DNC, and more.

The Shays-Meehan bill is the only substitute amendment that contains a hard ban on soft money.

The American people are disgusted. They are totally turned off and cynical—this cynicism is forcing Americans to drop out of the political process that is our democracy.

Let's ban soft money outright. Support Shays-Meehan.

Mr. THOMAS. Mr. Chairman, could I inquire as to the time remaining.

The CHAIRMAN. The gentleman from California (Mr. THOMAS) has 35 seconds remaining; the gentleman from Maryland (Mr. HOYER) has 2¼ minutes remaining.

Mr. HOYER. Mr. Chairman, I think it is 2⅓ minutes, frankly.

Mr. THOMAS. Mr. Chairman, I thought I had 45, but that is okay.

The CHAIRMAN. The gentleman from Connecticut (Mr. SHAYS) has 30 seconds remaining; and the gentleman from Massachusetts (Mr. MEEHAN) has 35 seconds remaining.

Mr. THOMAS. Mr. Chairman, I believe under the rule I have the right to close.

The CHAIRMAN. The gentleman from California has the right to close.

Mr. THOMAS. Mr. Chairman, I will reserve my 35 seconds.

Mr. HOYER. Mr. Chairman, I yield 30 seconds to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I thank the gentleman for yielding.

In closing this debate, let me just say that the whole debate should be about

restoring the public's faith in our government and their trust. Allowing elections to be bought by the highest bidder will not restore that trust, and certainly raising campaign contribution limits will not restore that trust.

To those who claim that campaigns in this decade cannot be won on just $100, look per contributor, look at what Lawton Chiles did in Florida. He was able to win in keeping within campaign finance spending limits. The law was reformed there, and he won.

Let us bring back the people's trust in our Government. Vote against this amendment. We need limits, not increases in contribution levels.

Mr. MEEHAN. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Massachusetts is recognized for 35 seconds.

Mr. MEEHAN. Mr. Chairman, opponents of campaign finance reform have told us that we must protect free speech. But when they say free speech, they mean big money, because the fact is that the Shays-Meehan bill does not ban any type of communication. It merely reins in those campaign advertisements that have been masquerading as so-called issue advocacy.

According to the United States Supreme Court, communications that expressly advocate the election or defeat of a clearly identified candidate can be subject to regulation. So the question is not whether the Government should regulate campaign advertisement; it already does. The real question is whether or not the current test adequately identifies campaign advertisement; and for that, there is a simple answer: no, it does not. Let us pass Shays-Meehan.

The CHAIRMAN. The gentleman from Connecticut (Mr. SHAYS) has 30 seconds remaining.

Mr. SHAYS. Mr. Chairman, I yield myself the balance of the time to say one of the difficult things in this debate has been that it is very personal to each and every one of us, but it gets frustrating when the facts are so clear and someone just cannot see it. The bottom line is it is illegal for corporations and unions to contribute to campaigns, except through PACs. But there is a loophole, and it is soft money and sham issue ads. We ban soft money and we call the sham issue ads what they are: campaign ads. As soon as they are campaign ads, out goes the corporate and union dues money and all of the big expenditures.

Mr. Chairman, we need a fair system. We do not limit freedom of speech. Everyone has freedom of speech. We live within the guidelines of the Supreme Court ruling.

The CHAIRMAN. The gentleman from Maryland (Mr. HOYER) has 1¾ minutes remaining.

Mr. HOYER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, in November 1991, with 259 Republicans and Democrats voting for it, we passed a campaign finance reform bill. It went to the Senate and 57 Senators some days later voted to send that bill to President Bush. That bill limited the amount of money in campaigns. It limited soft money. It provided for campaign finance reform. Unfortunately, that bill was vetoed.

We are now here, some 7 years later, and we have another opportunity to do what the American public expects us to do, to make their elections as honest and open as we possibly can. Is it difficult? Yes. Is it impossible? No. The Shays-Meehan perfect? Obviously not. But it is our best opportunity in this Congress to speak out on behalf of the American public's desire for clean and fair campaigns.

Mr. Chairman, I urge my colleagues to vote for Shays-Meehan, but if we are to pass Shays-Meehan, we must also reject those amendments that will divide us, divide the consensus for this campaign finance reform bill which received just last year 252 votes in favor of it. Reject those substitutes, some on merit, some because they are designed specifically to defeat Shays-Meehan without giving the opportunity of the 435 of us who were sent here by our neighbors to vote on their behalf, to ensure that democracy is pursued in an honest fashion in this, the last best hope on the face of the Earth. I urge my colleagues to vote for Shays-Meehan and against general amendments.

Mr. THOMAS. Mr. Chairman, I yield myself the balance of my time.

We just heard a statement that Shays-Meehan is not perfect. Obviously it is not, but we have a chance to perfect it.

We heard during this debate that we thought maybe it would be a good idea to raise hard money, given how long it has not been affected, yet the gentleman from Kentucky (Mr. WHITFIELD), who will have in front of us an amendment to raise hard money, has a letter saying ''vote no on Whitfield'' signed by the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN). Are we to believe them on paper or believe their words?

They talked about making sure that labor union money is not involved. The gentleman from Pennsylvania (Mr. GOODLING) has an amendment. They are opposed to his amendment. We heard the gentleman from Nebraska (Mr. BEREUTER) complain about the fact that they did not keep in this bill something that passed the floor the last time this was in front of us in terms of foreign dollars, so now we have a chance to make it perfect, at least better than it is.

We are going through the amendment process. Let us approve the amendments they say they have no opposition to, and vote ''no'' on Shays-Meehan.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise to declare my strong support for the Bipartisan ''Shays-Meehan'' Campaign Finance Reform Act of 1999.'' Last year, committed members from both sides of the aisle came together to pass the Shays-Meehan Campaign Finance Reform Act and defeated the many months of complicated parliamentary procedures designed to filibuster the bill.

The fight for campaign finance reform has begun once again. Last session the House approved the Shays-Meehan bill by a resounding 252 to 179 vote with much help from my Republican colleagues. Many of whom still support reform. I urge my Republicans colleagues to join us again in this stride toward a fairer, more just system of financing campaigns.

The purpose of this Shays-Meehan bill is to cut off the flow of unlimited and often undisclosed money into the federal election system. To do that—the Shays-Meehan bill closes the two primary loopholes through which this money flows into federal campaigns, soft money and sham issues.

This Bill makes four major changes to our campaign financing system: (1) It completely eliminates federal soft money, as well as state soft money that influences a federal election and increases the aggregate hard dollar contribution limit form $25,000 to $30,000; (2) it strengthens the definition of ''express advocacy'' to include radio and TV ads that refer to a clearly identified federal candidate, run within 60 days of an election; (3) it requires FEC reports to be filed electronically, and provides for Internet posts of this and other disclosure data and (4) it establishes a Commission to study further reforms to our campaign systems.

According to the Annenberg Public Policy Center at the University of Pennsylvania, between $275 and 340 million was spent in broadcast issue advocacy in 1997–1998, compared to $135 to $150 million in 1995–1996. Mr. Chairman, this statistical information is evidence that Campaign Finance Reform is needed.

Last year a growing number of Campaign Finance Reformist Republicans exercised their better judgement and fought against the Republican Leadership's attempt to thwart attempts to eliminate soft money that influences federal elections. The role of soft money in elections is growing exponentially. So far this year, the parties have raised a record $55.1 million in soft money—that is 80 percent more than the $30.6 million they raised during a comparable period in 1995. I urge my Republican colleagues and others to come forth again in support to strike a balance for real Campaign Finance Reform.

If Congress wants to be remembered for improving our nation's political system, enhancing our moral quality of life, and building a better America, then let's pass real campaign finance reform. Mr. Chairman, fellow colleagues, I urge that you vote No on all the poison pill amendments and vote Yes on the Shays-Meehan bill.

Mr. LEACH. Mr. Chairman, I rise in support of H.R. 417, the Shays/Meehan Bipartisan Campaign Finance Reform Act of 1999.

The bill has flaws, the biggest of which is that it does not go far enough. I would have preferred it impose spending limits and greater restraints on political action committees—the so-called PACs.

Never-the-less, Shays/Meehan is a significant and long overdue effort at addressing the most pressing ''democratic'' issue facing the nation.

In a country where process is our most important product, what is true for sports is doubly so for politics—how the game is played matters.

Lincoln's government of, by and for the people cannot be one in which influence is disproportionately wrought by those with large campaign war chests.

A fitting corollary to Lord Acton's dictum that ''power tends to corrupt and absolute power corrupts absolutely'' is the precept that even more corrupting than aspiring to power is the fear of losing it. This survivalist instinct, the desire to hang on to power, is the principle reason why meaningful campaign finance reform has been so difficult to advance.

The current system is an incumbent-based monopoly that rewards accommodation rather than confrontation with special interests. Campaign reform is about empowering citizens rather than influence peddlers. It is the equivalent of applying the antitrust laws to the political parties.

Without the sort of reforms Shays/Meehan makes, Congress will increasingly become a legislative body where the small businessman, the farmer, the worker, and the ordinary citizen are only secondarily represented.

The time is long passed to infuse more democracy into our democratic system.

Mr. SHOWS. Mr. Chairman, I rise today to express my strong support for the Shays-Meehan Bill, H.R. 417. Mr. Speaker, I rise in support of H.R. 417 and ask unanimous consent to revise and extend my remarks.

Mr. Chairman, we cannot blame the American people for believing that their elected officials might be for sale.

H.R. 417 would restrict the vast amounts of so-called ''soft money'' which allow special interest groups to have unfair influence on our electoral process.

We also need to explore ways to make political campaigns less costly, while still allowing candidates to convey their message.

H.R. 417 would establish an Independent Commission on Campaign Finance Reform, and I hope the commission can recommend ways to reduce the cost of campaigns.

Mr. Chairman, we need to restore public trust in their electoral process. H.R. 417 is the best way I know to accomplish this.

Now I want to address remarks to my colleagues who are Pro-Life advocates and who, like me, support Shays-Meehan.

Much has been made about the strong position taken by the National Right to Life Committee against Shays-Meehan.

The NRLC, like some other issue advocacy groups, believes Shays-Meehan bill would unfairly inhibit their ability to communicate their message.

Pro-Life Members of Congress who support Shays-Meehan have an honest disagreement with NRLC about this bill, but we share common ground with NRLC about the sanctity of human life.

I do not quibble with the National Right to Life Committee's position on Shays-Meehan.

However, the NRLC has chosen to ''score'' our votes on Shays-Meehan.

Simply put, Shays-Meehan is about spending money on political campaigns. It is not about protecting human life.

Defenders of the sanctity of life should be able to have honest disagreements from time to time without losing focus on the goal that unites us.

But this ''apples-to-oranges'' linkage of campaign reform to protecting human life implies to our constituents that we are less than 100% committed to the cause of protecting human life when that is simply not the case.

I want my colleagues and the American people to know the plain truth: My record in support of human life is clear. I am committed 100% to Life, no matter how the NRLC may characterize my record after today's votes on campaign reform.

Indeed, I am proud that my colleagues have recognized my commitment to Life my asking me to serve as Democratic Whip of the Pro-Life Caucus.

Although the National Right to Life Committee disagrees with Pro-Life members of Congress who support Shays-Meehan, I hope we can have a productive relationship with NRLC or anyone else who is willing to fight for Life.

We are all on the same team and we must not let other issues distract us from our goal.

But today, Mr. Chairman, we are talking about restoring public confidence in the American electoral process.

We need to pass Shays-Meehan.

Mr. BENTSEN, Mr. Chairman, I rise today in support of H.R. 417, the Meehan-Shays Bipartisan Campaign Finance Reform Act of 1999. Mr. Speaker, this body has once again been presented with the opportunity to implement significant campaign finance reforms. The American people have grown weary and cynical of the constant money chase we must engage in to run for office. Some try to equate placing restrictions on soft money with placing restrictions on free speech, as if money was speech. Money talks, all right. But how can the quiet voices and concerns of the American people compete with the megaphone of millions in soft money that is funneled into campaigns? I would argue that wealthy individuals, large corporations and advocacy groups do not have a greater right to be heard than average citizens just because they can afford to buy chunks of TV advertising time slots. This soft money is unregulated, unlimited, and unconscionable. We have to show the American people that public policy in not for sale. That's why I support the Meehan-Shays legislation. This legislation will regulate the flow of soft money to both parties and will close the legal loopholes which allow very dubious issue advocacy ads to permeate campaigns.

In addition, the bill provides for the establishment of an Independent Commission on Campaign Finance Reform and will protect the continued use of voter guides as method to inform voters about their Representatives position on important issues. The bill also raises the individual campaign contribution level from $25,000 to $30,000 each year, and raises the amount individuals may give to state political parties from $5,000 to $10,000 each year. Labor unions will be required to give ''reasonable notice'' to dues-paying non-members of their right to disallow political use of their dues. Electronic filing to the Federal Election Committee (FEC) would be required, it is currently optional.

Unfortunately Mr. Chairman, the Majority has decided to ignore the will of the American people who want real campaign finance reform and is attempting to kill this vital legislation by amendment. The amendments and substitutes which we debate today, while well intentioned, will do nothing to reform our campaign finance system. Therefore, I urge my colleagues to oppose all amendments and substitutes to this legislation.

Passage of this bill would represent major progress in halting the influence of wealthy special interests in government.

Mr. FRELINGHUYSEN. Mr. Chairman, to me, one of the privileges of being a Member of the House, is the ability to come here to Washington to do the people's work without losing that all-important connection with the people who sent us here.

While we serve to make all of America a better place, our constituencies are still small enough that we can put our finger on the pulse of the needs and desires of the people back home.

But a lot of those people back home, unfortunately, don't feel as connected to us as they really are, or should be. Like most Americans, our constituents believe that most Members of Congress are bound to special interests because of campaign contributions, large sums of money generated by corporations, labor unions and political action committees, and as an investigation of President Clinton's 1996 campaign fundraising has shown, even foreign nationals.

For most of us, the belief of our constituents may in reality only be a perception, but the perception holds strong and affects all of us. It is high time we do something to erase this perception and implement the first campaign finance reforms America has seen since 1974.

Americans need to be reassured that their elected leaders serve to represent their best interests, not the whims of some special interests. Our constituents must have absolute confidence in the fairness of our political process and loopholes in the current rules must be closed for good.

We can restore credibility and faith in the political process by passing H.R. 417, the Shays-Meehan Bipartisan Campaign Finance Reform Act, of which I am proud to be an original cosponsor.

H.R. 417 makes four major changes to our campaign financing system:

H.R. 417 bans soft money: Shays-Meehan completely eliminates Federal soft money, as well as state soft money that influences a Federal election.

H.R. 417 recognizes sham issue ads for what they really are: campaign ads. Under Shays-Meehan, within 60 days of an election only legal, ''hard'' dollars could be used for radio and TV ads that refer to a clearly identified Federal candidate run; furthermore, any communication, run at any time, that contains unambiguous and unmistakable support for or opposition to a clearly identified Federal candidate must be paid for with ''hard'' dollars.

H.R. 417 improves Federal Election Commission (FEC) disclosure and enforcement. Shays-Meehan requires FEC reports to be filed electronically, and provides for Internet posting of this and other disclosure data.

H.R. 417 establishes a Commission to study further reforms to our campaign finance system.

In addition, Shays-Meehan reforms also clarifies that it is illegal to raise not only hard money—but soft money as well—from foreign nationals or to raise money on government property; expands the ban on unsolicited ''franked'' mass mailings from the current three months before a general election to six months; bans coordinated party contributions

to candidates who spend more than $50,000 in personal funds on their own campaigns; establishes a clearinghouse of information within the FEC and strengthens FEC enforcement as well as the penalties for violating the foreign money ban. Shays-Meehan also clearly exempts educational voter guides.

Mr. Chairman, today both of our political parties are guilty of working in a system that is more ''loophole than law.''

In the words of my friend, the gentleman from Connecticut who continues to be the driving force behind the reform move in the House, ''If we allow the status quo to continue, and stand by as . . . interest groups are shaken down by the political parties, the cherished ideals that bind our national identity—free elections; one person, one vote—become meaningless.''

Mr. Chairman, let us show all Americans that their one vote is not meaningless, and that their active involvement in our political process is more valuable to us than any dollar amount could ever be.

As the New York Times concluded in its editorial yesterday, today ''the House faces a test of its Members' sincerity and of whether it is listening to the public instead of special interest donors.''

Who will we listen to, Mr. Chairman? To me, it's clear. I urge my colleagues to pass H.R. 417.

Mr. PORTMAN. Mr. Chairman, I rise in opposition to the Shays-Meehan legislation. I commend the sponsors for their efforts to clean up our broken campaign finance system, and I believe they are sincere in their efforts.

However, while the Shays-Meehan bill makes some needed changes, it fails to go far enough in addressing what I believe are real problems with our current campaign finance system. Shays-Meehan fails to address the underlying problems of special interest influence, foreign influence and built-in incumbent advantages that plague our current system. Moreover, soft money provision, while well-intentioned, raise serious Constitutional concerns. Most seriously, the bill does nothing to address the problem posed by special interest PACs, which contribute overwhelmingly to incumbents and discourage individuals from getting involved in the political process.

During the last Congress, I introduced campaign finance legislation containing limitations and increased disclosure for soft money, and other key provisions that go further than the Shays-Meehan bill. Among other features, the Restoring Trust in Government Act would have: banned the activities of special interest Political Action Committees (PACs); required 60% of campaign funds to be raided within a House candidate's district or a Senate candidate's state; clearly prohibited contributions by non-citizens; limited the ''bundling'' of campaign contributions; and completely banned taxpayer-financed unsolicited mass mailings by Members of Congress.

I believe these are all common sense changes that deserve consideration in the context of campaign finance reform.

Mr. Chairman, ultimately, I believe is virtually impossible for even the best intentioned incumbent Members of Congress to make truly sensible changes to the campaign finance system that helped them to get elected. That's why I would support the establishment of an independent commission—with a majority of members coming from outside of government—to study the problems of our current campaign financing system and make recommendations for reform within a very specific timeline. These recommendations would then be submitted to Congress for a simple yes or no vote, similar to the way we handled the difficult issue of base closures.

I know commissions have a checkered history in Washington, but they can work if they are given the opportunity. I know from my own experience as co-chairman of the National Commission on Restructuring the IRS, which recommended a successful package of IRS reforms that ultimately passed Congress and were signed into law. I would also add that, if we had taken the step of establishing a nonpartisan campaign finance commission when we had the chance last year, we would be considering a nonpartisan commission's report today, instead of essentially the same Shays-Meehan legislation that failed to pass the Senate last year.

If we're really serious about campaign finance reform, I believe we have no choice but to take it *out* of the political process entirely. I hope, when we next consider campaign finance reform, we will have the courage to support real campaign finance reform that can be enacted into law.

Mr. PAUL. Mr. Chairman, campaign finance reform is once again being painted as the solution to political corruption in Washington. Indeed, political corruption is a problem, but today's reformers hardly offer a solution. The real problem is that government has too much influence over our economy and lives, creating a tremendous incentive to protect one's own interests by 'investing' in politicians. The problem is not a lack of federal laws, or rules regulating campaign spending, therefore more laws won't help. We hardly suffer from too much freedom. Any effort to solve the campaign finance problem with more laws will only make things worse by further undermining the principles of liberty and private property ownership.

The reformers are sincere in their effort to curtail special interest influence on government, but this cannot be done while ignoring the control government has assumed over our lives and economy. Current reforms address only the symptoms while the root cause of the problem is ignored. Since reform efforts involve regulating political speech through control of political money, personal liberty is compromised. Tough enforcement of spending rules will merely drive the influence underground since the stakes are too high and much is to be gained by exerting influence over government—legal or not. The more open and legal campaign expenditures are, with disclosure, the easier it is for voters to know who's buying influence from whom.

There's tremendous incentive for every special interest group to influence government. Every individual, bank or corporation that does business with government invests plenty in influencing government. Lobbyists spend over a hundred million dollars per month trying to influence Congress. Taxpayers dollars are endlessly spent by bureaucrats in their effort to convince Congress to protect their own empires. Government has tremendous influence over the economy, and financial markets through interest rate controls, contracts, regulations, loans, and grants. Corporations and others are 'forced' to participate in the process out of greed as well as self-defense—since that's the way the system works. Equalizing competition and balancing power such as between labor and business is a common practice. As long as this system remains in place, the incentive to buy influence will continue.

Many reformers recognize this and either like the system or believe that it's futile to bring about changes and argue that curtailing influence is the only option left even if it involves compromising the liberty of political speech through regulating political money.

It's naive to believe stricter rules will make a difference. If enough honorable men and women served in Congress and resisted the temptation to be influenced by any special interest group, of course this whole discussion would be unnecessary. Because Members do yield to the pressure, the reformers believe that more rules regulating political speech will solve the problem.

The reformers argue that it's only the fault of those trying to influence government and not the fault of the Members who yield to the pressure or the system that generates the abuse. This allows Members of Congress to avoid assuming responsibility for their own acts and instead places the blame on those who exert pressure on Congress through the political process which is a basic right bestowed on all Americans. The reformer's argument is ''stop us before we succumb to the special interest groups.''

Politicians unable to accept this responsibility clamor for a system that diminishes the need for politicians to persuade individuals and groups to donate money to their campaign. Instead of persuasion they endorse coercing taxpayers to finance campaigns.

This only changes the special interest groups that control government policy. Instead of voluntary groups making their own decisions with their own money, politicians and bureaucrats dictate how political campaigns will be financed. Not only will politicians and bureaucrats gain influence over elections, other nondeservers will benefit. Clearly, incumbents will greatly benefit by more controls over campaign spending—a benefit to which the reformers will never admit.

The media becomes a big winner. Their influence grows as private money is regulated. It becomes more difficult to refute media propaganda,both print and electronic, when directed against a candidate if funds are limited. Campaigns are more likely to reflect the conventional wisdom and candidates will strive to avoid media attacks by accommodating their views.

The wealthy gain a significant edge since it's clear candidates can spend unlimited personal funds in elections. This is a big boost for the independently wealthy candidates over the average challenger who needs to raise and spend large funds to compete.

Celebrities will gain even a greater benefit than they already enjoy. Celebrity status is money in the bank and by limiting the resources to counter-balance this advantage, works against the non-celebrity who might be an issue-oriented challenger.

This current reform effort ignores the legitimate and moral ''political action committees'' that exist only for good reasons and do not ask for any special benefit from government. The immoral ''political action committees'' that work only to rip-off the taxpayers by getting benefits from government may deserve our condemnation but not the heavy hand of government anxious to control this group along

with all the others. The reformers see no difference between the two and are willing to violate all personal liberty. Since more regulating doesn't address the basic problem of influential government, now out of control, neither groups deserves more coercive government rules. All the rules in the world can't prevent members from yielding to political pressure of the groups that donate to their campaigns. Regulation cannot instill character.

Additionally, the legislative debate over campaign finance reform has seemingly focused upon the First Amendment guarantee of freedom of speech, as interpreted and applied by the courts. The constitutional issues, however, are not limited to the First Amendment. To the contrary, pursuant to their oaths of office, members of Congress have an independent duty to determine the constitutionality of legislation before it and to decide, before ever reaching the First Amendment, whether they have been vested by the Constitution with any authority, at all, to regulate federal election campaigns. Congress has no authority except that which is ''granted'' in the Constitution. Thus, the threshold question concerning H.R. 417 is whether the Constitution has conferred upon Congress any authority to regular federal election campaigns. The authority to regulate such campaigns is not found among any enumerated power conferred upon Congress.

More regulation of political speech through control of private money, without addressing the subject of influential government only drives the money underground, further giving a select group an advantage over the honest candidate who only wants smaller government.

True reform is not possible without changing the role of government, which now exists to regulate, tax, subsidize, and show preferential treatment. Only changing the nature of government will eliminate the motive for so many to invest so much in the political process. But we should not make a bad situation worse by passing more bad laws.

Mr. LANTOS. Mr. Chairman, I urge my colleagues to join me in supporting H.R. 417, the Bipartisan Campaign Finance Reform Act of 1999, and to oppose all of the cynical ''poison pill'' amendments that have been introduced to undermine support for this important legislation. H.R. 417 contains a number of essential reforms to our federal system of financial elections in our political system.

Mr. Chairman, I commend our distinguished colleagues, my friend Mr. CHRISTOPHER SHAYS of Connecticut and Mr. MARTIN MEEHAN of Massachusetts, for introducing this extremely important bill.

The most significant provision of the Campaign Finance Reform Act would effectively ban unregulated ''soft money'' from our political process, abolishing once and for all this legal loophole through which hundreds of millions of dollars are poured into our national electoral process every election cycle. Soft money has made a mockery of our existing campaign finance laws, which are permitting big money interests to exert a massively disproportionate influence upon the selection of our nation's president, as well as congressman and senators. This is wrong and it must be stopped.

The Campaign Finance Reform Act would also regulate sham issue ads, which are truly campaign expenditures. The use of such ''issue ads'' is a gaping hole in our election laws. This law would improve the disclosure and enforcement capabilities of the Federal Election Commission, and it would establish an independent commission to study further reforms that may be needed in order to help us make future necessary changes in our campaign finance system.

Mr. Chairman, this same legislation was adopted by the House of Representatives during the 105th Congress with the overwhelming support of the American people. Despite the popular demand for reform, those members who are defending our hopelessly flawed campaign finance system continue to use ''Delay'' and obstruction tactics to undermine the prospects for the passage of H.R. 417. These opponents of comprehensive reform—unfortunately with the backing of the Republican leadership—are sponsoring seven ''poison pill'' amendments to divide the coalition supporting the Bipartisan Campaign Finance Reform Act. I urge my colleagues to reject these transparent gimmicks and to vote to restore American citizens' trust in the ''People's House.'' Our constituents deserve as much.

Mr. Chairman, I submit an editorial from this morning's Washington Post which, I believe, effectively sets forth the strong case for the passage of H.R. 417. I urge all of my colleagues to give attention to this very thoughtful opinion.

[From the Washington Post, Sept. 14, 1999]

YES TO CAMPAIGN FINANCE REFORM

The House has what ought to be an easy vote today—''yes'' on campaign finance reform. The bill the reluctant Republican leadership has finally brought to the floor passed by a vote of 252 to 179 in the last Congress. Most of the same members are back. The need is, if anything, greater; they have no reason to renege.

The modest measure, by Reps. Christopher Shays and Martin Meehan, seeks to halt only the most egregious of the fund-raising abuses that flourished in the last campaign. It would bar the use of the national party organizations to raise and spend, on behalf of their candidates, ''soft that the candidates are forbidden by law to raise and spend themselves.'' It seeks to limit the use of other, nominally independent organizations to raise and spend such money in the form of ''issue ads'' as well.

The leadership, having been forced by threat of a discharge petition to let the bill on the floor, has sprinkled obstacles in its path. Ten amendments will be in order. They were carefully written to sound innocuous while either weakening the bill or poisoning it for Democrats who might then relieve the Republicans of responsibility by taking the lead in voting no. One purports to defend voter guides but, as written, would likely make all issue ads unassailable. One, of dubious constitutionality, would require candidates to raise half their contributions in their home states; its adoption would likely drive Democrats from low-income districts to reject the entire bill. Everyone understands this. The amendments should be voted down, as should the three substitutes that will then also be in order. They too are weaker than the bill. One, by Rep. Bill Thomas, is a deliberate nullity, the theory being that no one will bother to vote against. But if any of these passes, the underlying bill is dead. That too is well understood.

The bill that passed last year was deflected by the Republican leadership in the Senate. This one faces similar resistance. It is a subject that, more than any other, causes hypocrisy to flower. The president, whose flagrant circumvention of the law in 1996 helped prompt the legislation, now takes the lead in supporting it. The Republicans, meanwhile, having spent the better part of the last Congress rightly denouncing his behavior, now block the bill that would outlaw it; they, it turns out, are the ones who profit most from the system they deplore. The parties are raising far more soft money in this cycle than they did in the last. The campaign finance law has pretty well ceased to exist, except on paper. Shays-Meehan would begin to restore it. That's what this vote is about.

Mr. LARSON. Mr. Chairman, I rise today in strong support of the Bipartisan Campaign Reform Act (H.R. 417). First, I would like to commend my colleagues, Representatives CHRISTOPHER SHAYS and MARTIN T. MEEHAN, for the extraordinary amount of hard work they put forth to bring this bill before us today. It is a testament to their diligence and tenacity that they have successfully defeated the obstacles that have been placed in the way of this important legislation.

I believe that it is time to change the nature of today's political campaigns. Working people are losing their voice in the political process, and losing faith in their officials because their vote is being drowned in a sea of negative attack ads. These reforms would tighten the campaign finance laws to keep outside groups from running sham ads, and reduce the impact of obscure, faceless groups and their money on our elections. I believe that this bill is a bipartisan effort to restore faith in our Government, which is why it is one of the first bills I co-sponsored.

I have been in politics for many years and I know that too much money is spent in political campaigns, and real people are losing their voice in elections. We need to bring campaigns back to the basics so that big money influences are put in check, and unregulated ''soft'' money is taken out of politics.

Many people are distrustful of the political process, and rightfully so. They don't vote in elections because major outside groups and parties have too much leverage. This reform bill is a bipartisan effort to restore faith in our Government and open up the political system. This measure aggressively targets the big money in politics and brings campaigns back to the people. These reforms are responsible, logical, and best of all, workable within our current system. Therefore, Mr. Chairman, I urge my colleagues to support the Shays-Meehan bill and vote against the many ''poison-pill'' amendments that have been allowed to be offered today.

Mr. KUCINICH. Mr. Chairman, today, the House of Representatives decides whether elections will continue to be controlled by a wealthy and powerful elite, or whether a significant curb on their hold over the American political process will be put in place.

H.R. 417, the Shays-Meehan Campaign Finance reform bill will help to give elections back to the people by curbing the influence of the moneyed interests.

Do not be fooled by the amendments offered today. They are intended to gut the Shays-Meehan Campaign Finance Reform bill. The rules of today's debate were designed to undermine real campaign finance reform with a series of poor substitutes.

The real test of whether this House supports campaign finance reform or thwarts it is this: we must defeat all substitute amendments and

poison pill amendments, and then we must pass Shays-Meehan.

Mr. SMITH of Michigan. Mr. Chairman, let's concentrate on constituent interests, not special interests.

As the great political reporter Theodore White wrote, ''the flood of money that gushes into politics today is a pollution of democracy.'' I haven't accepted PAC contributions since I first ran for the Michigan state senate in 1982. Although I knew I would always vote the way I felt was right regardless of who donated to my campaign, I also knew that it was equally important that my constituents had no doubts about how much PAC lobbyists might be influencing my decisions.

I have reintroduced my bill from the 105th Congress, the PAC Limitation Act, which would do the following:

Ban PACs from donating to individual Congressional campaigns.

Require that Congressional candidates raise 50% or more of their contributions from individual donors who reside within their district.

Limit how much and how often individuals can make soft money contributions to political party organizations.

Require that TV, radio and cable stations report the placement of issue ads so that there will be full disclosure.

Require labor organizations to obtain the written permission of members before using any dues or fees for political purposes.

Special interests with their organized lobbying and their millions of dollars of PAC persuasion money have gained undue influence in Congress. It is time to start dismantling that influence.

This legislation moves the process ahead.

Mr. WU. Mr. Chairman, I rise today to help restore the trust of the American people. I am a cosponsor of H.R. 417, the Bipartisan Campaign Finance Reform Act, and urge my colleagues to pass this legislation today. I also urge my colleagues to reject any and all poison pill amendments intended to destroy the underlying bill.

As a first-time candidate for public office, I saw from a private citizen's perspective the need to reform our country's campaign finance system. I believe very strongly in this issue—we need to overhaul the way that campaigns are financed in America. Shortly after coming to Congress, I signed a letter with many of my freshman colleagues urging swift consideration and passage of the Shays-Meehan legislation. There are numerous cracks in our current campaign finance system, many of which create a complex web that ultimately discourage public participation. I believe that Shays-Meehan will help empower the American people and rebuild some of the trust that has been eroded by our campaign finance process.

While it is not perfect, Shays-Meehan takes important steps toward restoring the public's faith in government. It makes a number of serious reforms to bring more sunshine into the process, including banning soft money contributions and imposing restrictions on so-called ''issue ads.'' Moreover, the Shays-Meehan bill will encourage other important and sensible reforms, such as requiring electronic filing of FEC reports and the disclosure of candidate information in campaign advertisements.

Opponents of the Shays-Meehan legislation believe there should be more special interest money in politics, not less. Opponents also raise objections to individual provisions wholly because they believe parts of H.R. 417 would jeopardize their own individual election or weaken their party. I believe that the time has come to serve the interests of the Americans people, focus on reducing the influence of special interests in our political system, and improve the campaign finance system in our country. Congress belongs to the people.

Unfortunately, in a recent poll, over half of all Americans did not believe Abraham Lincoln's statement that America is a government ''of, by, and for the people.'' Every member of this body should be humbled by this finding, and every member of this body should vote for Shays-Meehan. I urge all my colleagues to vote for the Bipartisan Campaign Finance Reform Act and restore the public trust.

Mr. HORN. Mr. Chairman, in the 1996 presidential campaign, our nation witnessed the most scandalous money chase since the glory days of the big-city bosses and the robber barons. The question we now face is whether we have the will to clean up and toughen our laws or whether we will just accept practices like auctioning off the Lincoln bedroom or allowing foreign governments and corporations to pump money into our political campaigns.

The time for campaign reform is now. I support H.R. 417, the Shays-Meehan legislation for comprehensive reform of our campaign finance laws.

The Shays-Meehan bill bans political parties and Federal officials from raising or spending any so-called ''soft'' money. Congress thought it had banned ''soft money'' decades ago. In our democracy, we must not permit unlimited, unregulated contributions directly from corporations, unions or wealthy individuals. If a candidate took soft money today, that candidate would be indicted. But the loophole is that party committees have become giant money laundromats that collect and cleanse this otherwise-illegal money. Our legislation stops this game.

The bill also ends sham issue-ads. These TV ads rip a candidate to shreds and then ask: ''Let him know what you think.'' Since the ad never explicitly says ''vote against so-and-so'' the current law says these are ''educational issue ads'' and not campaign ads. That is baloney. These ads are purely political and often the most vicious. They should be forced to abide by the same rules that bind every candidate—full disclosure of all contributions. That is what our bill requires.

This is sound and sensible legislation. Let's pass it. Let's send it to the Senate, which must give it the time and attention it deserves this year. Honest campaigns and elections are the most basic safeguard of a democracy. Every right that we have flows from the right to decide who will govern us. We need to decide now whether our elections will be governed by law or manipulated by loophole.

☐ 1545

The CHAIRMAN. All time has expired.

Mr. THOMAS. Mr. Chairman, I ask unanimous consent to review an agreement that we have made about the way we proceed with the amendment in the voting.

The CHAIRMAN. The Chair does not understand the gentleman's statement.

Mr. THOMAS. Mr. Chairman, I ask unanimous consent to speak out of order for 1 minute.

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

Mr. MEEHAN. Reserving the right to object, Mr. Chairman, I would ask the gentleman what this is going to be.

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

Mr. MEEHAN. I yield to the gentleman from Massachusetts.

Mr. THOMAS. Mr. Chairman, what I was going to do is inform the House and Members the procedure we are going to be following through the amending process and the substitution process so Members can plan for the rest of the evening.

Mr. MEEHAN. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN. The gentleman from California (Mr. THOMAS) is recognized for 1 minute.

Mr. THOMAS. Mr. Chairman, there has been an agreement among us that we are now going into the amendment process to H.R. 417, following general debate. There are 10 amendments. Each is to be considered for 10 minutes.

We have agreed that we will deal with five at a time and then ask for a vote. That would be a 15-minute vote followed by four five-minute votes. Then we would take the second block of five amendments, and then have a vote of 15 and then four 5s. Then we would move through the substitutes. Each of those have 40 minutes, with a vote following each substitute, which would, of course, then require a 15-minute vote for those.

So after five amendments there will be a block of voting, and then at the end of the next five amendments there would be a block of voting.

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. HOBSON, Chairman 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. 417) 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.

CONFERENCE REPORT ON H.R. 2490, TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2000

Mr. KOLBE submitted the following conference report and statement on the bill (H.R. 2490) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000, and for other purposes:

CONFERENCE REPORT (H. REPT. 106–319)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2490) ''making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000, and for other purposes'', having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business; not to exceed $2,900,000 for official travel expenses; not to exceed $150,000 for official reception and representation expenses; not to exceed $258,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate, $134,034,000.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For development and acquisition of automatic data processing equipment, software, and services for the Department of the Treasury, $43,961,000, to remain available until expended: Provided, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations: Provided further, That this transfer authority shall be in addition to any other transfer authority provided in this Act: Provided further, That none of the funds appropriated shall be used to support or supplement the Internal Revenue Service appropriations for Information Systems.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, not to exceed $2,000,000 for official travel expenses, including hire of passenger motor vehicles; and not to exceed $100,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury, $30,716,000.

INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, as amended, including purchase (not to exceed 150 for replacement only for police-type use) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); services authorized by 5 U.S.C. 3109, at such rates as may be determined by the Inspector General for Tax Administration; not to exceed $6,000,000 for official travel expenses; and not to exceed $500,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration, $112,207,000.

TREASURY BUILDING AND ANNEX REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Treasury Building and Annex, $23,000,000, to remain available until expended.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel expenses of non-Federal law enforcement personnel to attend meetings concerned with financial intelligence activities, law enforcement, and financial regulation; not to exceed $14,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, $27,818,000, of which not to exceed $1,000,000 shall remain available until September 30, 2002: Provided, That funds appropriated in this account may be used to procure personal services contracts.

VIOLENT CRIME REDUCTION PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For activities authorized by Public Law 103–322, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund, as follows:

(1) As authorized by section 190001(e), $119,000,000; of which $27,920,000 shall be available to the Bureau of Alcohol, Tobacco and Firearms, including $3,000,000 for administering the Gang Resistance Education and Training program; of which $4,200,000 shall be available to the United States Secret Service for forensic and related support of investigations of missing and exploited children, of which $2,200,000 shall be available as a grant for activities related to the investigations of exploited children and shall remain available until expended; of which $61,000,000 shall be available for the United States Customs Service; of which $1,863,000 shall be available for the Financial Crimes Enforcement Network; of which $9,200,000 shall be available to the Federal Law Enforcement Training Center; and of which $14,817,000 shall be available for Interagency Crime and Drug Enforcement.

(2) As authorized by section 32401, $13,000,000 to the Bureau of Alcohol, Tobacco and Firearms for disbursement through grants, cooperative agreements, or contracts to local governments for Gang Resistance Education and Training: Provided, That notwithstanding sections 32401 and 310001, such funds shall be allocated to State and local law enforcement and prevention organizations.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, as a bureau of the Department of the Treasury, including materials and support costs of Federal law enforcement basic training; purchase (not to exceed 52 for police-type use, without regard to the general purchase price limitation) and hire of passenger motor vehicles; for expenses for student athletic and related activities; uniforms without regard to the general purchase price limitation for the current fiscal year; the conducting of and participating in firearms matches and presentation of awards; for public awareness and enhancing community support of law enforcement training; not to exceed $9,500 for official reception and representation expenses; room and board for student interns; and services as authorized by 5 U.S.C. 3109, $84,027,000, of which up to $16,511,000 for materials and support costs of Federal law enforcement basic training shall remain available until September 30, 2002: Provided, That the Center is authorized to accept and use gifts of property, both real and personal, and to accept services, for authorized purposes, including funding of a gift of intrinsic value which shall be awarded annually by the Director of the Center to the outstanding student who graduated from a basic training program at the Center during the previous fiscal year, which shall be funded only by gifts received through the Center's gift authority: Provided further, That notwithstanding any other provision of law, students attending training at any Federal Law Enforcement Training Center site shall reside in on-Center or Center-provided housing, insofar as available and in accordance with Center policy: Provided further, That funds appropriated in this account shall be available, at the discretion of the Director, for the following: training United States Postal Service law enforcement personnel and Postal police officers; State and local government law enforcement training on a space-available basis; training of foreign law enforcement officials on a space-available basis with reimbursement of actual costs to this appropriation, except that reimbursement may be waived by the Secretary for law enforcement training activities in foreign countries undertaken pursuant to section 801 of the Antiterrorism and Effective Death Penalty Act of 1996, Public Law 104–32; training of private sector security officials on a space-available basis with reimbursement of actual costs to this appropriation; and travel expenses of non-Federal personnel to attend course development meetings and training sponsored by the Center: Provided further, That the Center is authorized to obligate funds in anticipation of reimbursements from agencies receiving training sponsored by the Federal Law Enforcement Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year: Provided further, That the Federal Law Enforcement Training Center is authorized to provide training for the Gang Resistance Education and Training program to Federal and non-Federal personnel at any facility in partnership with the Bureau of Alcohol, Tobacco and Firearms: Provided further, That the Federal Law Enforcement Training Center is authorized to provide short-term medical services for students undergoing training at the Center.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For expansion of the Federal Law Enforcement Training Center, for acquisition of necessary additional real property and facilities, and for ongoing maintenance, facility improvements, and related expenses, $21,611,000, to remain available until expended.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For expenses necessary for the detection and investigation of individuals involved in organized crime drug trafficking, including cooperative efforts with State and local law enforcement, $61,083,000, of which $7,827,000 shall remain available until expended.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Financial Management Service, $201,320,000, of which not to exceed $10,635,000 shall remain available until September 30, 2002, for information systems modernization initiatives; and of which not to exceed $2,500 shall be available for official reception and representation expenses.

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco and Firearms, including purchase of not to exceed 812 vehicles for police-type use, of which 650 shall be for replacement only, and hire of passenger motor vehicles; hire of aircraft; services of expert witnesses at such rates as may be determined by the Director; for payment of per diem and/or subsistence allowances to employees where an assignment to the National

Response Team during the investigation of a bombing or arson incident requires an employee to work 16 hours or more per day or to remain overnight at his or her post of duty; not to exceed $15,000 for official reception and representation expenses; for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and provision of laboratory assistance to State and local agencies, with or without reimbursement, $565,959,000, of which $39,000,000 may be used for the Youth Crime Gun Interdiction Initiative; of which not to exceed $1,000,000 shall be available for the payment of attorneys' fees as provided by 18 U.S.C. 924(d)(2); and of which $1,000,000 shall be available for the equipping of any vessel, vehicle, equipment, or aircraft available for official use by a State or local law enforcement agency if the conveyance will be used in joint law enforcement operations with the Bureau of Alcohol, Tobacco and Firearms and for the payment of overtime salaries, travel, fuel, training, equipment, supplies, and other similar costs of State and local law enforcement personnel, including sworn officers and support personnel, that are incurred in joint operations with the Bureau of Alcohol, Tobacco and Firearms: Provided, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco and Firearms to other agencies or Departments in fiscal year 2000: Provided further, That no funds appropriated herein shall be available for salaries or administrative expenses in connection with consolidating or centralizing, within the Department of the Treasury, the records, or any portion thereof, of acquisition and disposition of firearms maintained by Federal firearms licensees: Provided further, That no funds appropriated herein shall be used to pay administrative expenses or the compensation of any officer or employee of the United States to implement an amendment or amendments to 27 CFR 178.118 or to change the definition of ''Curios or relics'' in 27 CFR 178.11 or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994: Provided further, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under 18 U.S.C. 925(c): Provided further, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under 18 U.S.C. 925(c): Provided further, That no funds in this Act may be used to provide ballistics imaging equipment to any one installation or site of a State or local authority who has obtained similar equipment through a Federal grant or subsidy unless the State or local authority agrees in writing to the original grantor to return that equipment or to repay that grant or subsidy to the Federal Government: Provided further, That no funds under this Act may be used to electronically retrieve information gathered pursuant to 18 U.S.C. 923(g)(4) by name or any personal identification code.

UNITED STATES CUSTOMS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Customs Service, including purchase and lease of up to 1,050 motor vehicles of which 550 are for replacement only and of which 1,030 are for police-type use and commercial operations; hire of motor vehicles; contracting with individuals for personal services abroad; not to exceed $40,000 for official reception and representation expenses; and awards of compensation to informers, as authorized by any Act enforced by the United States Customs Service, $1,705,364,000, of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985, as amended (19 U.S.C. 58c(f)(3)), shall be derived from that Account; of the total, not to exceed $150,000 shall be available for payment for rental space in connection with preclearance operations; not to exceed $4,000,000 shall be available until expended for research, of which $725,000 shall be provided to a northern plains agricultural economics program in North and/or South Dakota to conduct a research program on the bilateral United States/Canadian bilateral trade of agricultural commodities and products; of which not less than $100,000 shall be available to promote public awareness of the child pornography tipline; of which not less than $200,000 shall be available for Project Alert; not to exceed $5,000,000 shall be available until expended for conducting special operations pursuant to 19 U.S.C. 2081; not to exceed $8,000,000 shall be available until expended for the procurement of automation infrastructure items, including hardware, software, and installation; and not to exceed $5,000,000 shall be available until expended for repairs to Customs facilities: Provided, That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: Provided further, That notwithstanding any other provision of law, the fiscal year aggregate overtime limitation prescribed in subsection 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 261 and 267) shall be $30,000.

HARBOR MAINTENANCE FEE COLLECTION

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses related to the collection of the Harbor Maintenance Fee, pursuant to Public Law 103–182, $3,000,000, to be derived from the Harbor Maintenance Trust Fund and to be transferred to and merged with the Customs ''Salaries and Expenses'' account for such purposes.

OPERATION, MAINTENANCE AND PROCUREMENT, AIR AND MARINE INTERDICTION PROGRAMS

For expenses, not otherwise provided for, necessary for the operation and maintenance of marine vessels, aircraft, and other related equipment of the Air and Marine Programs, including operational training and mission-related travel, and rental payments for facilities occupied by the air or marine interdiction and demand reduction programs, the operations of which include the following: the interdiction of narcotics and other goods; the provision of support to Customs and other Federal, State, and local agencies in the enforcement or administration of laws enforced by the Customs Service; and, at the discretion of the Commissioner of Customs, the provision of assistance to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts, $108,688,000, which shall remain available until expended: Provided, That no aircraft or other related equipment, with the exception of aircraft which is one of a kind and has been identified as excess to Customs requirements and aircraft which has been damaged beyond repair, shall be transferred to any other Federal agency, department, or office outside of the Department of the Treasury, during fiscal year 2000 without the prior approval of the Committees on Appropriations.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

For necessary expenses connected with any public-debt issues of the United States, $182,219,000, of which not to exceed $2,500 shall be available for official reception and representation expenses, and of which not to exceed $2,000,000 shall remain available until expended for systems modernization: Provided, That the sum appropriated herein from the General Fund for fiscal year 2000 shall be reduced by not more than $4,400,000 as definitive security issue fees and Treasury Direct Investor Account Maintenance fees are collected, so as to result in a final fiscal year 2000 appropriation from the General Fund estimated at $177,819,000, and in addition, $20,000, to be derived from the Oil Spill Liability Trust Fund to reimburse the Bureau for administrative and personnel expenses for financial management of the Fund, as authorized by section 1012 of Public Law 101–380.

INTERNAL REVENUE SERVICE

PROCESSING, ASSISTANCE, AND MANAGEMENT

For necessary expenses of the Internal Revenue Service for tax returns processing; revenue accounting; tax law and account assistance to taxpayers by telephone and correspondence; programs to match information returns and tax returns; management services; rent and utilities; and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $3,312,535,000, of which up to $3,950,000 shall be for the Tax Counseling for the Elderly Program, and of which not to exceed $25,000 shall be for official reception and representation expenses.

TAX LAW ENFORCEMENT

For necessary expenses of the Internal Revenue Service for determining and establishing tax liabilities; providing litigation support; issuing technical rulings; examining employee plans and exempt organizations; conducting criminal investigation and enforcement activities; securing unfiled tax returns; collecting unpaid accounts; compiling statistics of income and conducting compliance research; purchase (for police-type use, not to exceed 850) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $3,336,838,000, of which not to exceed $1,000,000 shall remain available until September 30, 2002, for research, and of which not to exceed $150,000 shall be for official reception and representation expenses associated with hosting the Inter-American Center of Tax Administration (CIAT) 2000 Conference.

EARNED INCOME TAX CREDIT COMPLIANCE INITIATIVE

For funding essential earned income tax credit compliance and error reduction initiatives pursuant to section 5702 of the Balanced Budget Act of 1997 (Public Law 105–33), $144,000,000, of which not to exceed $10,000,000 may be used to reimburse the Social Security Administration for the costs of implementing section 1090 of the Taxpayer Relief Act of 1997.

INFORMATION SYSTEMS

For necessary expenses of the Internal Revenue Service for information systems and telecommunications support, including developmental information systems and operational information systems; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $1,455,401,000 which shall remain available until September 30, 2001.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

SEC. 101. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations.

SEC. 102. The Internal Revenue Service shall maintain a training program to ensure that Internal Revenue Service employees are trained in taxpayers' rights, in dealing courteously with the taxpayers, and in cross-cultural relations.

SEC. 103. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information.

SEC. 104. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased manpower to provide sufficient and effective 1–800 help line service for taxpayers. The Commissioner shall continue to make the improvement of the Internal Revenue Service 1–800 help line service a priority and allocate resources necessary to increase phone lines and

staff to improve the Internal Revenue Service 1–800 help line service.

SEC. 105. Notwithstanding any other provision of law, no reorganization of the field office structure of the Internal Revenue Service Criminal Investigation Division will result in a reduction of criminal investigators in Wisconsin and South Dakota from the 1996 level.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase of not to exceed 777 vehicles for police-type use, of which 739 shall be for replacement only, and hire of passenger motor vehicles; hire of aircraft; training and assistance requested by State and local governments, which may be provided without reimbursement; services of expert witnesses at such rates as may be determined by the Director; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; for payment of per diem and/or subsistence allowances to employees where a protective assignment during the actual day or days of the visit of a protectee require an employee to work 16 hours per day or to remain overnight at his or her post of duty; the conducting of and participating in firearms matches; presentation of awards; for travel of Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act if approval is obtained in advance from the Committees on Appropriations; for research and development; for making grants to conduct behavioral research in support of protective research and operations; not to exceed $20,000 for official reception and representation expenses; not to exceed $50,000 to provide technical assistance and equipment to foreign law enforcement organizations in counterfeit investigations; for payment in advance for commercial accommodations as may be necessary to perform protective functions; and for uniforms without regard to the general purchase price limitation for the current fiscal year, $667,312,000: Provided, That up to $18,000,000 provided for protective travel shall remain available until September 30, 2001.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For necessary expenses of construction, repair, alteration, and improvement of facilities, $4,923,000, to remain available until expended.

GENERAL PROVISIONS—DEPARTMENT OF THE TREASURY

SEC. 110. Any obligation or expenditure by the Secretary of the Treasury in connection with law enforcement activities of a Federal agency or a Department of the Treasury law enforcement organization in accordance with 31 U.S.C. 9703(g)(4)(B) from unobligated balances remaining in the Fund on September 30, 2000, shall be made in compliance with reprogramming guidelines.

SEC. 111. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 112. The funds provided to the Bureau of Alcohol, Tobacco and Firearms for fiscal year 2000 in this Act for the enforcement of the Federal Alcohol Administration Act shall be expended in a manner so as not to diminish enforcement efforts with respect to section 105 of the Federal Alcohol Administration Act.

SEC. 113. Not to exceed 2 percent of any appropriations in this Act made available to the Federal Law Enforcement Training Center, Financial Crimes Enforcement Network, Bureau of Alcohol, Tobacco and Firearms, United States Customs Service, and United States Secret Service may be transferred between such appropriations upon the advance approval of the Committees on Appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 114. Not to exceed 2 percent of any appropriations in this Act made available to the Departmental Offices, Office of Inspector General, Treasury Inspector General for Tax Administration, Financial Management Service, and Bureau of the Public Debt, may be transferred between such appropriations upon the advance approval of the Committees on Appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 115. Of the funds available for the purchase of law enforcement vehicles, no funds may be obligated until the Secretary of the Treasury certifies that the purchase by the respective Treasury bureau is consistent with Departmental vehicle management principles: Provided, That the Secretary may delegate this authority to the Assistant Secretary for Management.

SEC. 116. (a) VOLUNTARY SEPARATION INCENTIVE PAYMENTS FOR EMPLOYEES OF THE OFFICE OF THE TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION.—During the period from October 1, 1999 through January 1, 2003, the Treasury Inspector General for Tax Administration is authorized to offer voluntary separation incentives in order to provide the necessary flexibility to carry out the plan to establish and reorganize the Office of the Treasury Inspector General for Tax Administration (referred to in this section as the ''Office'').

(b) DEFINITION.—In this section, the term ''employee'' means an employee (as defined by 5 U.S.C. 2105) who is employed by the Office serving under an appointment without time limitation, and has been currently employed by the Office or the Internal Revenue Service or the Office of Inspector General of the Department of the Treasury for a continuous period of at least 3 years, but does not include—

(1) a reemployed annuitant under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, or another retirement system;

(2) an employee having a disability on the basis of which such employee is or would be eligible for disability retirement under the applicable retirement system referred to in paragraph (1);

(3) an employee who is in receipt of a specific notice of involuntary separation for misconduct or unacceptable performance;

(4) an employee who has previously received any voluntary separation incentive payment by the Federal Government under this section or any other authority and has not repaid such payment;

(5) an employee covered by statutory reemployment rights who is on transfer to another organization; or

(6) any employee who, during the 24-month period preceding the date of separation, has received a recruitment or relocation bonus under 5 U.S.C. 5753 or who, within the 12-month period preceding the date of separation, received a retention allowance under 5 U.S.C. 5754.

(c) AUTHORITY TO PROVIDE VOLUNTARY SEPARATION INCENTIVE PAYMENTS.—

(1) IN GENERAL.—The Treasury Inspector General for Tax Administration may pay voluntary separation incentive payments under this section to any employee to the extent necessary to organize the Office so as to perform the duties specified in the Internal Revenue Service Restructuring and Reform Act of 1998 (Public Law 105–206).

(2) AMOUNT AND TREATMENT OF PAYMENTS.—A voluntary separation incentive payment—

(A) shall be paid in a lump sum after the employee's separation;

(B) shall be paid from appropriations available for the payment of the basic pay of the employees of the Office;

(C) shall be equal to the lesser of—

(i) an amount equal to the amount the employee would be entitled to receive under 5 U.S.C. 5595(c); or

(ii) an amount determined by the Treasury Inspector General for Tax Administration, not to exceed $25,000;

(D) may not be made except in the case of any qualifying employee who voluntarily separates (whether by retirement or resignation) before January 1, 2003;

(E) shall not be a basis for payment, and shall not be included in the computation, of any other type of Government benefit; and

(F) shall not be taken into account in determining the amount of any severance pay to which the employee may be entitled under 5 U.S.C. 5595 based on any other separation.

(d) ADDITIONAL OFFICE OF THE TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION CONTRIBUTIONS TO THE RETIREMENT FUND.—

(1) IN GENERAL.—In addition to any other payments which it is required to make under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, the Office shall remit to the Office of Personnel Management for deposit in the Treasury of the United States to the credit of the Civil Service Retirement and Disability Fund an amount equal to 15 percent of the final basic pay of each employee who is covered under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, to whom a voluntary separation incentive has been paid under this section.

(2) DEFINITION.—In paragraph (1), the term ''final basic pay'', with respect to an employee, means the total amount of basic pay which would be payable for a year of service by such employee, computed using the employee's final rate of basic pay, and, if last serving on other than a full-time basis, with appropriate adjustment therefor.

(e) EFFECT OF SUBSEQUENT EMPLOYMENT WITH THE GOVERNMENT.—An individual who has received a voluntary separation incentive payment under this section and accepts any employment for compensation with the United States Government, or who works for any agency of the United States Government through a personal services contract, within 5 years after the date of the separation on which the payment is based, shall be required to pay, prior to the individual's first day of employment, the entire amount of the incentive payment to the Office.

(f) EFFECT ON OFFICE OF THE TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION EMPLOYMENT LEVELS.—

(1) INTENDED EFFECT.—Voluntary separations under this section are not intended to necessarily reduce the total number of full-time equivalent positions in the Office.

(2) USE OF VOLUNTARY SEPARATIONS.—The Office may redeploy or use the full-time equivalent positions vacated by voluntary separations under this section to make other positions available to more critical locations or more critical occupations.

SEC. 117. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the $1 Federal Reserve note.

SEC. 118. Funds made available by this or any other Act may be used to pay premium pay for protective services authorized by section 3056(a) of title 18, United States Code, without regard to the limitation on the rate of pay payable during a pay period contained in section 5547(c)(2) of title 5, United States Code, except that such premium pay shall not be payable to an employee to the extent that the aggregate of the employee's basic and premium pay for the year would

otherwise exceed the annual equivalent of that limitation. The term premium pay refers to the provisions of law cited in the first sentence of section 5547(a) of title 5, United States Code.

SEC. 119. (a) VOLUNTARY SEPARATION INCENTIVE PAYMENTS FOR EMPLOYEES OF THE CHICAGO FINANCIAL CENTER OF THE FINANCIAL MANAGEMENT SERVICE.—During the period from October 1, 1999, through January 31, 2000, the Commissioner of the Financial Management Service (FMS) of the Department of the Treasury is authorized to offer voluntary separation incentives in order to provide the necessary flexibility to carry out the closure of the Chicago Financial Center (CFC) in a manner which the Commissioner shall deem most efficient, equitable to employees, and cost effective to the Government.

(b) DEFINITION.—In this section, the term ''employee'' means an employee (as defined by 5 U.S.C. 2105) who is employed by FMS at CFC under an appointment without time limitation, and has been so employed continuously for a period of at least 3 years, but does not include—

(1) a reemployed annuitant under subchapter III of chapter 83 or chapter 84 of title 5, United States Code,or another retirement system;

(2) an employee with a disability on the basis of which such employee is or would be eligible for disability retirement under the retirement systems referred to in paragraph (1) or another retirement system for employees of the Government;

(3) an employee who is in receipt of a specific notice of involuntary separation for misconduct or unacceptable performance;

(4) an employee who has previously received any voluntary separation incentive payment from an agency or instrumentality of the Government of the United States under any authority and has not repaid such payment;

(5) an employee covered by statutory reemployment rights who is on transfer to another organization; or

(6) an employee who during the 24-month period preceding the date of separation has received and not repaid a recruitment or relocation bonus under section 5753 of title 5, United States Code, or who, within the 12-month period preceding the date of separation, has received and not repaid a retention allowance under section 5754 of that title.

(c) AGENCY PLAN; APPROVAL.—

(1) The Secretary, Department of the Treasury, prior to obligating any resources for voluntary separation incentive payments, shall submit to the Office of Management and Budget a strategic plan outlining the intended use of such incentive payments and a proposed organizational chart for the agency once such incentive payments have been completed.

(2) The agency's plan under paragraph (1) shall include—

(A) the specific positions and functions to be reduced or eliminated;

(B) a proposed coverage for offers of incentives;

(C) the time period during which incentives may be paid;

(D) the number and amounts of voluntary separation incentive payments to be offered; and

(E) a description of how the agency will operate without the eliminated positions and functions.

(3) The Director of the Office of Management and Budget shall review the agency's plan and approve or disapprove such plan, and may make appropriate modifications in the plan including waivers of the reduction in agency employment levels required by this Act.

(d) AUTHORITY TO PROVIDE VOLUNTARY SEPARATION INCENTIVE PAYMENTS.—

(1) A voluntary separation incentive payment under this Act may be paid by the agency head to an employee only in accordance with the strategic plan under subsection (c).

(2) A voluntary incentive payment—

(A) shall be offered to agency employees on the basis of organizational unit, occupational series or level, geographic location, other nonpersonal factors, or an appropriate combination of such factors;

(B) shall be paid in a lump sum after the employee's separation;

(C) shall be equal to the lesser of—

(i) an amount equal to the amount the employee would be entitled to receive under section 5595(c) of title 5, United States Code, if the employee were entitled to payment under such section (without adjustment for any previous payment made); or

(ii) an amount determined by the agency head, not to exceed $25,000;

(D) may be made only in the case of an employee who voluntarily separates (whether by retirement or resignation) under the provisions of this Act;

(E) shall not be a basis for payment, and shall not be included in the computation of any other type of Government benefit;

(F) shall not be taken into account in determining the amount of any severance pay to which the employee may be entitled under section 5595 of title 5, United States Code, based on any other separation; and

(G) shall be paid from appropriations or funds available for the payment of the basic pay of the employee.

(e) ELIGIBILITY FOR PAYMENTS.—Payments under this section may be made to any qualifying employee who voluntarily separates, whether by retirement or resignation, between October 1, 1999, and January 31, 2000.

(f) EFFECT ON SUBSEQUENT EMPLOYMENT WITH THE GOVERNMENT.—

(1) An individual who has received a voluntary separation incentive payment under this section and accepts any employment for compensation with any agency or instrumentality of the Government of the United States, or who works for an agency of the United States Government through a personal services contract, within 5 years after the date of the separation on which the payment is based shall be required to pay, prior to the individual's first day of employment, the entire amount of the incentive payment to FMS.

(2) The Director of the Office of Personnel Management may, at the request of the Secretary, Department of the Treasury, waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

(g) CONTRIBUTIONS TO THE RETIREMENT FUND.—

(1) In addition to any other payments which it is required to make under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, FMS shall remit to the Office of Personnel Management for deposit in the Treasury to the credit of the Civil Service Retirement and Disability Fund an amount equal to 15 percent of the final annual basic pay for each employee covered under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, to whom a voluntary separation incentive has been paid under this section.

(2) For the purpose of paragraph (1), the term ''final basic pay'' with respect to an employee, means the total amount of basic pay which would be payable for a year of service by such employee, computed using the employee's final rate of basic pay, and, if last serving on other than a full-time basis, with appropriate adjustment therefor.

(h) REDUCTION OF AGENCY EMPLOYMENT LEVELS.—

(1) The total number of funded employee positions in the agency shall be reduced by one position for each vacancy created by the separation of any employee who has received, or is due to receive, a voluntary separation incentive payment under this Act. For the purposes of this subsection, positions shall be counted on a full-time equivalent basis.

(2) The President, through the Office of Management and Budget, shall monitor the agency and take any action necessary to ensure that the requirements of this subsection are met.

(3) At the request of the Secretary, Department of the Treasury, the Office of Management and Budget may waive the reduction in total number of funded employee positions required by paragraph (1) if it believes the agency plan required by subsection (c) satisfactorily demonstrates that the positions would better be used to reallocate occupations or reshape the workforce and to produce a more cost-effective result.

This title may be cited as the ''Treasury Department Appropriations Act, 2000''.

TITLE II—POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, $93,436,000, of which $64,436,000 shall not be available for obligation until October 1, 2000: Provided, That mail for overseas voting and mail for the blind shall continue to be free: Provided further, That 6–day delivery and rural delivery of mail shall continue at not less than the 1983 level: Provided further, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: Provided further, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices in fiscal year 2000.

This title may be cited as the ''Postal Service Appropriations Act, 2000''.

TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

COMPENSATION OF THE PRESIDENT AND THE WHITE HOUSE OFFICE

COMPENSATION OF THE PRESIDENT

For compensation of the President, including an expense allowance at the rate of $50,000 per annum as authorized by 3 U.S.C. 102, $250,000: Provided, That none of the funds made available for official expenses shall be expended for any other purpose and any unused amount shall revert to the Treasury pursuant to section 1552 of title 31, United States Code: Provided further, That none of the funds made available for official expenses shall be considered as taxable to the President.

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed $3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, newspapers, periodicals, teletype news service, and travel (not to exceed $100,000 to be expended and accounted for as provided by 3 U.S.C. 103); and not to exceed $19,000 for official entertainment expenses, to be available for allocation within the Executive Office of the President, $52,444,000: Provided, That $10,313,000 of the funds appropriated shall be available for reimbursements to the White House Communications Agency.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

For the care, maintenance, repair and alteration, refurnishing, improvement, heating, and lighting, including electric power and fixtures, of the Executive Residence at the White House and official entertainment expenses of the President, $9,260,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

REIMBURSABLE EXPENSES

For the reimbursable expenses of the Executive Residence at the White House, such sums as may be necessary: Provided, That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: Provided further, That, notwithstanding any other provision of law, such amount for reimbursable operating expenses shall be the exclusive authority of the Executive Residence to incur obligations and to receive offsetting collections, for such expenses: Provided further, That the Executive Residence shall require each person sponsoring a reimbursable political event to pay in advance an amount equal to the estimated cost of the event, and all such advance payments shall be credited to this account and remain available until expended: Provided further, That the Executive Residence shall require the national committee of the political party of the President to maintain on deposit $25,000, to be separately accounted for and available for expenses relating to reimbursable political events sponsored by such committee during such fiscal year: Provided further, That the Executive Residence shall ensure that a written notice of any amount owed for a reimbursable operating expense under this paragraph is submitted to the person owing such amount within 60 days after such expense is incurred, and that such amount is collected within 30 days after the submission of such notice: Provided further, That the Executive Residence shall charge interest and assess penalties and other charges on any such amount that is not reimbursed within such 30 days, in accordance with the interest and penalty provisions applicable to an outstanding debt on a United States Government claim under section 3717 of title 31, United States Code: Provided further, That each such amount that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: Provided further, That the Executive Residence shall prepare and submit to the Committees on Appropriations, by not later than 90 days after the end of the fiscal year covered by this Act, a report setting forth the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial events, the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed as of the date of the report: Provided further, That the Executive Residence shall maintain a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard for the classification of any such expense as political or nonpolitical: Provided further, That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of subchapter I or II of chapter 37 of title 31, United States Code.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House, $810,000, to remain available until expended for required maintenance, safety and health issues, and continued preventative maintenance.

SPECIAL ASSISTANCE TO THE PRESIDENT AND THE OFFICIAL RESIDENCE OF THE VICE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions; services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles, $3,617,000.

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the care, operation, refurnishing, improvement, heating and lighting, including electric power and fixtures, of the official residence of the Vice President; the hire of passenger motor vehicles; and not to exceed $90,000 for official entertainment expenses of the Vice President, to be accounted for solely on his certificate, $345,000: Provided, That advances or repayments or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council of Economic Advisors in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021), $3,840,000.

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

For necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, $4,032,000.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council, including services as authorized by 5 U.S.C. 3109, $6,997,000.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles, $39,198,000, of which $8,806,000 shall be available for a capital investment plan which provides for the continued modernization of the information technology infrastructure.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, $63,495,000, of which not to exceed $5,000,000 shall be available to carry out the provisions of chapter 35 of title 44, United States Code: Provided, That, as provided in 31 U.S.C. 1301(a), appropriations shall be applied only to the objects for which appropriations were made except as otherwise provided by law: Provided further, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): Provided further, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committees on Appropriations or the Committees on Veterans' Affairs or their subcommittees: Provided further, That the preceding shall not apply to printed hearings released by the Committees on Appropriations or the Committees on Veterans' Affairs.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (title VII of division C of Public Law 105–277); not to exceed $8,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, $22,951,000, of which $1,100,000 shall be available for policy research and evaluation, of which $1,000,000 shall be available for the National Alliance for Model State Drug Laws, and of which up to $600,000 shall be available for the evaluation of the Drug-Free Communities Act: Provided, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office: Provided further, That of the amounts appropriated for salaries and expenses, $125,000 shall be transferred to the General Accounting Office for the sole purpose of entering into a contract with the private sector for a management review of the Office of National Drug Control Policy.

COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Counterdrug Technology Assessment Center for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (title VII of Division C of Public Law 105–277), $29,250,000, which shall remain available until expended, consisting of $16,000,000 for counternarcotics research and development projects, and $13,250,000 for the continued operation of the technology transfer program: Provided, That the $16,000,000 for counternarcotics research and development projects shall be available for transfer to other Federal departments or agencies.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, $192,000,000 for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas, of which no less than 51 percent shall be transferred to State and local entities for drug control activities, which shall be obligated within 120 days of the date of enactment of this Act: Provided, That up to 49 percent may be transferred to Federal agencies and departments at a rate to be determined by the Director: Provided further, That, of this latter amount, $1,800,000 shall be used for auditing services: Provided further, That, hereafter, of the amount appropriated for fiscal year 2000 or any succeeding fiscal year for the High Intensity Drug Trafficking Areas Program, the funds to be obligated or expended during such fiscal year for programs addressing the treatment or prevention of drug use as part of the approved strategy for a designated High Intensity Drug Trafficking Area (HIDTA) shall not be less than the funds obligated or expended for such programs during fiscal year 1999 for each designated HIDTA without the prior approval of the Committees on Appropriations: Provided further, That funds shall be provided for existing High Intensity Drug Trafficking Areas at no less than the total fiscal year 1999 level.

SPECIAL FORFEITURE FUND

(INCLUDING TRANSFER OF FUNDS)

For activities to support a national anti-drug campaign for youth, and other purposes, authorized by Public Law 105–277, $216,000,000, to remain available until expended: Provided, That such funds may be transferred to other Federal departments and agencies to carry out such activities: Provided further, That of the funds provided, $185,000,000 shall be to support a national media campaign, as authorized in the Drug-Free Media Campaign Act of 1998: Provided further, That of the amounts provided for the Drug-Free Media Campaign, 10 percent shall not be available for obligation until ONDCP submits a corporate sponsorship plan to the Committees on Appropriations: Provided further, That of the

funds provided, $30,000,000 shall be to continue a program of matching grants to drug-free communities, as authorized in the Drug-Free Communities Act of 1997: Provided further, That of the funds provided, $1,000,000 shall be available to the Director for transfer as grants to State and local agencies or non-profit organizations for the National Drug Court Institute.

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year, as authorized by 3 U.S.C. 108, $1,000,000.

This title may be cited as the ''Executive Office Appropriations Act, 2000''.

TITLE IV—INDEPENDENT AGENCIES

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

SALARIES AND EXPENSES

For necessary expenses of the Committee for Purchase From People Who Are Blind or Severely Disabled established by the Act of June 23, 1971, Public Law 92–28, $2,674,000.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, as amended, $38,152,000, of which no less than $4,866,500 shall be available for internal automated data processing systems, and of which not to exceed $5,000 shall be available for reception and representation expenses.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, including hire of experts and consultants, hire of passenger motor vehicles, and rental of conference rooms in the District of Columbia and elsewhere, $23,828,000: Provided, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: Provided further, That notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

GENERAL SERVICES ADMINISTRATION

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

(INCLUDING RESCISSION OF FUNDS)

To carry out the purpose of the Fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)), the revenues and collections deposited into the Fund shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings including grounds, approaches and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract; in the aggregate amount of $5,342,416,000, of which: (1) $74,979,000 shall remain available until expended for construction of additional projects at locations and at maximum construction improvement costs (including funds for sites and expenses and associated design and construction services) as follows:

New construction:

Maryland:

Montgomery County, FDA Consolidation, $35,000,000

Michigan:

Sault Sainte Marie, Border Station, $8,263,000

Montana:

Roosville, Border Station, $753,000

Sweetgrass, Border Station, $11,480,000

Texas:

Fort Hancock, Border Station, $277,000

Washington:

Oroville, Border Station, $11,206,000

Nationwide:

Non-prospectus, $8,000,000:

Provided, That each of the immediately foregoing limits of costs on new construction projects may be exceeded to the extent that savings effected in other such projects, but not to exceed 10 percent unless advance approval is obtained from the Committees on Appropriations of a greater amount: Provided further, That all funds for direct construction projects shall expire on September 30, 2001, and remain in the Federal Buildings Fund except for funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: Provided further, That of the amount provided under this heading in Public Law 104–208, $20,782,000 are rescinded and shall remain in the Fund; (2) $598,674,000 shall remain available until expended for repairs and alterations which includes associated design and construction services, of which $333,000,000 shall be available for basic repairs and alterations: Provided further, That funds made available in any previous Act in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount identified for each project, except each project in any previous Act may be increased by an amount not to exceed 10 percent unless advance approval is obtained from the Committees on Appropriations of a greater amount: Provided further, That the amounts provided in this or any prior Act for ''Repairs and Alterations'' may be used to fund costs associated with implementing security improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate: Provided further, That the difference between the funds appropriated and expended on any projects in this or any prior Act, under the heading ''Repairs and Alterations'', may be transferred to Basic Repairs and Alterations or used to fund authorized increases in prospectus projects: Provided further, That all funds for repairs and alterations prospectus projects shall expire on September 30, 2001, and remain in the Federal Buildings Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: Provided further, That the amount provided in this or any prior Act for Basic Repairs and Alterations may be used to pay claims against the Government arising from any projects under the heading ''Repairs and Alterations'' or used to fund authorized increases in prospectus projects: Provided further, That the General Services Administration is directed to use funds available for Repairs and Alterations to undertake the first construction phase of the project to renovate the Department of the Interior Headquarters Building located in Washington, D.C.; (3) $205,668,000 for installment acquisition payments including payments on purchase contracts which shall remain available until expended; (4) $2,782,186,000 for rental of space which shall remain available until expended; and (5) $1,580,909,000 for building operations which shall remain available until expended, of which $475,000 shall be available for the Plains States De-population Symposium and of which $1,974,000 shall be available until expended for acquisition, lease, construction, and equipping of flexiplace telecommuting centers: Provided further, That funds available to the General Services Administration shall not be available for expenses of any construction, repair, alteration and acquisition project for which a prospectus, if required by the Public Buildings Act of 1959, as amended, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus: Provided further, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations: Provided further, That amounts necessary to provide reimbursable special services to other agencies under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)(6)) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, shall be available from such revenues and collections: Provided further, That revenues and collections and any other sums accruing to this Fund during fiscal year 2000, excluding reimbursements under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)(6)) in excess of $5,342,416,000 shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

POLICY AND OPERATIONS

For expenses authorized by law, not otherwise provided for, for Government-wide policy and oversight activities associated with asset management activities; utilization and donation of surplus personal property; transportation; procurement and supply; Government-wide responsibilities relating to automated data management, telecommunications, information resources management, and related technology activities; utilization survey, deed compliance inspection, appraisal, environmental and cultural analysis, and land use planning functions pertaining to excess and surplus real property; agency-wide policy direction; Board of Contract Appeals; accounting, records management, and other support services incident to adjudication of Indian Tribal Claims by the United States Court of Federal Claims; services as authorized by 5 U.S.C. 3109; and not to exceed $5,000 for official reception and representation expenses, $116,223,000, of which $12,758,000 shall remain available until expended: Provided, That none of the funds appropriated from this Act shall be available to convert the Old Post Office at 1100 Pennsylvania Avenue in Northwest Washington, D.C., from office use to any other use until a comprehensive plan, which shall include street-level retail use, has been approved by the Senate Committee on Appropriations, the House Committee on Transportation and Infrastructure, and the Senate Committee on Environment and Public Works: Provided further, That no funds from this Act shall be available to acquire by purchase, condemnation, or otherwise the leasehold rights of the existing lease with private parties at the Old Post Office prior to the

approval of the comprehensive plan by the Senate Committee on Appropriations, the House Committee on Transportation and Infrastructure, and the Senate Committee on Environment and Public Works.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and services authorized by 5 U.S.C. 3109, $33,317,000: Provided, That not to exceed $15,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: Provided further, That not to exceed $2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

(INCLUDING TRANSFER OF FUNDS)

For carrying out the provisions of the Act of August 25, 1958, as amended (3 U.S.C. 102 note), and Public Law 95–138, $2,241,000: Provided, That the Administrator of General Services shall transfer to the Secretary of the Treasury such sums as may be necessary to carry out the provisions of such Acts.

GENERAL SERVICES ADMINISTRATION—GENERAL PROVISIONS

SEC. 401. The appropriate appropriation or fund available to the General Services Administration shall be credited with the cost of operation, protection, maintenance, upkeep, repair, and improvement, included as part of rentals received from Government corporations pursuant to law (40 U.S.C. 129).

SEC. 402. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

SEC. 403. Funds in the Federal Buildings Fund made available for fiscal year 2000 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements: Provided, That any proposed transfers shall be approved in advance by the Committees on Appropriations.

SEC. 404. No funds made available by this Act shall be used to transmit a fiscal year 2001 request for United States Courthouse construction that (1) does not meet the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; and (2) does not reflect the priorities of the Judicial Conference of the United States as set out in its approved 5–year construction plan: Provided, That the fiscal year 2001 request must be accompanied by a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

SEC. 405. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency that does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in compliance with the Public Buildings Amendments Act of 1972 (Public Law 92–313).

SEC. 406. Funds provided to other Government agencies by the Information Technology Fund, General Services Administration, under 40 U.S.C. 757 and sections 5124(b) and 5128 of Public Law 104–106, Information Technology Management Reform Act of 1996, for performance of pilot information technology projects which have potential for Government-wide benefits and savings, may be repaid to this Fund from any savings actually incurred by these projects or other funding, to the extent feasible.

SEC. 407. From funds made available under the heading ''Federal Buildings Fund, Limitations on Availability of Revenue'', claims against the Government of less than $250,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects with prior notification to the Committees on Appropriations.

SEC. 408. Funds made available for new construction projects under the heading ''Federal Buildings Fund, Limitations on Availability of Revenue'' in Public Law 104–208 shall remain available until expended so long as funds for design or other funds have been obligated in whole or in part prior to September 30, 1999.

SEC. 409. The Federal building located at 220 East Rosser Avenue in Bismarck, North Dakota, is hereby designated as the ''William L. Guy Federal Building, Post Office and United States Courthouse''. Any reference in a law, map, regulation, document, paper or other record of the United States to the Federal building herein referred to shall be deemed to be a reference to the ''William L. Guy Federal Building, Post Office and United States Courthouse''.

SEC. 410. CONVEYANCE OF LAND TO THE COLUMBIA HOSPITAL FOR WOMEN. (a) ADMINISTRATOR OF GENERAL SERVICES.—Upon receipt of written notice and the consideration specified herein from the Columbia Hospital for Women (formerly Columbia Hospital for Women and Lying-In Asylum, located in Washington, District of Columbia; in this section referred to as ''Columbia Hospital''), subject to subsection (f) and such other terms and conditions as the Administrator of General Services (in this section referred to as the ''Administrator'') shall require, the Administrator shall convey to Columbia Hospital, all right, title, and interest of the United States in and to those pieces or parcels of land in the District of Columbia, described in subsection (b), together with all improvements thereon and appurtenances thereto (in this section referred to as ''the Property''). The purchase price for the Property shall be $14,000,000 (not including any accrued interest) to be paid in accordance with the terms set forth in subsection (d). The purpose of this conveyance is to provide hospital, medical and healthcare services and related uses, including but not limited to the expansion by Columbia Hospital of its Ambulatory Care Center, Betty Ford Breast Center, and the Columbia Hospital Center for Teen Health and Reproductive Toxicology Center.

(b) PROPERTY DESCRIPTION.—

(1) IN GENERAL.—The land referred to in subsection (a) was conveyed to the United States of America by deed dated May 2, 1888, from David Fergusson, widower, recorded in liber 1314, folio 102, of the land records of the District of Columbia, and is that portion of square numbered 25 in the city of Washington in the District of Columbia which was not previously conveyed to such hospital by the Act of June 28, 1952 (66 Stat. 287; chapter 486).

(2) PARTICULAR DESCRIPTION.—The Property is more particularly described as square 25, lot 803, or as follows: all that piece or parcel of land situated and lying in the city of Washington in the District of Columbia and known as part of square numbered 25, as laid down and distinguished on the plat or plan of said city as follows: beginning for the same at the northeast corner of the square being the corner formed by the intersection of the west line of Twenty-fourth Street Northwest, with the south line of north M Street Northwest and running thence south with the line of said Twenty-fourth Street Northwest for the distance of two hundred and thirty-one feet ten inches, thence running west and parallel with said M Street Northwest for the distance of two hundred and thirty feet six inches and running thence north and parallel with the line of said Twenty-fourth Street Northwest for the distance of two hundred and thirty-one feet ten inches to the line of said M Street Northwest and running thence east with the line of said M Street Northwest to the place of beginning two hundred and thirty feet and six inches together with all the improvements, ways, easements, rights, privileges, and appurtenances to the same belonging or in anywise appertaining.

(c) DATE OF CONVEYANCE.—

(1) DATE.—The date of the conveyance of the Property shall be no later than 90 days from the date upon which the Administrator receives from Columbia Hospital written notice of its intent to purchase the Property during which time the parties shall execute all necessary purchase and sale documents, and shall pay the initial cash consideration in an amount at minimum equal to the first of 30 equal annual installment payments of the purchase price as contemplated in subsection (d)(2) hereinbelow.

(2) DEADLINE FOR CONVEYANCE OF THE PROPERTY.—Written notification and payment of the consideration set forth under subsection (c)(1) from Columbia Hospital shall be ineffective, and all rights granted Columbia Hospital under this section to purchase the Property shall lapse, and become void and of no further force and effect, if that written notification and installment payment are not received by the Administrator before the date which is one (1) year after the date of enactment of this section.

(3) QUITCLAIM DEED.—Any conveyance of the Property to Columbia Hospital under this section shall be by quitclaim deed.

(d) CONVEYANCE TERMS.—

(1) IN GENERAL.—The conveyance of the Property shall be consistent with the terms and conditions set forth in this section and such other terms and conditions as the Administrator deems to be in the interest of the United States, including but not limited to—

(A) credit and payment provisions, including the provision for the prepayment of the full purchase price if mutually acceptable to the parties;

(B) restrictions on the use of the Property for the purposes set forth in subsection (a);

(C) conditions under which the Property or interests therein may be sold, mortgaged, assigned, or otherwise conveyed in order to facilitate financing to fulfill its intended use; and

(D) consequences in the event of default by Columbia Hospital for failing to pay all installments payments toward the total purchase price when due, including reversion of the described property to the United States.

(2) PAYMENT OF PURCHASE PRICE.—Columbia Hospital shall pay the total purchase price of $14,000,000.00 for the Property. The terms and conditions of the sale shall be as deemed by the Administrator to be in the best interests of the United States. Such terms may include financing the payment of the purchase price in annual installments for a term not to exceed thirty years with interest on the unpaid balance not to exceed four and five-tenths percent (4.5%) per annum (except during periods of default or upon entry of a final judgment amount).

(3) The Administrator shall have full authority to administer the credit granted to Columbia Hospital in accordance with this section including, without limitation, the authority to adjust, settle, or compromise the amounts specified in this section or in the documents of conveyance.

(4) EXECUTION OF DOCUMENTS.—The Columbia Hospital shall execute and provide to the Administrator such written instruments including but not limited to contracts for purchase and sale, notes, mortgages, deeds of trust, restrictive covenants, indenture deeds, and assurances as the Administrator may reasonably request to effect this transaction and to protect the interests of the United States under this section.

(e) TREATMENT OF AMOUNTS RECEIVED.—Amounts received by the United States as payments under this section shall be paid into the fund established by section 210(f) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)), and may be expended by the Administrator for real property management and related activities not otherwise provided for, without further authorization.

(f) REVERSIONARY INTEREST.—

(1) IN GENERAL.—The Property, once conveyed as authorized under subsection (a), shall revert to the United States, together with any improvements thereon—

(A) One (1) year from the date on which Columbia Hospital defaults in paying to the United States any amount when due; or

(B) immediately, upon any attempt by Columbia Hospital to assign, sell, mortgage, or convey the Property without the Administrator's prior written consent before the United States has received full purchase price, plus accrued interest.

(2) RELEASE OF REVERSIONARY INTEREST.—The Administrator may release, upon request, any restriction imposed on the use of the Property authorized in subsection (d)(1)(B) for the purposes set forth in subsection (a), and release any reversionary interest of the United States in the Property upon receipt by the United States of full payment of the purchase price, including any accrued interest, specified under subsection (d)(2), or such other terms and conditions as may be determined by the Administrator to be in the best interests of the United States as set forth in subsection (d).

(3) PROPERTY RETURNED TO THE GENERAL SERVICES ADMINISTRATION.—Any portion of the Property that reverts to the United States under this subsection shall be under the jurisdiction, custody and control of the General Services Administration and shall be available for use or disposition by the Administrator in accordance with applicable Federal law.

SEC. 411. VOLUNTARY SEPARATION INCENTIVE PAYMENT FOR EMPLOYEES OF THE GENERAL SERVICES ADMINISTRATION. (a) AUTHORITY.—During the period October 1, 1999, through April 30, 2001, the Administrator of General Services is authorized to offer a voluntary separation incentive in order to provide the necessary flexibility to carry out the closing of the Federal Supply Service distribution centers, forward supply points, and associated programs in a manner which the Administrator shall deem most efficient, equitable to all employees, and cost effective for the Government.

(b) DEFINITION.—In this section, the term ''employee'' means an employee (as defined by 5 U.S.C. 2105) who is employed by GSA under an appointment without time limitation, and has been so employed continuously for a period of at least 3 years, but does not include—

(1) a reemployed annuitant under subchapter III of Chapter 83 or Chapter 84 of title 5, United States Code, or another retirement system;

(2) an employee having a disability on the basis of which such employee is or would be eligible for disability retirement under the retirement systems referred to in paragraph (1) or another retirement system for employees of the Government;

(3) an employee who is in receipt of a specific notice of involuntary separation for misconduct or unacceptable performance;

(4) an employee who has previously received any voluntary separation incentive payment from an agency or instrumentality of the Government of the United States under any authority;

(5) an employee covered by statutory reemployment rights who is on transfer to another organization; or

(6) an employee who during the 24 month period preceding the date of separation, has received a recruitment or relocation bonus under section 5753 of title 5, United States Code, or who, within the twelve month period preceding the date of separation, has received and not repaid a retention allowance under section 5754 of that title.

(c) AGENCY STRATEGIC PLAN.—The Administrator of General Services, prior to obligating any resources for voluntary separation incentive payments, shall submit to the Office of Management and Budget a strategic plan outlining the intended use of such incentive payments and a proposed organizational chart for the agency once such incentive payments have been completed.

(1) The agency's plan shall include:

(A) the specific positions and functions to be reduced or eliminated;

(B) a proposed coverage for offers of incentives;

(C) the time period during which incentives may be paid;

(D) the number and amounts of voluntary separation incentive payments to be offered; and

(E) a description of how the agency will operate without the eliminated positions and functions.

(2) The Director of the Office of Management and Budget shall review the agency's plan and approve or disapprove such plan, and may make any appropriate modifications in the plan.

(d) AUTHORITY TO PROVIDE VOLUNTARY SEPARATION INCENTIVE PAYMENTS.—

(1) The agency head may pay a voluntary separation incentive payment under this section to an employee only in accordance with the strategic plan under subsection (c).

(2) A voluntary separation incentive payment—

(A) shall be offered to agency employees on the basis of organizational unit, occupational series or level, geographic location, other nonpersonal factors, or an appropriate combination of such factors;

(B) shall be paid in a lump sum after the employee's separation;

(C) shall be equal to the lesser of—

(i) an amount equal to the amount the employee would be entitled to receive under section 5595(c) of title 5, United States Code; if the employee were entitled to payment under such section (without adjustment for any previous payment made); or

(ii) an amount determined by the agency head, not to exceed $25,000.

(D) may be made only in the case of an employee who voluntarily separates (whether by retirement or resignation) under the provisions of this section;

(E) shall not be a basis for payment, and shall not be included in the computation of any other type of Government benefit;

(F) shall not be taken into account in determining the amount of any severance pay to which the employee may be entitled under section 5595 of title 5, United States Code, based on any other separation; and

(G) shall be paid from appropriations or funds available for the payment of the basic pay of the employee.

(e) ELIGIBILITY FOR PAYMENTS.—Payments under this section may be made to any qualifying employee who voluntarily separates, whether by retirement or resignation, between October 1, 1999 through April 30, 2001.

(f) EFFECT OF SUBSEQUENT EMPLOYMENT WITH THE GOVERNMENT.—

(1) An individual who has received a voluntary separation incentive payment under this section and accepts any employment for compensation with the Government of the United States within five years after the date of the separation on which the payment is based shall be required to pay, prior to the individual's first day of employment, the entire amount of the incentive payment to the agency that paid the incentive payment.

(2)(A) If the employment under this subsection is with an Executive agency (as defined by section 105 of title 5, United States Code, but excluding the General Accounting Office), the United States Postal Service, or the Postal Rate Commission, the Director of the Office of Personnel Management may, at the request of the head of the agency, waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

(B) If the employment under this subsection is with an entity in the Legislative Branch, the head of the entity or the appointing official may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

(C) If the employment under this subsection is with the Judicial Branch, the Director of the Administrative Office of the United States Courts may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

(D) Employment under a personal services contract with the Government of the United States shall be included in the term ''employment'' with respect to paragraph (1), but shall be excluded with respect to paragraph (2).

(g) CONTRIBUTIONS TO THE RETIREMENT FUND.—

(1) In addition to any other payments which it is required to make under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, the General Services Administration shall remit to the Office of Personnel Management for deposit in the Treasury to the credit of the Civil Service Retirement and Disability Fund an amount equal to 15 percent of the final annual basic pay for each employee covered under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, to whom a voluntary separation incentive has been paid under this section.

(2) For the purpose of paragraph (1), the term ''final basic pay'' with respect to an employee, means the total amount of basic pay which would be payable for a year of service by such employee, computed using the employee's final rate of basic pay, and, if last serving on other than a full-time basis, with appropriate adjustment therefor.

(h) REDUCTION OF AGENCY EMPLOYMENT LEVELS.—

(1) The total number of funded employee positions in the agency shall be reduced by one position for each vacancy created by the separation of any employee who has received, or is due to receive, a voluntary separation incentive payment under this section. For the purposes of this subsection positions shall be counted on a full-time equivalent basis.

(2) The Director of the Office of Management and Budget shall monitor the agency and take any action necessary to ensure that the requirement of this subsection is met.

(3) At the request of the Administrator of General Services, the Office of Management and Budget may waive the application of paragraph (1) if he or she determines that the plan required by subsection (c) satisfactorily demonstrates downsizing or other restructuring within GSA that would produce a cost-effective result.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and direct procurement of survey printing, $27,586,000 together with not to exceed $2,430,000 for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

FEDERAL PAYMENT TO MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

For payment to the Morris K. Udall Scholarship and Excellence in National Environmental Trust Fund, to be available for the purposes of Public Law 102–252, $2,000,000, to remain available until expended.

ENVIRONMENTAL DISPUTE RESOLUTION FUND

For payment to the Environmental Dispute Resolution Fund to carry out activities authorized in the Environmental Policy and Conflict Resolution Act of 1998, $1,250,000, to remain available until expended.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives (including the Information Security Oversight Office) and archived Federal records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents, and for the hire of passenger motor vehicles, $180,398,000: Provided, That the Archivist of the United States is authorized to use any excess funds available from the amount borrowed for construction of the National Archives facility, for expenses necessary to provide adequate storage for holdings.

REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, $22,418,000, to remain available until expended.

RECORDS CENTER REVOLVING FUND

(a) ESTABLISHMENT OF FUND.—There is hereby established in the Treasury a revolving fund to be available for expenses and equipment necessary to provide for storage and related services for all temporary and pre-archival Federal records, which are to be stored or stored at Federal National and Regional Records Centers by agencies and other instrumentalities of the Federal Government. The Fund shall be available without fiscal year limitation for expenses necessary for operation of these activities.

(b) START-UP CAPITAL.—

(1) There is appropriated $22,000,000 as initial capitalization of the Fund.

(2) In addition, the initial capital of the Fund shall include the fair and reasonable value at the Fund's inception of the inventories, equipment, receivables, and other assets, less the liabilities, transferred to the Fund. The Archivist of the United States is authorized to accept inventories, equipment, receivables and other assets from other Federal entities that were used to provide for storage and related services for temporary and pre-archival Federal records.

(c) USER CHARGES.—The Fund shall be credited with user charges received from other Federal Government accounts as payment for providing personnel, storage, materials, supplies, equipment, and services as authorized by subsection (a). Such payments may be made in advance or by way of reimbursement. The rates charged will return in full the expenses of operation, including reserves for accrued annual leave, worker's compensation, depreciation of capitalized equipment and shelving, and amortization of information technology software and systems.

(d) FUNDS RETURNED TO MISCELLANEOUS RECEIPTS OF THE DEPARTMENT OF THE TREASURY.—

(1) In addition to funds appropriated to and assets transferred to the Fund in subsection (b), an amount not to exceed 4 percent of the total annual income may be retained in the Fund as an operating reserve or for the replacement or acquisition of capital equipment, including shelving, and the improvement and implementation of the financial management, information technology, and other support systems of the National Archives and Records Administration.

(2) Funds in excess of the 4 percent at the close of each fiscal year shall be returned to the Treasury of the United States as miscellaneous receipts.

(e) REPORTING REQUIREMENT.—The National Archives and Records Administration shall provide quarterly reports to the Committees on Appropriations and Governmental Affairs of the Senate, and the Committees on Appropriations and Government Reform of the House of Representatives on the operation of the Records Center Revolving Fund.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

(INCLUDING RESCISSION OF FUNDS)

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, as amended, $6,250,000, to remain available until expended: Provided, That of the funds appropriated under this heading in Public Law 105–277, $2,000,000 are rescinded: Provided further, That the Treasury and General Government Appropriations Act, 1999 (as contained in division A, section 101(h), of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277)) is amended in Title IV, under the heading ''National Historical Publications and Records Commission, Grants Program'' by striking the proviso.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, as amended and the Ethics Reform Act of 1989, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed $1,500 for official reception and representation expenses, $9,114,000.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed $2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of the Office of Personnel Management and the Federal Bureau of Investigation for expenses incurred under Executive Order No. 10422 of January 9, 1953, as amended; and payment of per diem and/or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty, $90,584,000; and in addition $95,486,000 for administrative expenses, to be transferred from the appropriate trust funds of the Office of Personnel Management without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs, of which $4,000,000 shall remain available until expended for the cost of automating the retirement recordkeeping systems: Provided, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by sections 8348(a)(1)(B) and 8909(g) of title 5, United States Code: Provided further, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of the Office of Personnel Management established pursuant to Executive Order No. 9358 of July 1, 1943, or any successor unit of like purpose: Provided further, That the President's Commission on White House Fellows, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2000, accept donations of money, property, and personal services in connection with the development of a publicity brochure to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act, as amended, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, $960,000; and in addition, not to exceed $9,645,000 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: Provided, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS

For payment of Government contributions with respect to retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849), as amended, such sums as may be necessary.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE LIFE INSURANCE

For payment of Government contributions with respect to employees retiring after December 31, 1989, as required by chapter 87 of title 5, United States Code, such sums as may be necessary.

PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

For financing the unfunded liability of new and increased annuity benefits becoming effective on or after October 20, 1969, as authorized by 5 U.S.C. 8348, and annuities under special Acts to be credited to the Civil Service Retirement and Disability Fund, such sums as may be necessary: Provided, That annuities authorized by the Act of May 29, 1944, as amended, and the Act of August 19, 1950, as amended (33 U.S.C. 771–775), may hereafter be paid out of the Civil Service Retirement and Disability Fund.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95–454), the Whistleblower Protection Act of 1989 (Public Law 101–12), Public Law 103–424, and the Uniformed Services Employment and Reemployment Act of 1994 (Public Law 103–353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles, $9,740,000.

UNITED STATES TAX COURT

SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, $35,179,000: Provided, That travel expenses of the judges shall be paid upon the written certificate of the judge.

This title may be cited as the ''Independent Agencies Appropriations Act, 2000''.

TITLE V—GENERAL PROVISIONS

THIS ACT

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 503. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930.

SEC. 504. None of the funds made available by this Act shall be available in fiscal year 2000 for the purpose of transferring control over the Federal Law Enforcement Training Center located at Glynco, Georgia, and Artesia, New Mexico, out of the Department of the Treasury.

SEC. 505. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service, and has within 90 days after his release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his former position and has not been restored thereto.

SEC. 506. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

SEC. 507. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Secretary of the Treasury shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

SEC. 508. If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 509. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefit program which provides any benefits or coverage for abortions.

SEC. 510. The provision of section 509 shall not apply where the life of the mother would be endangered if the fetus were carried to term, or the pregnancy is the result of an act of rape or incest.

SEC. 511. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2000 from appropriations made available for salaries and expenses for fiscal year 2000 in this Act, shall remain available through September 30, 2001, for each such account for the purposes authorized: Provided, That a request shall be submitted to the Committees on Appropriations for approval prior to the expenditure of such funds: Provided further, That these requests shall be made in compliance with reprogramming guidelines.

SEC. 512. None of the funds made available in this Act may be used by the Executive Office of the President to request from the Federal Bureau of Investigation any official background investigation report on any individual, except when—

(1) such individual has given his or her express written consent for such request not more than 6 months prior to the date of such request and during the same presidential administration; or

(2) such request is required due to extraordinary circumstances involving national security.

SEC. 513. Notwithstanding section 515 of Public Law 104–208, 50 percent of the unobligated balances available to the White House Office, Salaries and Expenses appropriations in fiscal year 1997, shall remain available through September 30, 2000, for the purposes of satisfying the conditions of section 515 of the Treasury and General Government Appropriations Act, 1999.

SEC. 514. The cost accounting standards promulgated under section 26 of the Office of Federal Procurement Policy Act (Public Law 93–400; 41 U.S.C. 422) shall not apply with respect to a contract under the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.

SEC. 515. INVENTORY OF FEDERAL GRANT PROGRAMS. The Director of the Office of Management and Budget shall prepare an inventory of existing Federal grant programs after consulting each agency that administers Federal grant programs including formula funds, competitive grant funds, block grant funds, and direct payments. The inventory shall include the name of the program, a copy of relevant statutory and regulatory guidelines, the funding level in fiscal year 1999, a list of the eligibility criteria both statutory and regulatory, and a copy of the application form. The Director shall submit the inventory no later than six months after enactment to the Committees on Appropriations and relevant authorizing committees.

TITLE VI—GENERAL PROVISIONS

DEPARTMENTS, AGENCIES, AND CORPORATIONS

SEC. 601. Funds appropriated in this or any other Act may be used to pay travel to the United States for the immediate family of employees serving abroad in cases of death or life threatening illness of said employee.

SEC. 602. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2000 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act) by the officers and employees of such department, agency, or instrumentality.

SEC. 603. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with section 16 of the Act of August 2, 1946 (60 Stat. 810), for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement, and undercover surveillance vehicles), is hereby fixed at $8,100 except station wagons for which the maximum shall be $9,100: Provided, That these limits may be exceeded by not to exceed $3,700 for police-type vehicles, and by not to exceed $4,000 for special heavy-duty vehicles: Provided further, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: Provided further, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles.

SEC. 604. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.

SEC. 605. Unless otherwise specified during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person in the service of the United States on the date of enactment of this Act who, being eligible for citizenship, has filed a declaration of intention to become a citizen of the United States prior to such date and is actually residing in the United States; (3) is a person who owes allegiance to the United States; (4) is an alien from Cuba, Poland, South Vietnam, the countries of the former Soviet Union, or the Baltic countries lawfully admitted to the United States for permanent residence; (5) is a South Vietnamese, Cambodian, or Laotian refugee paroled in the United States after January 1, 1975; or (6) is a national of the People's Republic of China who qualifies for adjustment of status pursuant to the Chinese Student Protection Act of 1992: Provided, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status have been complied with: Provided further, That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined no more than $4,000 or imprisoned for not more than 1 year, or both: Provided further, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: Provided further, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of Ireland, Israel, or the Republic of the Philippines, or to nationals of those countries allied with the United States in a current defense effort, or to international broadcasters employed by the United States Information Agency, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies.

SEC. 606. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 749), the Public Buildings Amendments of 1972 (87 Stat. 216), or other applicable law.

SEC. 607. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order No. 13101 (September 14, 1998), including any such programs adopted prior to the effective date of the Executive order.

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

(3) Other employee programs as authorized by law or as deemed appropriate by the head of the Federal agency.

SEC. 608. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: Provided, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 609. No part of any appropriation for the current fiscal year contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve the nomination of said person.

SEC. 610. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 611. Funds made available by this or any other Act to the Postal Service Fund (39 U.S.C. 2003) shall be available for employment of guards for all buildings and areas owned or occupied by the Postal Service and under the charge and control of the Postal Service, and such guards shall have, with respect to such property, the powers of special policemen provided by the first section of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318), and, as to property owned or occupied by the Postal Service, the Postmaster General may take the same actions as the Administrator of General Services may take under the provisions of sections 2 and 3 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318a and 318b), attaching thereto penal consequences under the authority and within the limits provided in section 4 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318c).

SEC. 612. None of the funds made available pursuant to the provisions of this Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a resolution of disapproval duly adopted in accordance with the applicable law of the United States.

SEC. 613. (a) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for fiscal year 2000, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

(1) during the period from the date of expiration of the limitation imposed by section 614 of the Treasury and General Government Appropriations Act, 1999, until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2000, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section 614; and

(2) during the period consisting of the remainder of fiscal year 2000, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under paragraph (1) by more than the sum of—

(A) the percentage adjustment taking effect in fiscal year 2000 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(B) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 2000 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in fiscal year 1999 under such section.

(b) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which subsection (a) is in effect at a rate that exceeds the rates that would be payable under subsection (a) were subsection (a) applicable to such employee.

(c) For the purposes of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule not in existence on September 30, 1999, shall be determined under regulations prescribed by the Office of Personnel Management.

(d) Notwithstanding any other provision of law, rates of premium pay for employees subject to this section may not be changed from the rates in effect on September 30, 1999, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

(e) This section shall apply with respect to pay for service performed after September 30, 1999.

(f) For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this section shall be treated as the rate of salary or basic pay.

(g) Nothing in this section shall be considered to permit or require the payment to any employee covered by this section at a rate in excess of the rate that would be payable were this section not in effect.

(h) The Office of Personnel Management may provide for exceptions to the limitations imposed by this section if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

SEC. 614. During the period in which the head of any department or agency, or any other officer or civilian employee of the Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is expressly approved by the Committees on Appropriations. For the purposes of this section, the word ''office'' shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 615. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 616. Notwithstanding section 1346 of title 31, United States Code, or section 610 of this Act, funds made available for fiscal year 2000 by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 12472 (April 3, 1984).

SEC. 617. (a) None of the funds appropriated by this or any other Act may be obligated or expended by any Federal department, agency, or other instrumentality for the salaries or expenses of any employee appointed to a position of a confidential or policy-determining character excepted from the competitive service pursuant to section 3302 of title 5, United States Code, without a certification to the Office of Personnel Management from the head of the Federal department, agency, or other instrumentality employing the Schedule C appointee that the Schedule C position was not created solely or primarily in order to detail the employee to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed services detailed to or from—

(1) the Central Intelligence Agency;

(2) the National Security Agency;

(3) the Defense Intelligence Agency;

(4) the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;

(5) the Bureau of Intelligence and Research of the Department of State;

(6) any agency, office, or unit of the Army, Navy, Air Force, and Marine Corps, the Federal Bureau of Investigation and the Drug Enforcement Administration of the Department of Justice, the Department of Transportation, the Department of the Treasury, and the Department of Energy performing intelligence functions; and

(7) the Director of Central Intelligence.

SEC. 618. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2000 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from discrimination and sexual harassment and that all of its workplaces are not in violation of title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act of 1967, and the Rehabilitation Act of 1973.

SEC. 619. No part of any appropriation contained in this Act may be used to pay for the expenses of travel of employees, including employees of the Executive Office of the President, not directly responsible for the discharge of official governmental tasks and duties: Provided, That this restriction shall not apply to the family of the President, Members of Congress or their spouses, Heads of State of a foreign country or their designees, persons providing assistance to the President for official purposes, or other individuals so designated by the President.

SEC. 620. None of the funds appropriated in this or any other Act shall be used to acquire information technologies which do not comply with part 39.106 (Year 2000 compliance) of the Federal Acquisition Regulation, unless an agency's Chief Information Officer determines that noncompliance with part 39.106 is necessary to the function and operation of the requesting agency or the acquisition is required by a signed contract with the agency in effect before the date of enactment of this Act. Any waiver granted by the Chief Information Officer shall be reported to the Office of Management and Budget, and copies shall be provided to Congress.

SEC. 621. None of the funds made available in this Act for the United States Customs Service may be used to allow the importation into the United States of any good, ware, article, or merchandise mined, produced, or manufactured by forced or indentured child labor, as determined pursuant to section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

SEC. 622. No part of any appropriation contained in this or any other Act shall be available

for the payment of the salary of any officer or employee of the Federal Government, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance of efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 623. Section 627(b) of the Treasury and General Government Appropriations Act, 1999 (as contained in section 101(h) of division A of Public Law 105–277) is amended by striking ''Notwithstanding'' and inserting the following: ''Effective on the date of the enactment of this Act and thereafter, and notwithstanding''.

SEC. 624. Notwithstanding any provision of law, the President, or his designee, must certify to Congress, annually, that no person or persons with direct or indirect responsibility for administering the Executive Office of the President's Drug-Free Workplace Plan are themselves subject to a program of individual random drug testing.

SEC. 625. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 626. No funds appropriated in this or any other Act for fiscal year 2000 may be used to implement or enforce the agreements in Standard Forms 312 and 4355 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: ''These restrictions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order No. 12958; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code, as amended by the Whistleblower Protection Act (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by said Executive order and listed statutes are incorporated into this agreement and are controlling.'': Provided, That notwithstanding the preceding paragraph, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress or to an authorized official of an executive agency or the Department of Justice that are essential to reporting a substantial violation of law.

SEC. 627. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 628. (a) IN GENERAL.—For calendar year 2001, the Director of the Office of Management and Budget shall prepare and submit to Congress, with the budget submitted under section 1105 of title 31, United States Code, an accounting statement and associated report containing—

(1) an estimate of the total annual costs and benefits (including quantifiable and nonquantifiable effects) of Federal rules and paperwork, to the extent feasible—

(A) in the aggregate;

(B) by agency and agency program; and

(C) by major rule;

(2) an analysis of impacts of Federal regulation on State, local, and tribal government, small business, wages, and economic growth; and

(3) recommendations for reform.

(b) NOTICE.—The Director of the Office of Management and Budget shall provide public notice and an opportunity to comment on the statement and report under subsection (a) before the statement and report are submitted to Congress.

(c) GUIDELINES.—To implement this section, the Director of the Office of Management and Budget shall issue guidelines to agencies to standardize—

(1) measures of costs and benefits; and

(2) the format of accounting statements.

(d) PEER REVIEW.—The Director of the Office of Management and Budget shall provide for independent and external peer review of the guidelines and each accounting statement and associated report under this section. Such peer review shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 629. None of the funds appropriated by this Act or any other Act, may be used by an agency to provide a Federal employee's home address to any labor organization except when the employee has authorized such disclosure or when such disclosure has been ordered by a court of competent jurisdiction.

SEC. 630. The Secretary of the Treasury is authorized to establish scientific certification standards for explosives detection canines, and shall provide, on a reimbursable basis, for the certification of explosives detection canines employed by Federal agencies, or other agencies providing explosives detection services at airports in the United States.

SEC. 631. None of the funds made available in this Act or any other Act may be used to provide any non-public information such as mailing or telephone lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations.

SEC. 632. No part of any appropriation contained in this or any other Act shall be used for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

SEC. 633. (a) In this section the term ''agency''—

(1) means an Executive agency as defined under section 105 of title 5, United States Code;

(2) includes a military department as defined under section 102 of such title, the Postal Service, and the Postal Rate Commission; and

(3) shall not include the General Accounting Office.

(b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointee exempted under section 6301(2) of title 5, United States Code, has an obligation to expend an honest effort and a reasonable proportion of such employee's time in the performance of official duties.

SEC. 634. None of the funds made available in this or any other Act with respect to any fiscal year may be used for any system to implement section 922(t) of title 18, United States Code, unless the system allows, in connection with a person's delivery of a firearm to a Federal firearms licensee as collateral for a loan, the background check to be performed at the time the collateral is offered for delivery to such licensee: Provided, That the licensee notifies local law enforcement within 48 hours of the licensee receiving a denial on the person offering the collateral: Provided further, That the provisions of section 922(t) shall apply at the time of the redemption of the firearm.

SEC. 635. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

(b) Nothing in this section shall apply to a contract with—

(1) any of the following religious plans:

(A) Providence Health Plan;

(B) Personal Care's HMO;

(C) Care Choices;

(D) OSF Health Plans, Inc.;

(E) Yellowstone Community Health Plan; and

(2) any existing or future plan, if the plan objects to such coverage on the basis of religious beliefs.

(c) In implementing this section, any plan that enters into or renews a contract under this section may not subject any individual to discrimination on the basis that the individual refuses to prescribe contraceptives because such activities would be contrary to the individual's religious beliefs or moral convictions.

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 636. Notwithstanding 31 U.S.C. 1346 and section 610 of this Act, funds made available for fiscal year 2000 by this or any other Act to any department or agency, which is a member of the Joint Financial Management Improvement Program (JFMIP), shall be available to finance an

appropriate share of JFMIP administrative costs, as determined by the JFMIP, but not to exceed a total of $800,000 including the salary of the Executive Director and staff support.

SEC. 637. Notwithstanding 31 U.S.C. 1346 and section 610 of this Act, the head of each Executive department and agency is hereby authorized to transfer to the ''Policy and Operations'' account, General Services Administration, with the approval of the Director of the Office of Management and Budget, funds made available for fiscal year 2000 by this or any other Act, including rebates from charge card and other contracts. These funds shall be administered by the Administrator of General Services to support Government-wide financial, information technology, procurement, and other management innovations, initiatives, and activities, as approved by the Director of the Office of Management and Budget, in consultation with the appropriate interagency groups designated by the Director (including the Chief Financial Officers Council and the Joint Financial Management Improvement Program for financial management initiatives and the Chief Information Officers Council for information technology initiatives). The total funds transferred shall not exceed $7,000,000. Such transfers may only be made 15 days following notification of the House and Senate Committees on Appropriations by the Director of the Office of Management and Budget.

SEC. 638. (a) IN GENERAL.—Section 901 of title 31, United States Code, is amended by adding at the end the following:

''(c)(1) There shall be within the Executive Office of the President a Chief Financial Officer, who shall be designated or appointed by the President from among individuals meeting the standards described in subsection (a)(3). The position of Chief Financial Officer established under this paragraph may be so established in any Office (including the Office of Administration) of the Executive Office of the President.

''(2) The Chief Financial Officer designated or appointed under this subsection shall, to the extent that the President determines appropriate and in the interest of the United States, have the same authority and perform the same functions as apply in the case of a Chief Financial Officer of an agency described in subsection (b).

''(3) The President shall submit to Congress notification with respect to any provision of section 902 that the President determines shall not apply to a Chief Financial Officer designated or appointed under this subsection.

''(4) The President may designate an employee of the Executive Office of the President (other than the Chief Financial Officer), who shall be deemed 'the head of the agency' for purposes of carrying out section 902, with respect to the Executive Office of the President.''.

(b) PLAN FOR IMPLEMENTATION.—Not later than 90 days after the effective date of this section, the President shall communicate in writing, to the Chairmen of the Committees on Appropriations, the Chairman of the Committee on Government Reform of the House of Representatives, and the Chairman of the Committee on Governmental Affairs of the Senate, a plan for implementation of the provisions of, and amendments made by, this section.

(c) DEADLINE FOR APPOINTMENT.—The Chief Financial Officer designated or appointed under section 901(c) of title 31, United States Code (as added by subsection (a)), shall be so designated or appointed not later than 180 days after the effective date of this section.

(d) PAY.—The Chief Financial Officer designated or appointed under such section shall receive basic pay at the rate payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(e) TRANSFER OF FUNCTIONS.—(1) The President may transfer such offices, functions, powers, or duties thereof, as the President determines are properly related to the functions of the Chief Financial Officer under section 901(c) of title 31, United States Code (as added by subsection (a)).

(2) The personnel, assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available or to be made available, of any office the functions, powers, or duties of which are transferred under paragraph (1) shall also be so transferred.

(f) SEPARATE BUDGET REQUEST.—Section 1105(a) of title 31, United States Code, is amended by inserting after paragraph (30) the following new paragraph:

''(31) a separate statement of the amount of appropriations requested for the Chief Financial Officer in the Executive Office of the President.''.

(g) TECHNICAL AND CONFORMING AMENDMENTS.—Section 503(a) of title 31, United States Code, is amended—

(1) in paragraph (7) by striking ''respectively.'' and inserting ''respectively (excluding any officer designated or appointed under section 901(c)).''; and

(2) in paragraph (8) by striking ''Officers.'' and inserting ''Officers (excluding any officer designated or appointed under section 901(c)).''.

(h) EFFECTIVE DATE.—This section shall take effect at noon on January 20, 2001.

SEC. 639. (a) Section 304(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)) is amended by striking paragraph (11) and inserting the following:

''(11)(A) The Commission shall promulgate a regulation under which a person required to file a designation, statement, or report under this Act—

''(i) is required to maintain and file a designation, statement, or report for any calendar year in electronic form accessible by computers if the person has, or has reason to expect to have, aggregate contributions or expenditures in excess of a threshold amount determined by the Commission; and

''(ii) may maintain and file a designation, statement, or report in electronic form or an alternative form if not required to do so under the regulation promulgated under clause (i).

''(B) The Commission shall make a designation, statement, report, or notification that is filed electronically with the Commission accessible to the public on the Internet not later than 24 hours after the designation, statement, report, or notification is received by the Commission.

''(C) In promulgating a regulation under this paragraph, the Commission shall provide methods (other than requiring a signature on the document being filed) for verifying designations, statements, and reports covered by the regulation. Any document verified under any of the methods shall be treated for all purposes (including penalties for perjury) in the same manner as a document verified by signature.

''(D) As used in this paragraph, the term 'report' means, with respect to the Commission, a report, designation, or statement required by this Act to be filed with the Commission.''.

(b) The amendments made by this section shall be effective for reporting periods beginning after December 31, 2000.

SEC. 640. (a) IN GENERAL.—Section 309(a)(4) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)(4)) is amended—

(1) in subparagraph (A)(i), by striking ''clause (ii)'' and inserting ''clauses (ii) and subparagraph (C)''; and

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

''(C)(i) Notwithstanding subparagraph (A), in the case of a violation of any requirement of section 304(a) of the Act (2 U.S.C. 434(a)), the Commission may—

''(I) find that a person committed such a violation on the basis of information obtained pursuant to the procedures described in paragraphs (1) and (2); and

''(II) based on such finding, require the person to pay a civil money penalty in an amount determined under a schedule of penalties which is established and published by the Commission and which takes into account the amount of the violation involved, the existence of previous violations by the person, and such other factors as the Commission considers appropriate.

''(ii) The Commission may not make any determination adverse to a person under clause (i) until the person has been given written notice and an opportunity to be heard before the Commission.

''(iii) Any person against whom an adverse determination is made under this subparagraph may obtain a review of such determination in the district court of the United States for the district in which the person resides, or transacts business, by filing in such court (prior to the expiration of the 30-day period which begins on the date the person receives notification of the determination) a written petition requesting that the determination be modified or set aside.''

(b) CONFORMING AMENDMENT.—Section 309(a)(6)(A) of such Act (2 U.S.C. 437g(a)(6)(A)) is amended by striking ''paragraph (4)(A)'' and inserting ''paragraph (4)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations occurring between January 1, 2000 and December 31, 2001.

SEC. 641. (a) Section 304(b) of the Federal Election Campaign Act (2 U.S.C. 434(b)) is amended by inserting ''(or election cycle, in the case of an authorized committee of a candidate for Federal office)'' after ''calendar year'' each place it appears in paragraphs (2), (3), (4), (6), and (7).

(b) The amendment made by this section shall become effective with respect to reporting periods beginning after December 31, 2000.

SEC. 642. (a) IN GENERAL.—Section 636 of the Treasury Postal Service, and General Government Appropriations Act, 1997 (5 U.S.C. prec. 5941 note) is amended in the first sentence by striking ''may'' and inserting ''shall''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1999, or the date of enactment of this Act, whichever is later.

SEC. 643. (a) IN GENERAL.—Upon promulgation of the regulations required under subsection (c), an Executive agency which provides or proposes to provide child care services for Federal employees may use appropriated funds (otherwise available to such agency for salaries) to provide child care, in a Federal or leased facility, or through contract, for civilian employees of such agency.

(b) AFFORDABILITY.—Amounts so provided with respect to any such facility or contractor shall be applied to improve the affordability of child care for lower income Federal employees using or seeking to use the child care services offered by such facility or contractor.

(c) REGULATIONS.—The Office of Personnel Management shall, within 180 days after the date of enactment of this Act, issue regulations necessary to carry out this section.

(d) DEFINITION.—For purposes of this section, the term ''Executive agency'' has the meaning given such term by section 105 of title 5, United States Code, but does not include the General Accounting Office.

(e) NOTIFICATION.—None of the funds made available in this or any other Act may be used to implement the provisions of this section absent advance notification to the Committees on Appropriations.

SEC. 644. (a) INCREASE IN ANNUAL COMPENSATION.—Section 102 of title 3, United States Code, is amended by striking ''$200,000'' and inserting ''$400,000''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect at noon on January 20, 2001.

SEC. 645. Effective October 1, 1999, all personnel of the General Accounting Office employed or maintained to carry out functions of the Joint Financial Management Improvement

Program (JFMIP) shall be transferred to the General Services Administration. The Director of the Office of Personnel Management shall provide to the General Services Administration one permanent Senior Executive Service allocation for the position of the Executive Director of the JFMIP. Personnel transferred pursuant to this section shall not be separated or reduced in classification or compensation for 1 year after any such transfer, except for cause.

SEC. 646. (a) The adjustment in rates of basic pay for the statutory pay systems that takes effect in fiscal year 2000 under sections 5303 and 5304 of title 5, United States Code, shall be an increase of 4.8 percent.

(b) Funds used to carry out this section shall be paid from appropriatoins which are made to each applicable department or agency for salaries and expenses for fiscal year 2000.

SEC. 647. Notwithstanding any other provision of law, a woman may breastfeed her child at any location in a Federal building or on Federal property, if the woman and her child are otherwise authorized to be present at the location.

SEC. 648. FEDERAL FUNDS IDENTIFIED. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall indicate the agency providing the funds and the amount provided. This provision shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

SEC. 649. (a) Congress finds that—

(1) the Veterans of Foreign Wars of the United States (in this section referred to as the ''VFW''), which was formed by veterans of the Spanish-American War and the Philippine Insurrection to help secure rights and benefits for their service, will be celebrating its 100th anniversary in 1999;

(2) members of the VFW have fought, bled, and died in every war, conflict, police action, and military intervention in which the United States has engaged during this century;

(3) over its history, the VFW has ably represented the interests of veterans in Congress and State Legislatures across the Nation and established a network of trained service officers who, at no charge, have helped millions of veterans and their dependents to secure the education, disability compensation, pension, and health care benefits they are rightfully entitled to receive as a result of the military service performed by those veterans:

(4) the VFW has also been deeply involved in national education projects, awarding nearly $2,700,000 in scholarships annually, as well as countless community projects initiated by its 10,000 posts; and

(5) the United States Postal Service has issued commemorative postage stamps honoring the VFW's 50th and 75th anniversaries, respectively.

(b) Therefore, it is the sense of the Congress that the United States Postal Service is encouraged to issue a commemorative postage stamp in honor of the 100th anniversary of the founding of the Veterans of Foreign Wars of the United States.

SEC. 650. ITEMIZED INCOME TAX RECEIPT. (a) IN GENERAL.—Not later than April 15, 2000, the Secretary of the Treasury shall establish an interactive program on an Internet website where any taxpayer may generate an itemized receipt showing a proportionate allocation (in money terms) of the taxpayer's total tax payments among the major expenditure categories.

(b) INFORMATION NECESSARY TO GENERATE RECEIPT.—For purposes of generating an itemized receipt under subsection (a), the interactive program—

(1) shall only require the input of the taxpayer's total tax payments, and

(2) shall not require any identifying information relating to the taxpayer.

(c) TOTAL TAX PAYMENTS.—For purposes of this section, total tax payments of an individual for any taxable year are—

(1) the tax imposed by subtitle A of the Internal Revenue Code of 1986 for such taxable year (as shown on his return), and

(2) the tax imposed by section 3101 of such Code on wages received during such taxable year.

(d) CONTENT OF TAX RECEIPT.—

(1) MAJOR EXPENDITURE CATEGORIES.—For purposes of subsection (a), the major expenditure categories are:

(A) National defense.
(B) International affairs.
(C) Medicaid.
(D) Medicare.
(E) Means-tested entitlements.
(F) Domestic discretionary.
(G) Social Security.
(H) Interest payments.
(I) All other.

(2) OTHER ITEMS ON RECEIPT.—

(A) IN GENERAL.—In addition, the tax receipt shall include selected examples of more specific expenditure items, including the items listed in subparagraph (B), either at the budget function, subfunction, or program, project, or activity levels, along with any other information deemed appropriate by the Secretary of the Treasury and the Director of the Office of Management and Budget to enhance taxpayer understanding of the Federal budget.

(B) LISTED ITEMS.—The expenditure items listed in this subparagraph are as follows:

(i) Public schools funding programs.
(ii) Student loans and college aid.
(iii) Low-income housing programs.
(iv) Food stamp and welfare programs.
(v) Law enforcement, including the Federal Bureau of Investigation, law enforcement grants to the States, and other Federal law enforcement personnel.
(vi) Infrastructure, including roads, bridges, and mass transit.
(vii) Farm subsidies.
(viii) Congressional Member and staff salaries.
(ix) Health research programs.
(x) Aid to the disabled.
(xi) Veterans health care and pension programs.
(xii) Space programs.
(xiii) Environmental cleanup programs.
(xiv) United States embassies.
(xv) Military salaries.
(xvi) Foreign aid.
(xvii) Contributions to the North Atlantic Treaty Organization.
(xviii) Amtrak.
(xix) United States Postal Service.

(e) COST.—No charge shall be imposed to cover any cost associated with the production or distribution of the tax receipt.

(f) REGULATIONS.—The Secretary of the Treasury may prescribe such regulations as may be necessary to carry out this section.

SEC. 651. (a) Section 7001 of Public Law 105–174 (112 Stat. 91) is amended by striking each place it appears ''for purposes of the period beginning on the date of enactment of this Act and ending on September 30, 1999,'' and inserting ''May 1, 1998,''.

(b) Section 1109 of Public Law 105–261 (112 Stat. 2143) is repealed.

SEC. 652. (a) The American Battle Monuments Commission and the World War II Memorial Advisory Board (as referred to in Public Law 103–32 (40 U.S.C. 1003 note; 107 Stat. 90)) shall each be considered to qualify for the rates of postage currently in effect under former section 4452 of title 39, United States Code, for third-class mail matter mailed by a qualified nonprofit organization.

(b) Rates of postage afforded by subsection (a) shall be available only with respect to official mail sent for the furtherance of the purpose of section 2(c)(1) or 3 of Public Law 103–32, as applicable.

(c) This section shall apply with respect to fiscal year 2000 and each fiscal year thereafter.

SEC. 653. (a) ESTABLISHMENT.—There is established the National Intellectual Property Law Enforcement Coordination Council (in this section referred to as the ''Council''). The Council shall consist of the following members—

(1) The Assistant Secretary of Commerce and Commissioner of Patents and Trademarks, who shall serve as co-chair of the Council;

(2) The Assistant Attorney General, Criminal Division, who shall serve as co-chair of the Council;

(3) The Under Secretary of State for Economic and Agricultural Affairs;

(4) The Ambassador, Deputy United States Trade Representative;

(5) The Commissioner of Customs; and

(6) The Under Secretary of Commerce for International Trade.

(b) DUTIES.—The Council established in subsection (a) shall coordinate domestic and international intellectual property law enforcement among federal and foreign entities.

(c) CONSULTATION REQUIRED.—The Council shall consult with the Register of Copyrights on law enforcement matters relating to copyright and related rights and matters.

(d) NON-DEROGATION.—Nothing in this section shall derogate from the duties of the Secretary of State or from the duties of the United States Trade Representative as set forth in section 141 of the Trade Act of 1974 (19 U.S.C. 2171), or from the duties and functions of the Register of Copyrights, or otherwise alter current authorities relating to copyright matters.

(e) REPORT.—The Council shall report annually on its coordination activities to the President, and to the Committees on Appropriations and on the Judiciary of the Senate and the House of Representatives.

(f) FUNDING.—Notwithstanding section 1346 of title 31, United States Code, or section 610 of this Act, funds made available for fiscal year 2000 and hereafter by this or any other Act shall be available for interagency funding of the National Intellectual Property Law Enforcement Coordination Council.

SEC. 654. In addition to funds otherwise provided under the heading ''National Oceanic and Atmospheric Administration'' for ''Operations, Research, and Facilities'' in Public Law 105–277 (112 Stat. 2681–83), $5,650,000 is appropriated for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefit Plan, and for payment for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55).

This Act may be cited as the ''Treasury and General Government Appropriations Act, 2000''.

And the Senate agree to the same.

JIM KOLBE,
FRANK R. WOLF,
ANN M. NORTHUP,
JO ANN EMERSON,
JOHN E. SUNUNU,
JOHN E. PETERSON,
ROY BLUNT,
BILL YOUNG,
STENY HOYER,
CARRIE P. MEEK,
DAVID E. PRICE,
LUCILLE ROYBAL-ALLARD,
DAVE OBEY,
Managers on the Part of the House.

BEN NIGHTHORSE CAMPBELL,
RICHARD SHELBY,
JON KYL,
TED STEVENS,
BYRON L. DORGAN,
BARBARA A. MIKULSKI,
ROBERT C. BYRD,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2490), making appropriations for the Treasury Department, the United States Postal

Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The conference agreement on the Treasury and General Government Appropriations Act, 2000, incorporates some of the language and allocations set forth in House Report 106-231 and Senate Report 106-87. The language in these reports should be complied with unless specifically addressed in the accompanying statement of managers.

Senate Amendment: The Senate deleted the entire House bill after the enacting clause and inserted the Senate bill. The conference agreement includes a revised bill.

Throughout the accompanying explanatory statement, the managers refer to the Committee and the Committees on Appropriations. Unless otherwise noted, in both instances, the managers are referring to the House Subcommittee on Treasury, Postal Service, and General Government and the Senate Subcommittee on Treasury and General Government.

REPROGRAMMING AND TRANSFER OF FUNDS GUIDELINES

The conference agreement includes the following reprogramming guidelines which shall be complied with by all agencies funded by the Treasury and General Government Appropriations Act, 2000:

1. Except under extraordinary and emergency situations, the Committees on Appropriations will not consider requests for a reprogramming or a transfer of funds, or use of unobligated balances, which are submitted after the close of the third quarter of the fiscal year, June 30;

2. Clearly stated and detailed documentation presenting justification for the reprogramming, transfer, or use of unobligated balances shall accompany each request;

3. For agencies, departments, or offices receiving appropriations in excess of $20,000,000, a reprogramming shall be submitted if the amount to be shifted to or from any object class, budget activity, program line item, or program activity involved is in excess of $500,000 or 10 percent, whichever is greater, of the object class, budget activity, program line item, or program activity;

4. For agencies, departments, or offices receiving appropriations less than $20,000,000, a reprogramming shall be submitted if the amount to be shifted to or from any object class, budget activity, program line item, or program activity involved is in excess of $50,000, or 10 percent, whichever is greater, of the object class, budget activity, program line item, or program activity;

5. For any action where the cumulative effect of below threshold reprogramming actions, or past reprogramming and/or transfer actions added to the request, would exceed the dollar threshold mentioned above, a reprogramming shall be submitted;

6. For any action which would result in a major change to the program or item which is different than that presented to and approved by either of the Committees, or the Congress, a reprogramming shall be submitted;

7. For any action where funds earmarked by either of the Committees for a specific activity are proposed to be used for a different activity, a reprogramming shall be submitted; and,

8. For any action where funds earmarked by either of the Committees for a specific activity are in excess of the project or activity requirement, and are proposed to be used for a different activity, a reprogramming shall be submitted.

Additionally, each request shall include a declaration that, as of the date of the request, none of the funds included in the request have been obligated, and none will be obligated, until the Committees on Appropriations have approved the request.

CLIMATE CHANGE RESEARCH

On October 22, 1997, the President introduced a three-stage proposal on climate change in anticipation of an international agreement to be negotiated 2 months later in Kyoto, Japan. The President's budget for fiscal year 1999 included a $6,300,000,000 package of tax incentives and research and development programs over the 5 years of Stage I of the President's proposal. With regard to programs pursued under the President's proposal, the conferees expect the administration to comply with the letter and spirit of the Government Performance and Results Act (GPRA).

The conferees direct the administration to designate which office has authority to coordinate and direct interagency activity with regard to the President's proposal, which can report accountably to Congress.

None of the funds provided in this bill are to be used to implement actions called for solely under the Kyoto protocol, prior to its ratification.

The Byrd-Hagel resolution passed in 1997 (S. Res. 98) remains the clearest statement of the will of the Senate with regard to the Kyoto protocol, and the conferees are committed to ensuring that the administration not implement the Kyoto protocol without congressional consent. The conferees recognize, however, that there are also long-standing energy research programs which have goals and objectives that, if met, could have positive effects on energy use and the environment. The conferees do not intend to preclude these programs from proceeding, provided they have been documented in full compliance with the letter and intent of GPRA, funded, and approved by Congress.

To the extent future funding requests may be submitted which would increase funding for climate change activities prior to ratification of the Kyoto protocol (whether under the auspices of the climate change technology initiative or any other initiative), the Administration must do a better job of explaining the components of the programs, their anticipated goals and objectives, the justification for any funding increases, a discussion of how success will be measured, and a clear definition of how these programs are justified by goals and objectives independent of implementation of the Kyoto protocol.

The conferees direct the Administration to provide the Committees with a detailed plan for implementing key elements of the President's proposal, which would include performance goals for the reduction of greenhouse gases that have objective, quantifiable, and measurable target levels. The plan should provide evidence on the effectiveness of these programs in meeting the performance goals. The conferees expect these items to be included as part of the fiscal year 2001 budget submission for all affected agencies.

Last year, the Senate Appropriations Committee directed the Administration to include these items in the fiscal year 2000 budget submission. The conferees are concerned that several agencies are tardy in doing so. The conferees take cognizance of a joint hearing on agency accountability, conducted on May 20, 1999, by subcommittees of the Senate Committee on Energy and Natural Resources and the House Committee on Government Reform. In fact, three agencies did not submit reports until April 9 or later, and one submitted its report one day before this hearing. According to the General Accounting Office, both the timing and the content of these submissions made it more difficult for Congress to assess administration proposals.–

VEHICLE USAGE AND REPLACEMENT

The conferees remain concerned about the pace by which the vehicle management system is being implemented. To date, only initial steps have been taken. Therefore, the conferees have continued last year's provision regarding vehicle acquisition and expect that the system will be fully implemented in time to utilize information gathered from the system in developing the fiscal year 2001 budget. The conferees direct that the fiscal year 2001 request regarding vehicle acquisitions be justified on a demonstrated use of this system.

TITLE I—DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

The conferees agree to provide $134,034,000 instead of $134,206,000 as proposed by the House and $133,168,000 as proposed by the Senate. The amount provided does not include the additional $596,000 requested for Enforcement Policies and Programs.

The conferees note that the amount provided includes sufficient funding for the Department of the Treasury to make up to $500,000 in contract awards to the National Law Center for Inter-American Free Trade as proposed by the President. The conferees support this program, which will aid federal government efforts to conduct legal research specific to relevant trade issues.

SENIOR EXECUTIVE SERVICE ALLOCATIONS

The conferees recognize some discrepancy in allocations of Senior Executive Service (SES) positions among Treasury law enforcement bureaus. When compared to comparable Justice Department agencies, these allocations seem disproportionate. The conferees recognize that SES allocations are reviewed every two years and the next review will occur in the year 2000. In order to mitigate this apparent disparity, the conferees direct the Secretary of the Treasury to review the SES allocations in its law enforcement bureaus and to make recommendations to the Committees on Appropriations by November 1, 1999, on those actions that might alleviate SES imbalances.

OFFICE OF ENFORCEMENT REVIEW

The Congress established the Office of the Under Secretary of Enforcement in Public Law 103-123, Section 105, to allow the Department an office solely dedicated to assisting Treasury's law enforcement bureaus in management and policy oversight issues specific to the needs of law enforcement. The conferees are interested in the use of funding in the Office of Enforcement with respect to the management of law enforcement bureaus and the development and oversight of policy. Therefore, the conferees direct the General Accounting Office to conduct a management review of the Office of Enforcement and Treasury's law enforcement bureaus as they relate to the Office of Enforcement. The conferees note that attention should also be paid to the Office's interactions with other entities within Treasury's Departmental Offices, as well as other federal law enforcement agencies.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

The conferees agree to provide $43,961,000 instead of $31,017,000 as proposed by the House and $35,561,000 as proposed by the Senate. The amount provided includes $26,221,000 for Human Resources Reengineering and Systems Modernization, $4,327,000 for the

completion of Year 2000 conversion activities, $3,813,000 for Departmental Offices productivity enhancement, $1,000,000 for critical infrastructure protection, $200,000 for Department-wide implementation of an information systems architecture, $5,400,000 for the International Trade Data System, and $3,000,000 for money laundering grants.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

The conferees agree to provide $30,716,000 as proposed by the House instead of $30,483,000 as proposed by the Senate.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

The conferees agree to provide $112,207,000 as proposed by the House instead of $111,340,000 as proposed by the Senate.

TREASURY BUILDING AND ANNEX REPAIR AND RESTORATION

The conferees agree to provide $23,000,000 as proposed by the House instead of $15,000,000 as proposed by the Senate.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

The conferees agree to provide $27,818,000 instead of $29,656,000 as proposed by the House and $27,681,000 as proposed by the Senate. This is identical to the Administration's request, with the exception that $600,000 requested to fund Gateway system operations is provided in the Violent Crime Reduction Trust Fund instead of the Salaries and Expenses appropriation. The conferees agree that not to exceed $1,000,000 of this funding shall remain available until September 30, 2002 to provide flexibility in keeping technology investments current.

TREASURY FORFEITURE FUND

The conferees understand that the fiscal year 2000 super surplus for the Treasury Forfeiture Fund will exceed the Administration's estimate of $142,000,000, and therefore direct the Department to provide the Committees on Appropriations its plan for using these resources in a timely manner, as well as a summary of actual obligations in the fiscal year 2001 budget request.

The conferees continue to support the use of the super surplus to further advance Treasury law enforcement programs and activities, and acknowledge the Department's proposal for use of the super surplus for a variety of activities. The conferees direct the Department to use $177,906,000 instead of $142,106,000 as proposed by the House and $142,000,000 as proposed by the Senate, as follows:

U.S. Customs Service–	$64,493,000—
Vehicle Replacement—	8,600,000–
FTE/Equipment from S&E–	11,964,000– –
Other Base equipment funding–	12,129,000–
Integrity enhancement–	4,300,000– –
Training Initiative–	2,500,000–
SW Border Initiative–	25,000,000
Bureau of Alcohol, Tobacco and Firearms–	34,947,000– –
IBIS	3,000,000– –
Mobile Radios/vehicles–	6,300,000– –
Canine explosives detection–	1,000,000– –
Post incident investigations–	3,600,000– –
Arson and explosives repository–	1,608,000– –
Lab Equipment Modernization–	3,800,000– –
Building security annualization–	639,000–
Headquarters Construction (if required)–	15,000,000
U.S. Secret Service–	75,466,000– –
Treasury Std. Financial Systems–	250,000– –
LAN Replacement–	250,000– –
TCS–	3,700,000– –
Counter Chem/Bio Threats–	3,325,000– –
Upgrade WH Complex Security–	1,843,000– –
Replace mainframe financial system–	1,151,000– –
2000 Presidential Campaign—add'l protection workload–	27,515,000–
2000 Presidential Campaign—recurring protection workload–	7,732,000–
Vehicle Replacement—from VCRTF–	6,700,000– –
Anti-terrorism supp. follow-on costs–	23,000,000–
Other Treasury –	3,000,000–
FLEWUG–	3,000,000
Total–	177,906,000–

VIOLENT CRIME REDUCTION PROGRAMS

The conferees agree to provide $132,000,000, as proposed by the House instead of $194,000,000 proposed by the Senate. This amount is to be used as follows:

Bureau of Alcohol, Tobacco and Firearms–	$40,920,000–
GREAT Program Management–	3,000,000–
GREAT Program Grants–	13,000,000–
YCGII Expansion to 37 cities–	12,320,000–
Integrated Violence Reduction Strategy–	12,600,000
Customs Service–	61,000,000–
Land Border Automation Initiative/canopies–	4,000,000–
Vehicles–	11,464,000–
Maintain FY 1988 equipment (NII, canopies)–	3,640,000–
Agent/Inspector Relocation–	8,000,000 –
Lab modernization–	5,735,000–
Narcotics and money laundering–	4,817,000 –
Cybersmuggling—FY 99 Initiative continuation–	2,400,000–
Maintain FY97 Hardline/Gateway Equipment–	5,430,000 –
Hiring for projected attrition–	15,514,000
Secret Service–	4,200,000 –
Forensic technologies—general–	2,000,000 –
Forensic technologies—NCMEC operational support–	2,200,000
Financial Crimes Enforcement Network–	1,863,000
Magnitude of Money Laundering Study–	500,000
SARs Access/Enhancement–	200,000
Gateway Program–	600,000
Expand Secure Outreach Net–	263,000
Expand Data Mining Technology–	300,000
Interagency Crime and Drug Enforcement–	14,817,000
Federal Law Enforcement Training Center–	9,200,000–
Artesia Firearms Ranges–	9,200,000
Total–	132,000,000

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

The conferees agree to provide $27,920,000 instead of $26,800,000 as proposed by the House and $17,847,000 as proposed by the Senate.

YOUTH CRIME GUN INTERDICTION INITIATIVE

The conferees agree to increase total funding for the Youth Crime Gun Interdiction Initiative (YCGII) to $51,320,000, of which $12,320,000 is provided in the violent crime reduction trust fund (VCRTF). The conferees strongly support programs such as YCGII, the operations of the Bureau of Alcohol, Tobacco and Firearms (ATF) National Tracing Center, and initiatives such as the Integrated Violence Reduction Strategy to target, investigate and prosecute crimes with guns and reduce gun violence among our nation's youth. The conferees are aware that many communities are interested in learning from and benefiting by increased federal efforts in this area, and so ATF is encouraged to consider the needs of communities where no current YCGII program exists, such as Las Vegas, Nevada, as it plans for future YCGII operations.

GANG RESISTANCE EDUCATION AND TRAINING GRANTS

The conferees agree to provide $13,000,000 to ATF as proposed by the Senate instead of $10,000,000 as proposed by the House to continue the Gang Resistance Education and Training (GREAT) program. Additional funds of $3,000,000 for ATF administrative support also are provided through VCRTF. The conferees understand that the longitudinal impact study of the GREAT program now underway at the National Institute of Justice and the University of Nebraska will be completed in the summer of 2000. The conferees urge ATF to expedite completion of the study and provide the results to the Committees on Appropriations.

CUSTOMS SERVICE

The conferees agree to provide $61,000,000 instead of $64,000,000 as proposed by the House and $52,774,000 as proposed by the Senate. This fully funds the Administration request for funding for vehicles, maintenance of previously acquired detection equipment and equipment in support of Operations HARDLINE and GATEWAY, lab modernization, money laundering, and $2,400,000 to continue the Customs Cybersmuggling Center. The conferees provide an additional $1,600,000 for the Cybersmuggling Center in the Customs Service Salaries and Expenses appropriation. The conferees provide $4,000,000 for the land border automation initiative.

AGENT AND INSPECTOR RELOCATION

The conferees are interested in the use of funding provided for agent and inspector relocation. Specific funding of $8,000,000 was requested by the Administration, in addition to $4,000,000 from the Treasury Forfeiture Fund in fiscal year 1998 and $8,000,000 appropriated to Customs in fiscal year 1999. The conferees direct the Customs Service to report by February 1, 2000, on its use of this funding for fiscal years 1998–2000, to include actual and estimated numbers of inspectors and agents relocated and the costs associated with such moves.

SECRET SERVICE

The conferees agree to provide $4,200,000 as proposed by the House instead of $21,950,000 as proposed by the Senate. This includes $2,000,000 for forensic assistance to the National Center for Missing and Exploited Children (NCMEC) and $2,200,000 for grant assistance for the Exploited Child Unit of NCMEC.

FINANCIAL CRIMES ENFORCEMENT NETWORK

The conferees agree to provide $1,863,000 as proposed by the Senate instead of no funding as proposed by the House. This includes funding for operating the Gateway system, expanding the secure outreach network for federal agencies, improving access to the Suspicious Activity Report (SAR) system and outreach to State and local law enforcement agencies, money laundering, and data mining.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

The conferees agree to provide $9,200,000 as proposed by the Senate instead of no funding as proposed by the House, for two firearms ranges at the Federal Law Enforcement Training Center's Artesia, New Mexico, campus.

INTERAGENCY CRIME AND DRUG ENFORCEMENT

The conferees agree to provide $14,817,000 instead of $27,000,000 as proposed by the House and $28,366,000 as proposed by the Senate. An additional $61,083,000 is provided in the Interagency Law Enforcement account for a total appropriation of $75,900,000.

FEDERAL LAW ENFORCEMENT TRAINING CENTER–

SALARIES AND EXPENSES

The conferees agree to provide $84,027,000 instead of $82,827,000 as proposed by the House and $80,114,000 as proposed by the Senate. The conferees agree to an increase of $1,420,000 for basic training, $1,216,000 for counter-terrorism training, $1,380,000 for a cost accounting system, $350,000 for scheduling automation, $1,973,000 for equipment base restoration, $900,000 for training vehicles, and $300,000 for a Rural Law Enforcement Demonstration Project.–

The conferees agree to continue a general provision (Section 615) to permit the Federal Law Enforcement Training Center (FLETC) to acquire the temporary use of additional training facilities without seeking the advance approval otherwise required by that section. The conferees direct the Center to report to the Committees on Appropriations by May 5, 2000 on the use of this authority and projections for its future use.

U.S. BORDER PATROL BASIC TRAINING

The Congress has mandated that the US Border Patrol (USBP) increase its level of new hires now and over the next several years. A critical component of the hiring process is the training of new agents to prepare them as quickly as possible to perform their duties at USBP locations. Due to the increased training requirements, entry level USBP agents are currently trained at both the FLETC Glynco, Georgia and the former Charleston, South Carolina Naval Yard sites. The conferees direct that FLETC and the Immigration and Naturalization Service (INS)/USBP establish a training schedule that creates fixed plateaus for conducting training at both locations. FLETC and INS are to report back to the Committees on Appropriations no later than January 1, 2000, on how this scheduling is being implemented for fiscal year 2000. The conferees fully expect that the five year construction Master Plan for facilities for USBP training will be fully implemented subject to a certification by the Secretary of Treasury and the Attorney General that all FLETC overflow issues relating to USBP basic training have been addressed.

RURAL LAW ENFORCEMENT EDUCATION DEMONSTRATION PROJECT

The conferees are concerned that greater attention tends to be focused on youth crime and gang activity in urban centers. Rural areas are also experiencing significant increases in juvenile crime. The conferees believe that rural law enforcement officials, and others in rural communities who could provide an early warning system of criminal behavior, are not receiving the kind of education and training that may be critically important to the safe keeping of their communities.

Therefore, the conferees direct the Director of FLETC to provide up to $300,000 to a graduate level criminal justice program specializing in rural law enforcement in a Northern Plains State and/or other rural area. These funds will be used to sponsor a research project on the development of law enforcement training techniques aimed at addressing rural crime, rural drug behavior and rural gang activities. It is hoped that the study, which shall be provided to the Committees on Appropriations within one year after enactment of this bill, will be considered in making any law enforcement changes necessary for conducting a rural law enforcement training program.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

The conferees agree to provide $21,611,000 as proposed by the Senate instead of $24,310,000 as proposed by the House. This includes funding for the current Master Plan construction, expanding the chilled water system, a counter terrorism facility, and completion of a new dormitory at Artesia, New Mexico.–

The conferees have denied funding for a new classroom at Glynco, Georgia, as these funds have been made available through the Treasury Forfeiture Fund in fiscal year 1999.

DORMITORY AND CLASSROOM CONSTRUCTION

The conferees continue to be committed to the principle of consolidating federal law enforcement training, and are greatly concerned that the INS Border patrol training facility in Charleston, South Carolina will not be closed in fiscal year 2001, as originally planned and agreed to by the Departments of Justice and Treasury. The conferees understand that the obstacle to this closure and subsequent consolidation of all Border Patrol basic training at FLETC is the lack of adequate capacity at the two existing FLETC sites. The budget request is consistent with a revised plan to have adequate basic training capacity by fiscal year 2004. The conferees strongly urge FLETC and the Department to keep the Committees informed of any problems that may cause further delays, and directs the Treasury Department to report by May 5, 2000, on progress in meeting this target.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

The conferees agree to provide $61,083,000 instead of $48,900,000 as proposed by the House and no appropriation as proposed by the Senate. The conferees provide an additional $14,817,000 through the VCRTF, for a total appropriation of $75,900,000.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

The conferees agree to provide $201,320,000 as proposed by the House instead of $200,054,000 as proposed by the Senate.–

The conferees have agreed to include language proposed by the Senate that provides that not to exceed $2,500 is available for official reception and representation expenses.

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

SALARIES AND EXPENSES

The conferees agree to provide $565,959,000 instead of $567,059,000 as proposed by the House and $570,345,000 as proposed by the Senate. The amount provided fully funds the request to maintain current services, includes $5,209,000 for enforcement and tax collection support for tobacco tax compliance, and $5,000,000 to support the Integrated Ballistic Indentification System system in addition to $3,000,000 funded through the Treasury Forfeiture Fund. The conferees do not include $1,100,000 requested for a promotion assessment system, but expect ATF to absorb those costs within existing resources.–

TOBACCO COMPLIANCE

The conferees are concerned that a change in federal law mandated by the 1997 Balanced Budget Act regarding the domestic distribution of cigarettes manufactured for export will create substantial enforcement problems for ATF after January 1, 2000, when the new law becomes effective. The conferees note that a number of States have already passed laws banning the distribution of export manufactured cigarettes ahead of the federal statute. The conferees include $5,209,000 to fund the enforcement actions with regard to gray market tobacco products and to ensure collection of floor stock taxes. The conferees direct ATF to report back to the Committees on Appropriations before September 30, 2000, followed by semi-annual reports thereafter, on the number of employees dedicated to handling this transition in the law and its enforcement, the number of complaints received, the number of investigations initiated, and the number of cases referred for prosecution.

ANTIQUE FIREARMS

The conferees are concerned that there are insufficient data or information on the use of antique firearms in crime. The term ''antique firearm'' has the meaning given the term in 18 USC 921(a)(16). Therefore, the ATF is urged to conduct a study on the use of antique firearms in crime and report back to the Committees on Appropriations no later than February 15, 2000.

LABORATORY FACILITIES AND HEADQUARTERS

The conferees recommend that, should it be deemed necessary, ATF seek any funds required for a relocation of their headquarters operations from the Treasury Forfeiture Fund.–

UNITED STATES CUSTOMS SERVICE

SALARIES AND EXPENSES

The conferees agree to provide $1,705,364,000 instead of $1,708,089,000 as proposed by the House and $1,670,747,000 as proposed by the Senate. These amounts include $212,000 for renovations to the Louisville International Airport in Louisville, Kentucky. The conferees also include funding to maintain current levels and annualize the cost of personnel and equipment, including vehicle replacement, and $35,000,000 in new funding to support the Automated Commercial System. In addition, the conferees provide $9,000,000 for non-intrusive mobile personal inspection technology, $5,011,000 for the forced child labor program, and $2,000,000 for money laundering outbound detection technology. The agreement also includes $1,600,000 for the Cybersmuggling Center in addition to the $2,400,000 funded through the Violent Crime Reduction Trust Fund, to bring total funding to the Center to $4,000,000. The conferees deny without prejudice $725,000 requested for land border blitzes.

CUSTOMS AUTOMATION

The conferees are extremely supportive of automating Customs' systems and processes. Unfortunately, the Administration failed to request adequate funding for this program, either to maintain the existing Automated Commercial System (ACS) or to lay the groundwork for the Automated Commercial Environment (ACE). The President's budget does include an increase of $35,000,000 for expanded memory for ACS. However, the conferees are deeply concerned that Customs has failed to provide accurate estimates of possible funding shortfalls which the conferees could address. The conferees support Customs' efforts to mirror the Internal Revenue Service's path for modernization with the use of a prime integrator and the establishment of modularized acquisition and spending plans. Given the adoption of this new approach, the conferees request the revised system blueprint, schedule and budget for ACE not later than the time the budget is submitted for fiscal year 2001. The conferees also direct the Customs Service to

provide quarterly reports on the maintenance and costs of ACS until ACE has been implemented.

SOUTHWEST BORDER STAFFING AND CROSS-BORDER TRADE

The conferees are aware that commercial truck traffic entering the United States through Mexico has grown by more than 50 percent in recent years, and that the Customs Service has not realized subsequent increases in inspectors. For example, over 80 percent of the fresh produce imported from Mexico comes through Nogales, Arizona, yet the number of Customs inspectors in that area has actually decreased. In addition, the San Luis, Arizona port of entry is not open during key hours thereby forcing trade to be rerouted hundreds of miles away. When the port is open, wait times can be over two and a half hours long. The conferees understand that Customs is currently reviewing its overall resource allocation and encourages Customs to consider the Arizona border in this review. In the interim, the conferees instruct Customs at least to maintain current staffing levels in Arizona in fiscal year 2000 and to report to the Committees on Appropriations by March 31, 2000, on what resources are necessary to reduce wait times along the Southwest border to twenty minutes, in addition to outlining the current staffing needs in Arizona.

TARGETED RESOURCES FOR THE SOUTHWEST BORDER

In addition to the evaluation of overall, longer term Southwest border needs directed above, the conferees, in an effort to address these concerns in terms of wait times and trafficking in illegal drugs and contraband, believe that an immediate increase in inspectors, agents, and detection technology is justified to meet these current pressures. The conferees therefore direct the U.S. Customs Service to submit within 60 days of enactment to the Committees on Appropriations its recommendation for immediate actions to reduce waiting times and improve contraband detection capabilities, as well as investigative resources. Based on these recommendations and subject to approval by the Committees, the conferees direct that $25,000,000 from the super surplus of the Treasury Forfeiture Fund be used to hire new inspectors, agents, or acquire new detection technology for use along the Southwest border.

CUSTOMS INSPECTION PRACTICES

The conferees are concerned about allegations that African-Americans and Hispanic-Americans are being targeted for Customs inspections, detention and for personal searches at border crossings. The conferees are also concerned about allegations that personal searches of individuals subject to such searches in accordance with regulations established by the Customs Service may be carried out by employees of the Customs Service who are not of the same gender as the individual being searched. Therefore, the conferees direct the Secretary of the Treasury to prepare and submit to the Congress a report on the conduct of personal searches by employees of the Customs Service by February 15, 2000.

CANADIAN/UNITED STATES FREE TRADE AGREEMENT RESEARCH PROGRAM

The Canadian/United States Free Trade Agreement (CUSTA) was signed in 1988 and implemented in 1989. The objective was to create a Canadian/U.S. free trade area so trade between the two countries would be uninhibited by border measures. The agreement called for conversion of non-tariff border measures to tariffs, with all tariffs to be phased out over a 15 year period. The agreement was expanded to NAFTA by including Mexico in 1994.

From within amounts appropriated, the conferees agree to provide $725,000 and direct Customs to provide a Northern Plains agricultural economics program with these funds to conduct a research program to analyze issues relating to bilateral U.S./Canada trade in agricultural commodities and to assess the economic impact of bilateral trade on the Northern Plains. Specific objectives of the research program are (1) to evaluate inconsistencies in agricultural policies, trade practices, and marketing activities which affect trade flows of agricultural products and commodities between the U.S. and Canada; (2) to analyze the impacts of Canadian exports of agricultural products and commodities on prices and net farm income in Northern Plains States; (3) to analyze data on Canadian export prices and quantities of agricultural products and commodities collected at U.S. customs points along the Northern border; and (4) to evaluate factors influencing Canadian exports to the United States, including transportation and logistics and single desk selling of wheat and barley by the Canadian Wheat Board. The conferees further direct that a report on this project be provided to the Committees within one year of enactment of this Act.

PORTS OF ENTRY INFRASTRUCTURE ASSESSMENT

The conferees are concerned about the current condition of the ports of entry along the U.S. land borders. Therefore, the conferees direct the Customs Service, working in consultation with the General Services Administration, to assess the current condition and infrastructure needs of these ports and provide a report to the Committees within nine months after enactment of this Act on a plan to address these needs and the resources required to do so. The conferees expect the Customs Service to coordinate with the other Federal and State border agencies in this effort.

INTERNATIONAL PORTS OF ENTRY

The conferees urge the Customs Service to evaluate the merits of designating the Hector International Airport in Fargo, North Dakota, the San Antonio International Airport in San Antonio, Texas, and The Manchester Airport in Manchester, New Hampshire, as international ports of entry and report the findings to the Committees on Appropriations no later than February 15, 2000. Additionally, the conferees encourage the U.S. Customs Service to consider a pilot project to allow international port of entry designations at several selected airports which may not currently meet the requirements for an international port of entry designation but which demonstrate promise of meeting them in the future due to expanded international trade and commerce.

HARBOR MAINTENANCE FEE COLLECTION

The conferees agree to provide a separate appropriation of $3,000,000 as proposed by the Senate, to be transferred from the Harbor Maintenance Trust Fund to the Customs Service ''Salaries and Expenses'' appropriation.

OPERATION, MAINTENANCE AND PROCUREMENT, AIR AND MARINE INTERDICTION PROGRAMS

The conferees agree to provide $108,688,000 as proposed by the Senate instead of $109,413,000 as proposed by the House. The conferees deny without prejudice $725,000 requested for land border blitzes.

CUSTOMS AIR AND MARINE INTERDICTION MODERNIZATION

In the fiscal year 1999 appropriation, the conferees directed Customs to provide its air and marine program modernization plan with its fiscal year 2000 budget. The conferees understand that this plan is currently under review within the Administration and are dismayed that the plan was not provided as requested. The plan is to include the projected lifespans and replacement schedules, as well as the current status, of each aircraft or vessel, associated operations and maintenance activities for these craft, and any costs for fleet modernization. The conferees expect prompt completion and submission of this report.

ROTORCRAFT TRAINING

The conferees are aware that the Customs Service has contracted with the University of North Dakota for rotorcraft training. Because of the University's state-of-the-art facilities, its experienced flight instructors, and its internationally recognized expertise in touch-down auto rotation, the conferees urge the continuation and expansion of this collaboration.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

The conferees agree to provide $177,819,000 instead of $176,919,000 as proposed by the House and $176,983,000 as proposed by the Senate.

The conferees agree that the report described in House report language should be submitted to the Committees on Appropriations by February 1st of each year.

INTERNAL REVENUE SERVICE

PROCESSING, ASSISTANCE, AND MANAGEMENT

The conferees agree to provide $3,312,535,000 instead of $3,270,098,000 as proposed by the House and $3,291,945,000 as proposed by the Senate. The amount provided is the same as the amount requested by the Administration.

The conferees have also agreed to include $3,950,000 for the Tax Counseling for the Elderly Program as proposed by the Senate instead of $3,700,000 as proposed by the House.

TAX LAW ENFORCEMENT

The conferees agree to provide $3,336,838,000 instead of $3,301,136,000 as proposed by the House and $3,305,090,000 as proposed by the Senate. The amount provided is the same as the amount requested by the Administration.

The conferees have also agreed to include language in the bill which provides $150,000 for official reception and representation expenses associated with hosting the Inter-American Center of Tax Administration 2000 Conference as proposed by the Senate.

Kerosene Dye Study

The Taxpayer Relief Act of 1997 established a $.244 per gallon motor fuels tax on kerosene to deter fraud and evasion of the diesel tax. To distinguish between those using the fuel for home heating purposes and those using the fuel for transportation use, a dyeing scheme was established whereby red-dyed kerosene would be provided to home heating fuel customers tax free and clear kerosene would be used by the transportation fuel customers. The conferees are concerned about the potential effects on human health and safety of burning red-dyed kerosene fuel in unvented space heaters. Therefore, the conferees direct the Secretary of the Treasury to conduct a study on this issue and report the results to the tax-writing committees of the House and Senate by September 30, 2000.

INFORMATION SYSTEMS

The conferees agree to provide $1,455,401,000 instead of $1,394,540,000 as proposed by the House and $1,450,100,000 as proposed by the Senate. The amount provided is the same as the amount requested by the Administration. The conferees have also agreed to make the funds available for obligation until September 30, 2001.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

Section 101. The conferees agree to include a provision proposed by the House and the

Senate which allows the transfer of 5 percent of any appropriation made available to the Internal Revenue Service to any other IRS appropriation subject to Congressional approval.

Section 102. The conferees agree to include a provision proposed by the House and the Senate which requires the IRS to maintain a training program in taxpayers' rights, dealing courteously with taxpayers, and cross cultural relations.

Section 103. The conferees agree to include a provision proposed by the House and the Senate which requires the IRS to institute and enforce policies and practices that will safeguard the confidentially of taxpayer information.

Section 104. The conferees agree to include a provision proposed by the Senate which directs that funds shall be available for improved facilities and increased manpower to provide sufficient and effective 1–800 help line telephone assistance. The House bill contained no similar provision.

Section 105. The conferees agree to include a provision proposed by the Senate which provides that no reorganization of the Internal Revenue Service Criminal Investigation Division will result in a reduction in the number of criminal investigators in Wisconsin and South Dakota below the 1996 level. The House bill contained no similar provision.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

The conferees agree to provide $667,312,000 instead of $662,312,000 as proposed by the House and $638,816,000 as proposed by the Senate. The conferees agree to provide authority for up to $18,000,000 to remain available for protective travel until September 30, 2001, as proposed by the House. The conferees fully fund the President's request with two exceptions: the conferees deny the Administration's request to fund $1,000,000 from the Treasury Forfeiture Fund, and include $5,000,000 to implement the provisions of Section 118.

ACQUISITION, CONSTRUCTION, IMPROVEMENT, AND RELATED EXPENSES

The conferees agree to provide $4,923,000 as proposed by the House and the Senate.

James J. Rowley Training Center

The conferees believe that providing the necessary training facilities is critical to a state-of-the-art protective training environment. To this end, the conferees direct the Secret Service to report to the Committees on Appropriations on the status of the Master Plan for the James J. Rowley Training Center, including project priorities, timelines for completion, and its overall priority within the Secret Service and Treasury law enforcement mission.

GENERAL PROVISIONS—DEPARTMENT OF THE TREASURY

Section 110. The conferees agree to include a provision proposed by the House and the Senate which requires the Secretary of the Treasury to comply with certain reprogramming guidelines when obligating or expending funds for law enforcement activities from unobligated balances available on September 30, 2000.

Section 111. The conferees agree to include a provision proposed by the House and the Senate which allows the Department of the Treasury to purchase uniforms, insurance, and motor vehicles without regard to the general purchase price limitation, and enter into contracts with the Department of State for health and medical services for Treasury employees in overseas locations.

Section 112. The conferees agree to include a provision proposed by the House and the Senate which requires the expenditure of funds so as not to diminish efforts under section 105 of the Federal Alcohol Administration Act.

Section 113. The conferees agree to include a provision proposed by the House and the Senate which authorizes transfers, up to 2 percent, between law enforcement appropriations under certain circumstances.

Section 114. The conferees agree to include a provision proposed by the Senate which authorizes the transfer, up to 2 percent, between the Departmental Offices, Office of Inspector General, Treasury Inspector General for Tax Administration, Financial Management Service, and Bureau of Public Debt appropriations under certain circumstances. A similar provision in the House bill did not make appropriations for the Treasury Inspector General for Tax Administration eligible for transfer.

Section 115. The conferees agree to include a provision proposed by the House and the Senate regarding the purchase of law enforcement vehicles.

Section 116. The conferees agree to include a provision proposed by the House and the Senate which authorizes voluntary separation incentives in the Office of Treasury Inspector General for Tax Administration.

Section 117. The conferees agree to include a provision proposed by the House which prohibits the Department of the Treasury and the Bureau of Engraving and Printing from redesigning the $1 Federal Reserve note. The Senate bill contained no similar provision.

Section 118. The conferees agree to include and modify a provision proposed by the House which authorizes Treasury law enforcement agencies to pay their protection officers premium pay in excess of the pay period limitation. The Senate bill contained no similar provision.

Section 119. The conferees agree to include a provision proposed by the House and the Senate which authorizes the Financial Management Service to offer voluntary separation incentives to employees of the Chicago Financial Center. The language included in the conference agreement includes technical corrections.

The conferees agree to delete a provision proposed by the Senate regarding the execution of judgments against property of foreign state violators of international law.

TITLE II—POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

The conferees agree to provide $93,436,000, as proposed by the House and the Senate and include a technical change to the bill language, as proposed by the House.

ETHANOL VEHICLES

The conferees are aware that the U.S. Postal Service has announced that it will purchase and deploy ethanol fuel vehicles over the next two years. The conferees expect the U.S. Postal Service to consider factors that will maximize the efficient placement of ethanol vehicles, including accessibility of ethanol and local support for implementation of the ethanol program. The conferees direct the U.S. Postal Service to report on the placement of the vehicles on an annual basis.

HAMMONDVILLE, ALABAMA

The conferees are concerned about the postal needs of the residents of Hammondville, Alabama, located in DeKalb County. The conferees recommend that the United States Postal Service study and evaluate the need for a post office in Hammondville, Alabama, working with local officials and community leaders. The conferees further recommend that the United States Postal Service report its findings to the Committees on Appropriations.

TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

WHITE HOUSE OFFICE

SALARIES AND EXPENSES

The conferees agree to provide $52,444,000 as proposed by the House and the Senate and include a proviso that $10,313,000 of the funds appropriated shall be available for reimbursements to the White House Communications Agency, as proposed by the House.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES–

The conferees agree to provide $39,198,000 as proposed by the Senate instead of $39,448,000 as proposed by the House. –

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES–

The conferees agree to provide $63,495,000 as proposed by the House and the Senate and agree to delete a new provision authorizing the Office of Management and Budget to establish a National Intellectual Property Coordination Center, as proposed by the Senate. The conferees include a new provision in Title VI establishing a National Intellectual Property Law Enforcement Coordination Council.

Grant consolidation–

The conferees agree with and modify Senate report language on grant consolidation. The conferees direct the Director of the Office of Management and Budget to prepare an inventory of Federal grant programs including the name of the program, the statutory authorization, the eligibility criteria both statutory and regulatory and a copy of the grant application form for fiscal year 1999. The Director shall submit the inventory no later than six months after the date of enactment to the Committees on Appropriations and relevant authorizing committees.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES–

The conferees agree to provide $22,951,000 for the Office of National Drug Control Policy (ONDCP), instead of $52,221,000 as proposed by the House and $21,963,000 as proposed by the Senate. This includes $20,851,000 for operations, including support for clearinghouse and outreach activities, and assumes that $600,000 will be used for evaluation of the Drug-Free Communities Act program from within the amounts appropriated. The funding also provides $1,100,000 for policy research and evaluation, and $1,000,000 for model state drug law conferences.

ONDCP staffing

The conferees approve the request to provide four full time equivalent (FTE) positions in ONDCP, two for the High Intensity Drug Trafficking Areas (HIDTA) program and two for the Office of Financial Management. However, ONDCP has proven unable to fully utilize its current authorized FTE level of 124 during the past three years. Therefore, the conferees do not agree to increase the FTE ceiling, but direct that the new FTEs be taken from the existing FTEs allocated to the Office of Legislative Affairs, the Office of Public Affairs, or the Office of the Director. ONDCP is directed to report to the Committees on Appropriations by November 1, 1999, on how they have implemented this FTE reallocation.

ONDCP management review

The conferees agree that $125,000 of ONDCP's funds will be made available, by transfer, to the General Accounting Office (GAO). GAO is directed to use these funds to enter into a contract with an independent entity for the purpose of conducting a management review of ONDCP's operations. GAO

shall develop a scope of work that addresses the management concerns raised by the conferees and identified in Senate Report 106-87, perform the administrative duties necessary to award and monitor the contract, and ensure that the contractor deliverables are responsive to the scope of the contract. The conferees direct GAO to consult with the Committees on Appropriations on the parameters of this review.

Rural drug conferences–

The conferees are concerned about the spread of drugs and drug related crimes to rural areas and whether rural law enforcement can sufficiently address these new trends. Therefore, the conferees encourage the Director to consider convening a national conference on rural drug crime to include regional conferences in rural areas, such as those in South Carolina, Vermont, and Missouri, in order to assess the needs of rural law enforcement and the impact of drug related crimes.

COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER

The conferees agree to provide $29,250,000 instead of $31,100,000 as proposed by the Senate. The House had proposed $29,250,000 in ONDCP's Salaries and Expenses Appropriation. The conferees agree to establish this new, separate appropriation account for the Counterdrug Technology Assessment Center (CTAC) as authorized in Public Law 105–277 and proposed by the Senate. It consists of $16,000,000 for the core research and assessment activities of CTAC, as well as $13,250,000 for the counterdrug technology transfer program.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

The conferees agree to provide $192,000,000 as proposed by the House instead of $205,277,000 as proposed by the Senate. The conferees provide that established HIDTAs will be funded at not less than the fiscal year 1999 levels and include $1,800,000 for auditing of the HIDTA program. The conferees also amend the House and Senate proposals to ensure that funding for programs addressing the treatment or prevention of drug use shall not be less than the funds obligated or expended for such programs during fiscal year 1999 for each designated HIDTA without the prior approval of the Committees on Appropriations.

Measures of HIDTA performance

The conferees know of the strong demand for the creation of new HIDTAs and expansion of existing ones, and believe that the funding provided in this bill will meet current requirements. The conferees agree that ONDCP and regional HIDTA organizations should be given a chance to manage this program to meet the standards of performance set forth in ONDCP's own performance measures of effectiveness (PMEs) for the HIDTA program. The ONDCP Director is responsible for applying the standards set forth in the HIDTA authorization when designating new HIDTAs, and allocation decisions should be consistent with the PMEs as well. In the fiscal year 1999, ONDCP was directed to provide a request for HIDTA funding based on these PMEs. Such justification has yet to be provided. With the two additional FTE that this bill provides to assist the HIDTA office, the conferees expect to see tangible assessment of the performance of individual HIDTAs and the HIDTA program overall. The conferees also expect that ONDCP will use this information to assess the optimal allocation of HIDTA funding and all future requests for HIDTA funding will be supported by PME data.

SPECIAL FORFEITURE FUND–

The conferees agree to provide $216,000,000 instead of $225,000,000 as proposed by the House and $127,500,000 as proposed by the Senate. This includes $185,000,000 for the National Youth Anti-Drug Media Campaign, $30,000,000 for the Drug-Free Communities Act, and $1,000,000 for the National Drug Court Institute. The conferees agree to eliminate the House report direction to GAO to conduct a review of management of the Drug-Free Community Act.

National Youth Anti-Drug Media Campaign

The conferees agree to provide a funding level of $185,000,000 for the National Youth Anti-Drug Media Campaign instead of $195,000,000 as proposed by the House and $96,500,000 as proposed by the Senate. Instead of the specific requirements listed in Senate report language, the conferees direct that ONDCP comply with the following requirements (in addition to those under the Drug-Free Media Campaign Act of 1998): (1) ONDCP will require a pro-bono match commitment up-front as part of its media buy from each and every seller of ad time and space; and (2) ONDCP, or any agent acting on its behalf, may not obligate any funds for the creative development of advertisements from for-profit organizations, not including out-of-pocket production costs and talent reuse payments, unless (A) the advertisements are intended to reach a minority, ethnic, or other special audience that cannot be obtained on a pro bono basis within the time frames required by ONDCP's advertising and buying agencies, and (B) ONDCP receives prior approval from the Committees on Appropriations. In addition, ONDCP shall report to the Committees by June 15, 2000, on the effectiveness of the National Youth Anti-Drug Media Campaign.

Corporate sponsorship–

In keeping with previous requirements to develop a corporate sponsorship plan, the conferees have added a provision prohibiting the obligation of 10% of the funding provided for the National Youth Anti-Drug Media Campaign until the ONDCP Director submits a corporate sponsorship plan to the Committees on Appropriations.

UNANTICIPATED NEEDS–

The conferees agree to provide $1,000,000 as proposed by the House instead of no appropriation as proposed by the Senate.

TITLE IV—INDEPENDENT AGENCIES

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

SALARIES AND EXPENSES

The conferees agree to provide $2,674,000 as proposed by the House instead of $2,657,000 as proposed by the Senate.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

The conferees agree to provide $38,152,000 as proposed by the House instead of $38,175,000 as proposed by the Senate. The conferees have provided sufficient funds to support a total FTE level of 351.5 and agree with the House recommendation on staffing increases for the Office of General Counsel and the Audit Division.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

The conferees agree to provide $23,828,000 as proposed by the House instead of $23,681,000 as proposed by the Senate.

GENERAL SERVICES ADMINISTRATION

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

The conferees agree to provide $5,342,416,000 in new obligational authority instead of $5,245,906,000 as proposed by the House and $5,244,478,000 as proposed by the Senate.

CONSTRUCTION AND ACQUISITION

The conferees agree to provide $74,979,000 instead of $8,000,000 as proposed by the House and $76,979,000 as proposed by the Senate. The conferees have included funding for the following projects:

Maryland: Montgomery County, FDA Consolidation	$35,000,000
Michigan: Sault Sainte Marie, Border Station	8,263,000
Montana: Roosville, Border Station–	753,000
Montana: Sweetgrass, Border Station	11,480,000
Texas: Fort Hancock, Border Station	277,000
Washington: Oroville, Border Station	11,206,000
Nationwide: Non-prospectus construction projects	8,000,000

The conferees have also agreed to rescind $20,782,000 of the funds provided for construction and acquisition of facilities in Public Law 104–208 as proposed by the Senate.

COURTHOUSE CONSTRUCTION

The conferees are aware of the Judiciary's continuing need to have additional court space available to conduct its business and move cases to settlement in a timely manner. The conferees are very concerned that a courthouse construction program was not included in the President's budget and that funding was not allocated for such a program in this bill. The conferees commend the Judicial Conference of the United States for undertaking an independent, comprehensive review of the courthouse construction program, which will address issues such as courtroom sharing and design guide conformance. This study should result in recommendations for improvements in the facilities program, which will be useful to the conferees in future years. However, the conferees agree that the current request based on the five year plan of the Judiciary is needed due to long-standing space, security, and operational deficiencies, and would have considered funding these priority projects if an adequate budget allocation were available.

REPAIRS AND ALTERATIONS

The conferees agree to provide $598,674,000 instead of $559,869,000 as proposed by the House and $607,869,000 as proposed by the Senate. Of the amount provided, $333,000,000 is for Basic Repairs and Alterations. The conferees have elected not to include amounts for specific projects and programs in the bill; however, the conferees direct the General Services Administration to provide to the Committees on Appropriations, within 15 days of enactment of this Act, a plan for expenditure of the funds which includes the specific projects and programs to be accomplished and the amount proposed for each.

The conferees have also agreed to include bill language proposed by the House which directs the General Services Administration to undertake the first construction phase of the project to renovate the Department of the Interior Headquarters Building in Washington, D.C.

The conferees encourage the General Services Administration to use $1,600,000 of the funds available for Basic Repairs and Alterations for repairs and alterations to the Kansas City Federal Courthouse at 811 Grand Avenue, Kansas City, Missouri, and $1,250,000 of the funds available for Basic Repairs and Alternation for repairs and alterations to the Federal Courthouse at 40 Center Street, New York, New York.

RENTAL OF SPACE

The conferees agree to provide $2,782,186,000 as proposed by the House instead of $2,722,982,500 as proposed by the Senate.

BUILDING OPERATIONS

The conferees agree to provide $1,580,909,000 instead of $1,590,183,000 as proposed by the House and $1,530,979,500 as proposed by the Senate. The conferees have agreed to provide language in the bill which provides that $1,974,000 of the funds provided for building operations shall be available for acquisition, lease, construction and equipping of flexiplace telecommuting centers as proposed by the House. The Senate had proposed to fund this item under the construction and acquisition of facilities activity. Of the funds provided for flexiplace telecommuting centers, $150,000 is for the center in Winchester, Virginia, and $200,000 is for the center in Woodbridge, Virginia.

The conferees have also agreed to provide $475,000 for the Plains States De-population symposium as proposed by the Senate.

COMBINED LAW ENFORCEMENT CENTER, ST. PETERSBURG, FLORIDA

The conferees are aware of the need for a combined federal, state, and local law enforcement center in St. Petersburg, Florida, and are further aware that the City of St. Petersburg is willing to donate to the federal government the land for such a facility. Accordingly, the conferees direct the General Services Administration to utilize $500,000 to undertake a study and conceptual design of a combined federal, state, and local law enforcement facility in St. Petersburg, Florida, and report to the Committees on Appropriations by February 1, 2000, on the results of that study.

POLICY AND OPERATIONS

The conferees agree to provide $116,223,000 instead of $110,448,000 as proposed by the House and $120,198,000 as proposed by the Senate. The amount provided includes $2,500,000 for the Rapid Service Valuation and Preparation Access Program, and $1,000,000 for the program to validate the access performance of information technology.

DIGITAL LEARNING TECHNOLOGIES

The conferees have also agreed to provide $2,000,000 to continue the pilot projects for the development, demonstration, and research of emerging digital learning technologies. Of the amount provided, $1,000,000 is to continue the development of a digital medical education project in connection with the Native American Digital Tele-Health Project, and $1,000,000 is to continue the development of hardware and software capabilities, network infrastructures, and other activities that will be the basis for the 21st Century Distributed Learning Environment in Education.

VIRTUAL ARCHIVE STORAGE TERMINAL

The conferees have agreed to provide $275,000 to study the feasibility of developing a prototype facility for storing land-based geographic and geophysical information to enable the efficient use of natural resources.

SECTION 1122 PROGRAM

Section 1122 of the Defense Department Authorization Act for fiscal year 1994 established a program under which states and units of local government may purchase ''law enforcement equipment suitable for counter-drug activities'' through the Department of Defense. The Act directed the General Services Administration (GSA), in cooperation with the Secretary of Defense, to produce and maintain a catalog of law enforcement equipment suitable for counter-drug activities that could be purchased under the program. The catalog of equipment that GSA is required to maintain is comprised of Federal Supply Schedules that have been established for the purchase of goods by Federal agencies. When the program was originally established, it consisted of 10 Federal Supply Schedules. However, in December of last year and February of this year, the program was greatly expanded to include over 90 schedules which would permit the purchase of goods which appear to be completely unrelated to counter-drug activities, such as lawn and garden equipment and musical instruments. The conferees believe that the expansion of this program goes far beyond what was intended in the authorizing legislation and is counter to the intent on Congress when it repealed the cooperative purchasing provisions of the Federal Acquisition Streamlining Act. As a result of the concerns expressed by the members of Congress about the program, on April 29, 1999, GSA wrote a letter to the Assistant Secretary of the Army for Acquisition, Logistics, and Technology requesting that the Army, as Executive Agent of the program, inform the participating State Points of Contact that GSA would be returning the program to the original 10 Federal Supply Schedules. The conferees approve of this action and expect the General Services Administration and the Department of Defense to consult with the appropriate committees of the Congress before implementing any further expansions of this program.

PER DIEM RATES

The conferees are concerned that the methodology used by the GSA to develop the new per diem rates for the continental United States that became effective on January 1, 1999, has resulted in the unjustified lowering of per diem rates throughout the country. The conferees are aware that GSA is currently reviewing the rates issued in January to determine if modifications are warranted. The conferees urge GSA to continue its review and direct GSA to implement any changes in the rates necessary to assure that they more accurately reflect the cost of travel by federal workers. In addition, the conferees direct GSA to modify its procedures for determining per diem rates to assure that next year's survey accurately reflects the cost of federal travel.

FEDERAL OFFICE BUILDING IN COLORADO SPRINGS, COLORADO–

The Federal Building located at 1520 Willamette Avenue in Colorado Springs, Colorado, is owned by GSA and is currently leased to the U.S. Air Force Space Command. It is the conferees' understanding that Space Command is moving ahead with options to vacate the facility. In the event that Space Command does not renew its lease and the facility becomes vacant and is deemed surplus, the conferees urge GSA to strongly consider the U.S. Olympic Committee's (USOC) need for additional space and to give priority to the USOC's request to gain title or acquire the property.

OLD POST OFFICE BUILDING, WASHINGTON, D.C.–

The conferees have agreed to continue language for an additional fiscal year which provides that none of the funds appropriated in this Act may be used to convert the Old Post Office located at 1100 Pennsylvania Ave. in Washington, D.C.

OFFICE OF INSPECTOR GENERAL–

The conferees agree to provide $33,317,000 as proposed by the House instead of $33,858,000 as proposed by the Senate.

GENERAL SERVICES ADMINISTRATION—GENERAL PROVISIONS–

Section 401. The conferees agree to include a provision proposed by the House and the Senate which provides that accounts available to GSA shall be credited with certain funds received from government corporations.–

Section 402. The conferees agree to include a provision proposed by the House and the Senate which provides that funds available to GSA shall be available for the hire of passenger motor vehicles.–

Section 403. The conferees agree to include a provision proposed by the House and the Senate which authorizes GSA to transfer funds within the Federal Buildings Fund to meet program requirements subject to approval by the Committees on Appropriations.–

Section 404. The conferees agree to include a provision proposed by the House and the Senate which prohibits the use of funds to submit a fiscal year 2001 budget request for courthouse construction projects that do not meet design guide criteria, do not reflect the priorities of the Judicial Conference of the United States, and are not accompanied by a standardized courtroom utilization study.–

Section 405. The conferees agree to include a provision proposed by the House and the Senate which provides that no funds may be used to increase the amount of occupiable square feet or provide cleaning services, security enhancements, or any other service usually provided to any agency which does not pay the requested rental rates.–

Section 406. The conferees agree to include a provision proposed by the House and the Senate which provides that funds provided by the Information Technology Fund for pilot information technology projects may be repaid to the Fund.–

Section 407. The conferees agree to include a provision proposed by the House and the Senate which permits GSA to pay claims of up to $250,000 arising from construction projects and the acquisition of buildings.–

Section 408. The conferees agree to include a provision proposed by the House and the Senate which provides that funds made available for new construction projects in Public Law 104–208 shall remain available until expended so long as funds for design or other funds have been obligated in whole or in part prior to September 30, 1999.–

Section 409. The conferees agree to include a provision proposed by the Senate designating the Federal Building located at 220 East Rosser Avenue in Bismarck, North Dakota, as the ''William L. Guy Federal Building, Post Office and United States Courthouse''. The House bill contained no similar provision.–

Section 410. The conferees agree to modify a provision proposed by the Senate which directs the General Services Administration (GSA) to sell to the Columbia Hospital for Women vacant property at its GSA-appraised market value provided that until the federal government has received all payments towards the $14,000,000 purchase price, plus any accrued interest, Columbia's use of the property shall be limited to its hospital, medical and health care services and related uses (such as employee parking and employee child care), including but not limited to the expansion of its existing facilities, unless otherwise approved by the Administrator of GSA. –

Section 411. The conferees agree to include a new provision authorizing the Administrator of General Services to offer voluntary separation incentives in order to provide the necessary flexibility to carry out the closing of the Federal Supply Service distribution centers, forward supply points, and associated programs.–

The conferees agree to delete a provision proposed by the Senate reducing the funds available for rental of space and building operations. The House bill contained no similar provision.–

The conferees agree to delete a provision proposed by the Senate which provides that

funds made available to any department or agency which is a member of the Joint Financial Management Improvement Program (JFMIP) may be used to finance an appropriate share of JFMIP salaries and administrative costs. This matter has been addressed in Title VI.–

The conferees agree to delete a provision proposed by the Senate which provides that the Administrator of General Services may provide from government-wide credit card rebates in support of the JFMIP as approved by the Chief Financial Officers Council. This matter has been addressed in Title VI.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

The conferees agree to provide $27,586,000 as proposed by the House instead of $27,422,000 as proposed by the Senate.

FEDERAL PAYMENT TO THE MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION–

The conferees agree to provide $2,000,000 instead of $1,000,000 as proposed by the House and no appropriation as proposed by the Senate.

ENVIRONMENTAL DISPUTE RESOLUTION FUND–

The conferees agree to provide $1,250,000 as proposed by the House instead of no appropriation as proposed by the Senate.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES–

The conferees agree to provide $180,398,000 as proposed by the House instead of $179,738,000 as proposed by the Senate.

VETERANS' RECORDS–

The conferees are pleased with the progress the National Archives and Records Administration is making in its efforts to improve its ability to respond to requests for veterans' records. The conferees are aware that the Archivist has testified that no additional resources are needed in fiscal year 2000 above the amount included in the budget request for this program. Therefore, the conferees have provided $1,790,000 for this effort, the same as the budget request. However, the conferees urge the Archives to expedite the completion of this very important program to the greatest extent possible.

REPAIRS AND RESTORATION–

The conferees agree to provide $22,418,000 instead of $13,518,000 as proposed by the House and $21,518,000 as proposed by the Senate. The amount provided includes $900,000 for design and the preparation of an environmental impact statement for a National Archives facility in Anchorage, Alaska. The conferees also have agreed to provide $8,000,000 for the repair, alteration, and improvement of the Ronald Reagan Presidential Library and Museum in Simi Valley, California, as proposed by the Senate. The conferees direct the National Archives and Records Administration to submit to the Committees on Appropriations a plan for expenditure prior to the obligation of these funds.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM–

The conferees agree to provide $6,250,000 as proposed by the Senate instead of $6,000,000 as proposed by the House. The amount provided includes $250,000 for a grant for research and the cataloging of records at the Fort Buford Historic Site in North Dakota.

GRANT TO CENTER FOR JEWISH HISTORY–

The conferees have agreed to rescind $2,000,000 of the funds provided in fiscal year 1999 for the Center for Jewish History instead of $4,000,000 as proposed by the House and $3,800,000 as proposed by the Senate. The conferees have taken this action because of the commitment made last year to provide funding for this project. However, as the conferees on the fiscal year 1999 Treasury and General Government Appropriations Act pointed out, a single grant of this size is far beyond the scope of activities normally undertaken by the National Historical Publications and Records Commission. Therefore, the conferees agree that this grant should not be viewed as a precedent for future grants under this program. In addition, the conferees direct the National Archives and Records Administration to submit to the Committees on Appropriations a plan for expenditure of the funds prior to the award of the grant to the Center for Jewish History.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES–

The conferees agree to provide $9,114,000 as proposed by the House instead of $9,071,000 as proposed by the Senate.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES–

The conferees agree to provide $90,584,000 as proposed by the House instead of $91,584,000 as proposed by the Senate.

CHILD CARE IN FEDERAL FACILITIES

The conferees have included and modified a House provision (Section 643) authorizing the use of funds for child care in federal facilities. Specifically, the conferees agree to make the provision effective for one year only, require that agencies using funds for the purposes of Section 643 notify the Committees on Appropriations prior to the obligation of any funds, and make the provision effective only upon promulgation of regulations by the Office of Personnel Management (OPM). Additionally, the conferees agree that these regulations shall only address the use of appropriated funds to provide child care services and improve the affordability of child care for lower income federal employees.

The conferees direct OPM to report to the Committees on the implementation and use of Section 634 by federal agencies. At minimum, the report shall include the total cost of implmenting Section 643, the total number of children being cared for, and the total number of federal employee dependent children being cared for by agencies using this authority. This report shall be submitted no later than September 1, 2000.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES –

The conferees agree to provide $9,740,000 as proposed by the House instead of $9,689,000 as proposed by the Senate.

CASELOADS–

The conferees are concerned about the number of backlogged cases at the Office of Special Counsel (OSC). The conferees direct OSC to report back within 90 days after enactment of this Act, on the number of cases pending that have exceeded the statutory time requirements, including requirements for referral. The report should include the length of time overdue, the reason for the delay, and the type of notification given to claimants when statutory time frames are not met. The data provided in the report should be presented in a manner that protects confidentiality of cases and does not identify individuals represented by the OSC.

UNITED STATES TAX COURT

SALARIES AND EXPENSES–

The conferees agree to provide $35,179,000 instead of $36,489,000 as proposed by the House and $34,179,000 as proposed by the Senate.

TITLE V—GENERAL PROVISIONS

THIS ACT

Section 501. The conferees agree to continue the provision limiting the expenditure of funds to the current year unless expressly provided in this Act.–

Section 502. The conferees agree to continue the provision limiting the expenditure of funds for consulting services under certain conditions.

Section 503. The conferees agree to continue the provision prohibiting the use of funds to engage in activities which would prohibit the enforcement of section 307 of the 1930 Tariff Act.

Section 504. The conferees agree to continue the provision prohibiting the transfer of control over the Federal Law Enforcement Training Center out of the Department of the Treasury.

Section 505. The conferees agree to continue the provision concerning employment rights of Federal employees who return to their civilian jobs after assignment with the Armed Forces.

Section 506. The conferees agree to continue the provision which requires compliance with the Buy American Act as proposed by the Senate, instead of similar language proposed by the House.

Section 507. The conferees agree to continue the provision concerning prohibition of contracts which use certain goods not made in America.

Section 508. The conferees agree to continue the provision prohibiting contract eligibility where fraudulent intent has been proven in affixing ''Made in America'' labels.

Section 509. The conferees agree to continue the provision prohibiting the expenditure of funds for abortions under the Federal Employees Health Benefits Program (FEHBP).

Section 510. The conferees agree to continue the provision which would authorize the expenditure of funds for abortions under the FEHBP if the life of the mother is in danger or the pregnancy is a result of an act of rape or incest.

Section 511. The conferees agree to continue the provision providing that fifty percent of unobligated balances may remain available for certain purposes.

Section 512. The conferees agree to continue the provision restricting the use of funds for the White House to request official background reports without the written consent of the individual who is the subject of the report as proposed by the House, instead of similar language proposed by the Senate.

Section 513. The conferees agree to continue the provision providing that fifty percent of unobligated balances of the White House Salaries and Expenses account in fiscal year 1997 shall remain available through September 30, 2000, as proposed by the House.

Section 514. The conferees agree to continue the provision that cost accounting standards under the Federal Procurement Policy Act shall not apply to the FEHBP, as proposed by the House.

Section 515. The conferees agree to direct the Director of the Office of Management and Budget to prepare and submit to Congress six months after the date of enactment an inventory of federal grant programs as proposed by the Senate.

TITLE VI—GENERAL PROVISIONS

DEPARTMENTS, AGENCIES, AND CORPORATIONS

Section 601. The conferees agree to continue the provision authorizing agencies to pay costs of travel to the United States for the immediate families of federal employees assigned to foreign duty in the event of a death or a life threatening illness of the employee.

Section 602. The conferees agree to continue the provision requiring agencies to administer a policy designed to ensure that all of its workplaces are free from the illegal use of controlled substances.

Section 603. The conferees agree to continue the provision regarding price limitations on vehicles to be purchased by the federal government.

Section 604. The conferees agree to continue the provision allowing funds made available to agencies for travel to also be used for quarters allowances and cost-of-living allowances.

Section 605. The conferees agree to continue the provision prohibiting the Government, with certain specified exceptions, from employing non-U.S. citizens whose posts of duty would be in the continental U.S.

Section 606. The conferees agree to continue the provision ensuring that agencies will have authority to pay GSA bills for space renovation and other services.

Section 607. The conferees agree to continue the provision allowing agencies to finance the costs of recycling and waste prevention programs with proceeds from the sale of materials recovered through such programs.

Section 608. The conferees agree to continue the provision providing that funds may be used to pay rent in the District of Columbia and other services.

Section 609. The conferees agree to continue the provision providing that no funds may be used to pay any person filling a nominated position that has been rejected by the Senate.

Section 610. The conferees agree to continue the provision precluding the financing of groups by more than one federal agency absent prior and specific statutory approval.

Section 611. The conferees agree to continue the provision authorizing the Postal Service to employ guards and give them the same special police powers as GSA guards.

Section 612. The conferees agree to continue the provision prohibiting the use of funds for enforcing regulations disapproved in accordance with the applicable law of the U.S.

Section 613. The conferees agree to continue the provision limiting the pay increases of certain prevailing rate employees.

Section 614. The conferees agree to continue the provision limiting the amount of funds that can be used for redecoration of offices under certain circumstances.

Section 615. The conferees agree to continue the provision prohibiting the expenditure of funds for the acquisition of additional law enforcement training facilities.

Section 616. The conferees agree to continue the provision to allow for interagency funding of national security and emergency telecommunications initiatives.

Section 617. The conferees agree to continue the provision requiring agencies to certify that a Schedule C appointment was not created solely or primarily to detail the employee to the White House.

Section 618. The conferees agree to continue the provision requiring agencies to administer a policy designed to ensure that all of its workplaces are free from discrimination and sexual harassment.

Section 619. The conferees agree to continue the provision prohibiting the use of funds for travel expenses not directly related to official governmental duties.

Section 620. The conferees agree to continue the provision prohibiting the purchase of new technology not Year 2000 compliant.

Section 621. The conferees agree to continue the provision prohibiting the importation of any goods manufactured by forced or indentured child labor.

Section 622. The conferees agree to continue the provision prohibiting the payment of the salary of any employee who prohibits, threatens or prevents another employee from communicating with Congress.

Section 623. The conferees agree to make permanent the provision to promote protection of federal law enforcement officers who intervene in certain situations.

Section 624. The conferees agree to continue the provision requiring the President to certify that persons responsible for administering the Drug Free Workplace Program are not themselves the subject of random drug testing.

Section 625. The conferees agree to continue the provision prohibiting federal training not directly related to the performance of official duties.

Section 626. The conferees agree to continue the provision prohibiting the expenditure of funds for implementation of agreements in nondisclosure policies unless certain provisions are included.

Section 627. The conferees agree to continue the provision prohibiting propaganda, publicity and lobbying by executive agency personnel in support or defeat of legislative initiatives.

Section 628. The conferees agree to continue the provision directing OMB to provide an accounting statement and report on the cumulative costs and benefits of federal regulatory programs.

Section 629. The conferees agree to continue the provision prohibiting any federal agency from disclosing an employee's home address to any labor organization, absent employee authorization or court order as proposed by the House, instead of similar language proposed by the Senate.

Section 630. The conferees agree to continue the provision authorizing the Secretary of the Treasury to establish scientific canine explosive detection standards.

Section 631. The conferees agree to continue the provision prohibiting funds to be used to provide non-public information such as mailing or telephone lists to any person or organization outside the government without the approval of the Committees on Appropriations.

Section 632. The conferees agree to continue the provision prohibiting the use of funds for propaganda and publicity purposes not authorized by Congress.

Section 633. The conferees agree to continue the provision directing agency employees to use official time in an honest effort to perform official duties.

Section 634. The conferees agree to continue and make permanent the provision allowing a federal firearms licensee to perform a background check before a firearm is offered as collateral for a loan as proposed by the House.

Section 635. The conferees agree to continue the provision addressing contraceptive coverage in health plans participating in the FEHBP as proposed by the Senate.

Section 636. The conferees agree to include a new provision authorizing the use of fiscal year 2000 funds to finance an appropriate share of the Joint Financial Management Improvement Program as proposed by the House.

Section 637. The conferees agree to include a new provision authorizing agencies to transfer funds to the Policy and Operations account of GSA to finance an appropriate share of the Joint Financial Management Improvement Program as proposed by the House.

Section 638. The conferees agree to include and modify a new provision establishing a Chief Financial Officer in the Executive Office of the President as proposed by the House, making the provision effective with the next Administration.

Section 639. The conferees agree to include and modify a new provision authorizing the Federal Election Commission (FEC) to require certain committees to file FEC reports electronically as proposed by the House.

Section 640. The conferees agree to include and modify a new provision authorizing the FEC to establish an administrative fine schedule, subject to reasonable appeals procedures, for straightforward disclosure violations as proposed by the House.

Section 641. The conferees agree to include and modify a new provision authorizing candidate committees to report to the FEC on an election cycle basis rather than a calendar year cycle, as is now required, as proposed by the House.

Section 642. The conferees agree to include and modify a new provision amending Section 636 of the fiscal year 1997 Treasury, Postal Service and General Government Appropriations Act to require agencies to reimburse qualified employees up to one-half of the cost of their professional liability insurance as proposed by the House.

Section 643. The conferees agree to include and modify a new provision authorizing agencies to provide child care in federal facilities as proposed by the House.

Section 644. The conferees agree to include a new provision adjusting compensation of the President, effective at noon on January 20, 2001, to $400,000 as proposed by the House.

Section 645. The conferees agree to include a new provision which transfers personnel of the General Accounting Office employed to carry out functions of the Joint Financial Management Improvement Program to the General Services Administration as proposed by the House.

Section 646. The conferees agree to include and modify a new provision regarding federal employee pay as proposed by the House. The conferees anticipate that the President will issue an Executive Order allocating the 4.8 percent pay increase between an increase in rates of basic pay for the statutory pay systems under section 5303 of title 5, United States Code, and increases in comparability-based locality payments for General Schedule employees under section 5304. The conferees have not made the language more specific so that the President may exercise his discretion to distribute any amount allocated for comparability-based locality payments in the most appropriate fashion among the pay localities established by the President's Pay Agent.

Section 647. The conferees agree to include and modify a new provision authorizing breastfeeding at any location in a federal building or on federal property as proposed by the House.

Section 648. The conferees agree to include a new provision requiring identification of the federal agencies providing federal funds and the amount provided for all proposals, solicitations, grant applications, forms, notifications, press releases, or other publications related to the distribution of funding to a State as proposed by the Senate.

Section 649. The conferees agree to include and modify a new provision expressing the sense of Congress that the U.S. Postal Service is encouraged to issue a commemorative postage stamp in honor of the 100th anniversary of the founding of the Veterans of Foreign Wars of the United States as proposed by the Senate.

Section 650. The conferees agree to include a new provision requiring the Secretary of Treasury to establish an interactive website on the Internet allowing any taxpayer to generate an itemized receipt showing the allocation of their taxes among major federal spending categories as proposed by the Senate.

Section 651. The conferees agree to a new provision authorizing voluntary early retirement for federal employees.

Section 652. The conferees include a new provision addressing rates of postage for the American Battle Monuments Commission.

Section 653. The conferees agree to a new provision establishing the National Intellectual Property Law Enforcement Coordination Council.

Section 654. The conferees agree to a new provision regarding the payment of mandatory benefits to retired members of the National Oceanic and Atmospheric Administration.

The conferees agree to delete a new provision providing that no funds may be used by Customs to admit for importation children's sleepwear that does not have a label required by the flammability standards in effect on September 9, 1996 as proposed by the House.–

The conferees agree to delete a provision proposed by the House adjusting the salary level of the U.S. Customs Service Commissioner.

The conferees agree to delete a provision proposed by the Senate requiring an evaluation of the outcome of welfare reform and formula for bonuses to high performance States as proposed by the Senate.

The conferees agree to delete a provision regarding the Border Patrol Academy in Charleston, South Carolina as proposed by the House.

TITLE VII—CHILD CARE CENTERS IN FEDERAL FACILITIES

The conferees agree to delete Title VII.

The total new budget (obligational) authority for the fiscal year 2000 recommended by the Committee of Conference, with comparisons to the fiscal year 1999 amount, the 2000 budget estimates, and the House and Senate bills for 2000 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 1999	27,922,712
Budget estimates of new (obligational) authority, fiscal year 2000	27,997,054
House bill, fiscal year 2000	27,800,105
Senate bill, fiscal year 2000	27,754,597
Conference agreement, fiscal year 2000	27,972,418
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1999	+49,706
Budget estimates of new (obligational) authority, fiscal year 2000	−24,636
House bill, fiscal year 2000	+172,313
Senate bill, fiscal year 2000	+217,821

JIM KOLBE,
FRANK R. WOLF,
ANN M. NORTHUP,
JO ANN EMERSON,
JOHN E. SUNUNU,
JOHN E. PETERSON,
ROY BLUNT,
BILL YOUNG,
STENY HOYER,
CARRIE P. MEEK,
DAVID E. PRICE,
LUCILLE ROYBAL-ALLARD,
DAVE OBEY,
Managers on the Part of the House.

BEN NIGHTHORSE CAMPBELL,
RICHARD SHELBY,
JON KYL,
TED STEVENS,
BYRON L. DORGAN,
BARBARA A. MIKULSKI,
ROBERT C. BYRD,
Managers on the Part of the Senate.

BIPARTISAN CAMPAIGN FINANCE REFORM ACT OF 1999

The SPEAKER pro tempore. Pursuant to House Resolution 283 and rule XVIII, 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. 417.

□ 1548

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. 417) 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. HOBSON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole House rose earlier today, time for general debate had expired.

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

The text of H.R. 417 is as follows:

H.R. 417

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Bipartisan Campaign Finance Reform Act of 1999''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—REDUCTION OF SPECIAL INTEREST INFLUENCE

Sec. 101. Soft money of political parties.
Sec. 102. Increased contribution limits for State committees of political parties and aggregate contribution limit for individuals.
Sec. 103. Reporting requirements.

TITLE II—INDEPENDENT AND COORDINATED EXPENDITURES

Sec. 201. Definitions.
Sec. 202. Express advocacy determined without regard to background music.
Sec. 203. Civil penalty.
Sec. 204. Reporting requirements for certain independent expenditures.
Sec. 205. Independent versus coordinated expenditures by party.
Sec. 206. Coordination with candidates.

TITLE III—DISCLOSURE

Sec. 301. Filing of reports using computers and facsimile machines.
Sec. 302. Prohibition of deposit of contributions with incomplete contributor information.
Sec. 303. Audits.
Sec. 304. Reporting requirements for contributions of $50 or more.
Sec. 305. Use of candidates' names.
Sec. 306. Prohibition of false representation to solicit contributions.
Sec. 307. Soft money of persons other than political parties.
Sec. 308. Campaign advertising.

TITLE IV—PERSONAL WEALTH OPTION

Sec. 401. Voluntary personal funds expenditure limit.
Sec. 402. Political party committee coordinated expenditures.

TITLE V—MISCELLANEOUS

Sec. 501. Codification of Beck decision.
Sec. 502. Use of contributed amounts for certain purposes.
Sec. 503. Limit on congressional use of the franking privilege.
Sec. 504. Prohibition of fundraising on Federal property.
Sec. 505. Penalties for violations.
Sec. 506. Strengthening foreign money ban.
Sec. 507. Prohibition of contributions by minors.
Sec. 508. Expedited procedures.
Sec. 509. Initiation of enforcement proceeding.
Sec. 510. Protecting equal participation of eligible voters in campaigns and elections.
Sec. 511. Penalty for violation of prohibition against foreign contributions.
Sec. 512. Expedited court review of certain alleged violations of Federal Election Campaign Act of 1971.
Sec. 513. Conspiracy to violate presidential campaign spending limits.
Sec. 514. Deposit of certain contributions and donations in Treasury account.
Sec. 515. Establishment of a clearinghouse of information on political activities within the Federal Election Commission.
Sec. 516. Enforcement of spending limit on presidential and vice presidential candidates who receive public financing.

TITLE VI—INDEPENDENT COMMISSION ON CAMPAIGN FINANCE REFORM

Sec. 601. Establishment and purpose of Commission.
Sec. 602. Membership of Commission.
Sec. 603. Powers of Commission.
Sec. 604. Administrative provisions.
Sec. 605. Report and recommended legislation.
Sec. 606. Expedited congressional consideration of legislation.
Sec. 607. Termination.
Sec. 608. Authorization of appropriations.

TITLE VII—PROHIBITING USE OF WHITE HOUSE MEALS AND ACCOMMODATIONS FOR POLITICAL FUNDRAISING

Sec. 701. Prohibiting use of White House meals and accommodations for political fundraising.

TITLE VIII—SENSE OF THE CONGRESS REGARDING FUNDRAISING ON FEDERAL GOVERNMENT PROPERTY

Sec. 801. Sense of the Congress regarding applicability of controlling legal authority to fundraising on Federal government property.

TITLE IX—PROHIBITING SOLICITATION TO OBTAIN ACCESS TO CERTAIN FEDERAL GOVERNMENT PROPERTY

Sec. 901. Prohibition against acceptance or solicitation to obtain access to certain Federal government property.

TITLE X—REIMBURSEMENT FOR USE OF AIR FORCE ONE FOR POLITICAL FUNDRAISING

Sec. 1001. Requiring national parties to reimburse at cost for use of Air Force One for political fundraising.

TITLE XI—PROHIBITING USE OF WALKING AROUND MONEY

Sec. 1101. Prohibiting campaigns from providing currency to individuals for purposes of encouraging turnout on date of election.

TITLE XII—ENHANCING ENFORCEMENT OF CAMPAIGN LAW

Sec. 1201. Enhancing enforcement of campaign finance law.

TITLE XIII—BAN ON COORDINATED SOFT MONEY ACTIVITIES BY PRESIDENTIAL CANDIDATES

Sec. 1301. Ban on coordination of soft money for issue advocacy by presidential candidates receiving public financing.

TITLE XIV—POSTING NAMES OF CERTAIN AIR FORCE ONE PASSENGERS ON INTERNET

Sec. 1401. Requirement that names of passengers on Air Force One and Air Force Two be made available through the Internet.

TITLE XV—EXPULSION PROCEEDINGS FOR HOUSE MEMBERS RECEIVING FOREIGN CONTRIBUTIONS

Sec. 1501. Permitting consideration of privileged motion to expel House member accepting illegal foreign contribution.

TITLE XVI—SEVERABILITY; CONSTITUTIONALITY; EFFECTIVE DATE; REGULATIONS

Sec. 1601. Severability.
Sec. 1602. Review of constitutional issues.
Sec. 1603. Effective date.
Sec. 1604. Regulations.

TITLE I—REDUCTION OF SPECIAL INTEREST INFLUENCE

SEC. 101. SOFT MONEY OF POLITICAL PARTIES.

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:

''SOFT MONEY OF POLITICAL PARTIES

''SEC. 323. (a) NATIONAL COMMITTEES.—

''(1) IN GENERAL.—A national committee of a political party (including a national congressional campaign committee of a political party) and any officers or agents of such party committees, shall not solicit, receive, or direct to another person a contribution, donation, or transfer of funds, or spend any funds, that are not subject to the limitations, prohibitions, and reporting requirements of this Act.

''(2) APPLICABILITY.—This subsection shall apply to an entity that is directly or indirectly established, financed, maintained, or controlled by a national committee of a political party (including a national congressional campaign committee of a political party), or an entity acting on behalf of a national committee, and an officer or agent acting on behalf of any such committee or entity.

''(b) STATE, DISTRICT, AND LOCAL COMMITTEES.—

''(1) IN GENERAL.—An amount that is expended or disbursed by a State, district, or local committee of a political party (including an entity that is directly or indirectly established, financed, maintained, or controlled by a State, district, or local committee of a political party and an officer or agent acting on behalf of such committee or entity) for Federal election activity shall be made from funds subject to the limitations, prohibitions, and reporting requirements of this Act.

''(2) FEDERAL ELECTION ACTIVITY.—

''(A) IN GENERAL.—The term 'Federal election activity' means—

''(i) voter registration activity during the period that begins on the date that is 120 days before the date a regularly scheduled Federal election is held and ends on the date of the election;

''(ii) voter identification, get-out-the-vote activity, or generic campaign activity conducted in connection with an election in which a candidate for Federal office appears on the ballot (regardless of whether a candidate for State or local office also appears on the ballot); and

''(iii) a communication that refers to a clearly identified candidate for Federal office (regardless of whether a candidate for State or local office is also mentioned or identified) and is made for the purpose of influencing a Federal election (regardless of whether the communication is express advocacy).

''(B) EXCLUDED ACTIVITY.—The term 'Federal election activity' does not include an amount expended or disbursed by a State, district, or local committee of a political party for—

''(i) campaign activity conducted solely on behalf of a clearly identified candidate for State or local office, provided the campaign activity is not a Federal election activity described in subparagraph (A);

''(ii) a contribution to a candidate for State or local office, provided the contribution is not designated or used to pay for a Federal election activity described in subparagraph (A);

''(iii) the costs of a State, district, or local political convention;

''(iv) the costs of grassroots campaign materials, including buttons, bumper stickers, and yard signs, that name or depict only a candidate for State or local office;

''(v) the non-Federal share of a State, district, or local party committee's administrative and overhead expenses (but not including the compensation in any month of an individual who spends more than 20 percent of the individual's time on Federal election activity) as determined by a regulation promulgated by the Commission to determine the non-Federal share of a State, district, or local party committee's administrative and overhead expenses; and

''(vi) the cost of constructing or purchasing an office facility or equipment for a State, district or local committee.

''(c) FUNDRAISING COSTS.—An amount spent by a national, State, district, or local committee of a political party, by an entity that is established, financed, maintained, or controlled by a national, State, district, or local committee of a political party, or by an agent or officer of any such committee or entity, to raise funds that are used, in whole or in part, to pay the costs of a Federal election activity shall be made from funds subject to the limitations, prohibitions, and reporting requirements of this Act.

''(d) TAX-EXEMPT ORGANIZATIONS.—A national, State, district, or local committee of a political party (including a national congressional campaign committee of a political party), an entity that is directly or indirectly established, financed, maintained, or controlled by any such national, State, district, or local committee or its agent, and an officer or agent acting on behalf of any such party committee or entity, shall not solicit any funds for, or make or direct any donations to, an organization that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code (or has submitted an application to the Commissioner of the Internal Revenue Service for determination of tax-exemption under such section).

''(e) CANDIDATES.—

''(1) IN GENERAL.—A candidate, individual holding Federal office, agent of a candidate or individual holding Federal office, or an entity directly or indirectly established, financed, maintained or controlled by or acting on behalf of one or more candidates or individuals holding Federal office, shall not—

''(A) solicit, receive, direct, transfer, or spend funds in connection with an election for Federal office, including funds for any Federal election activity, unless the funds are subject to the limitations, prohibitions, and reporting requirements of this Act; or

''(B) solicit, receive, direct, transfer, or spend funds in connection with any election other than an election for Federal office or disburse funds in connection with such an election unless the funds—

''(i) are not in excess of the amounts permitted with respect to contributions to candidates and political committees under paragraphs (1) and (2) of section 315(a); and

''(ii) are not from sources prohibited by this Act from making contributions with respect to an election for Federal office.

''(2) STATE LAW.—Paragraph (1) does not apply to the solicitation, receipt, or spending of funds by an individual who is a candidate for a State or local office in connection with such election for State or local office if the solicitation, receipt, or spending of funds is permitted under State law for any activity other than a Federal election activity.

''(3) FUNDRAISING EVENTS.—Notwithstanding paragraph (1), a candidate may attend, speak, or be a featured guest at a fundraising event for a State, district, or local committee of a political party.''.

SEC. 102. INCREASED CONTRIBUTION LIMITS FOR STATE COMMITTEES OF POLITICAL PARTIES AND AGGREGATE CONTRIBUTION LIMIT FOR INDIVIDUALS.

(a) CONTRIBUTION LIMIT FOR STATE COMMITTEES OF POLITICAL PARTIES.—Section 315(a)(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(1)) is amended—

(1) in subparagraph (B), by striking ''or'' at the end;

(2) in subparagraph (C)—

(A) by inserting ''(other than a committee described in subparagraph (D))'' after ''committee''; and

(B) by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(D) to a political committee established and maintained by a State committee of a political party in any calendar year that, in the aggregate, exceed $10,000''.

(b) AGGREGATE CONTRIBUTION LIMIT FOR INDIVIDUAL.—Section 315(a)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(3)) is amended by striking ''$25,000'' and inserting ''$30,000''.

SEC. 103. REPORTING REQUIREMENTS.

(a) REPORTING REQUIREMENTS.—Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) (as amended by section 204) is amended by inserting after subsection (d) the following:

''(e) POLITICAL COMMITTEES.—

''(1) NATIONAL AND CONGRESSIONAL POLITICAL COMMITTEES.—The national committee of a political party, any national congressional campaign committee of a political party, and any subordinate committee of either, shall report all receipts and disbursements during the reporting period.

''(2) OTHER POLITICAL COMMITTEES TO WHICH SECTION 323 APPLIES.—In addition to any other reporting requirements applicable under this Act, a political committee (not described in paragraph (1)) to which section 323(b)(1) applies shall report all receipts and disbursements made for activities described in paragraphs (2)(A) and (2)(B)(v) of section 323(b).

''(3) ITEMIZATION.—If a political committee has receipts or disbursements to which this subsection applies from any person aggregating in excess of $200 for any calendar year, the political committee shall separately itemize its reporting for such person in the same manner as required in paragraphs (3)(A), (5), and (6) of subsection (b).

''(4) REPORTING PERIODS.—Reports required to be filed under this subsection shall be filed for the same time periods required for political committees under subsection (a).''.

(b) BUILDING FUND EXCEPTION TO THE DEFINITION OF CONTRIBUTION.—Section 301(8)(B) of

the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)(B)) is amended—

(1) by striking clause (viii); and

(2) by redesignating clauses (ix) through (xiv) as clauses (viii) through (xiii), respectively.

TITLE II—INDEPENDENT AND COORDINATED EXPENDITURES

SEC. 201. DEFINITIONS.

(a) DEFINITION OF INDEPENDENT EXPENDITURE.—Section 301 of the Federal Election Campaign Act (2 U.S.C. 431) is amended by striking paragraph (17) and inserting the following:

''(17) INDEPENDENT EXPENDITURE.—

''(A) IN GENERAL.—The term 'independent expenditure' means an expenditure by a person—

''(i) for a communication that is express advocacy; and

''(ii) that is not coordinated activity or is not provided in coordination with a candidate or a candidate's agent or a person who is coordinating with a candidate or a candidate's agent.''.

(b) DEFINITION OF EXPRESS ADVOCACY.—Section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431) is amended by adding at the end the following:

''(20) EXPRESS ADVOCACY.—

''(A) IN GENERAL.—The term 'express advocacy' means a communication that advocates the election or defeat of a candidate by—

''(i) containing a phrase such as 'vote for', 're-elect', 'support', 'cast your ballot for', '(name of candidate) for Congress', '(name of candidate) in 1997', 'vote against', 'defeat', 'reject', or a campaign slogan or words that in context can have no reasonable meaning other than to advocate the election or defeat of one or more clearly identified candidates;

''(ii) referring to one or more clearly identified candidates in a paid advertisement that is transmitted through radio or television within 60 calendar days preceding the date of an election of the candidate and that appears in the State in which the election is occurring, except that with respect to a candidate for the office of Vice President or President, the time period is within 60 calendar days preceding the date of a general election; or

''(iii) expressing unmistakable and unambiguous support for or opposition to one or more clearly identified candidates when taken as a whole and with limited reference to external events, such as proximity to an election.

''(B) VOTING RECORD AND VOTING GUIDE EXCEPTION.—The term 'express advocacy' does not include a communication which is in printed form or posted on the Internet that—

''(i) presents information solely about the voting record or position on a campaign issue of one or more candidates (including any statement by the sponsor of the voting record or voting guide of its agreement or disagreement with the record or position of a candidate), so long as the voting record or voting guide when taken as a whole does not express unmistakable and unambiguous support for or opposition to one or more clearly identified candidates;

''(ii) is not coordinated activity or is not made in coordination with a candidate, political party, or agent of the candidate or party, or a candidate's agent or a person who is coordinating with a candidate or a candidate's agent, except that nothing in this clause may be construed to prevent the sponsor of the voting guide from directing questions in writing to a candidate about the candidate's position on issues for purposes of preparing a voter guide or to prevent the candidate from responding in writing to such questions; and

''(iii) does not contain a phrase such as 'vote for', 're-elect', 'support', 'cast your ballot for', '(name of candidate) for Congress', '(name of candidate) in (year)', 'vote against', 'defeat', or 'reject', or a campaign slogan or words that in context can have no reasonable meaning other than to urge the election or defeat of one or more clearly identified candidates.''.

(c) DEFINITION OF EXPENDITURE.—Section 301(9)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(9)(A)) is amended—

(1) in clause (i), by striking ''and'' at the end;

(2) in clause (ii), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(iii) a payment made by a political committee for a communication that—

''(I) refers to a clearly identified candidate; and

''(II) is for the purpose of influencing a Federal election (regardless of whether the communication is express advocacy).''.

SEC. 202. EXPRESS ADVOCACY DETERMINED WITHOUT REGARD TO BACKGROUND MUSIC.

Section 301(20) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(20)), as added by section 201(b), is amended by adding at the end the following new subparagraph:

''(C) BACKGROUND MUSIC.—In determining whether any communication by television or radio broadcast constitutes express advocacy for purposes of this Act, there shall not be taken into account any background music not including lyrics used in such broadcast.''.

SEC. 203. CIVIL PENALTY.

Section 309 of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g) is amended—

(1) in subsection (a)—

(A) in paragraph (4)(A)—

(i) in clause (i), by striking ''clause (ii)'' and inserting ''clauses (ii) and (iii)''; and

(ii) by adding at the end the following:

''(iii) If the Commission determines by an affirmative vote of 4 of its members that there is probable cause to believe that a person has made a knowing and willful violation of section 304(c), the Commission shall not enter into a conciliation agreement under this paragraph and may institute a civil action for relief under paragraph (6)(A).''; and

(B) in paragraph (6)(B), by inserting ''(except an action instituted in connection with a knowing and willful violation of section 304(c))'' after ''subparagraph (A)''; and

(2) in subsection (d)(1)—

(A) in subparagraph (A), by striking ''Any person'' and inserting ''Except as provided in subparagraph (D), any person''; and

(B) by adding at the end the following:

''(D) In the case of a knowing and willful violation of section 304(c) that involves the reporting of an independent expenditure, the violation shall not be subject to this subsection.''.

SEC. 204. REPORTING REQUIREMENTS FOR CERTAIN INDEPENDENT EXPENDITURES.

Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) is amended—

(1) in subsection (c)(2), by striking the undesignated matter after subparagraph (C);

(2) by redesignating paragraph (3) of subsection (c) as subsection (f); and

(3) by inserting after subsection (c)(2) (as amended by paragraph (1)) the following:

''(d) TIME FOR REPORTING CERTAIN EXPENDITURES.—

''(1) EXPENDITURES AGGREGATING $1,000.—

''(A) INITIAL REPORT.—A person (including a political committee) that makes or contracts to make independent expenditures aggregating $1,000 or more after the 20th day, but more than 24 hours, before the date of an election shall file a report describing the expenditures within 24 hours after that amount of independent expenditures has been made.

''(B) ADDITIONAL REPORTS.—After a person files a report under subparagraph (A), the person shall file an additional report within 24 hours after each time the person makes or contracts to make independent expenditures aggregating an additional $1,000 with respect to the same election as that to which the initial report relates.

''(2) EXPENDITURES AGGREGATING $10,000.—

''(A) INITIAL REPORT.—A person (including a political committee) that makes or contracts to make independent expenditures aggregating $10,000 or more at any time up to and including the 20th day before the date of an election shall file a report describing the expenditures within 48 hours after that amount of independent expenditures has been made.

''(B) ADDITIONAL REPORTS.—After a person files a report under subparagraph (A), the person shall file an additional report within 48 hours after each time the person makes or contracts to make independent expenditures aggregating an additional $10,000 with respect to the same election as that to which the initial report relates.

''(3) PLACE OF FILING; CONTENTS.—A report under this subsection—

''(A) shall be filed with the Commission; and

''(B) shall contain the information required by subsection (b)(6)(B)(iii), including the name of each candidate whom an expenditure is intended to support or oppose.''.

SEC. 205. INDEPENDENT VERSUS COORDINATED EXPENDITURES BY PARTY.

Section 315(d) of the Federal Election Campaign Act (2 U.S.C. 441a(d)) is amended—

(1) in paragraph (1), by striking ''and (3)'' and inserting '', (3), and (4)''; and

(2) by adding at the end the following:

''(4) INDEPENDENT VERSUS COORDINATED EXPENDITURES BY PARTY.—

''(A) IN GENERAL.—On or after the date on which a political party nominates a candidate, a committee of the political party shall not make both expenditures under this subsection and independent expenditures (as defined in section 301(17)) with respect to the candidate during the election cycle.

''(B) CERTIFICATION.—Before making a coordinated expenditure under this subsection with respect to a candidate, a committee of a political party shall file with the Commission a certification, signed by the treasurer of the committee, that the committee has not and shall not make any independent expenditure with respect to the candidate during the same election cycle.

''(C) APPLICATION.—For the purposes of this paragraph, all political committees established and maintained by a national political party (including all congressional campaign committees) and all political committees established and maintained by a State political party (including any subordinate committee of a State committee) shall be considered to be a single political committee.

''(D) TRANSFERS.—A committee of a political party that submits a certification under subparagraph (B) with respect to a candidate shall not, during an election cycle, transfer any funds to, assign authority to make coordinated expenditures under this subsection to, or receive a transfer of funds from, a committee of the political party that has made or intends to make an independent expenditure with respect to the candidate.''.

SEC. 206. COORDINATION WITH CANDIDATES.

(a) DEFINITION OF COORDINATION WITH CANDIDATES.—

(1) SECTION 301(8).—Section 301(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)) is amended—

(A) in subparagraph (A)—

(i) by striking ''or'' at the end of clause (i);

(ii) by striking the period at the end of clause (ii) and inserting ''; or''; and

(iii) by adding at the end the following:

''(iii) coordinated activity (as defined in subparagraph (C)).''; and

(B) by adding at the end the following:

''(C) 'Coordinated activity' means anything of value provided by a person in coordination with a candidate, an agent of the candidate, or the political party of the candidate or its agent for the purpose of influencing a Federal election (regardless of whether the value being provided is a communication that is express advocacy) in which such candidate seeks nomination or election to Federal office, and includes any of the following:

''(i) A payment made by a person in cooperation, consultation, or concert with, at the request or suggestion of, or pursuant to any general or particular understanding with a candidate, the candidate's authorized committee, the political party of the candidate, or an agent acting on behalf of a candidate, authorized committee, or the political party of the candidate.

''(ii) A payment made by a person for the production, dissemination, distribution, or republication, in whole or in part, of any broadcast or any written, graphic, or other form of campaign material prepared by a candidate, a candidate's authorized committee, or an agent of a candidate or authorized committee (not including a communication described in paragraph (9)(B)(i) or a communication that expressly advocates the candidate's defeat).

''(iii) A payment made by a person based on information about a candidate's plans, projects, or needs provided to the person making the payment by the candidate or the candidate's agent who provides the information with the intent that the payment be made.

''(iv) A payment made by a person if, in the same election cycle in which the payment is made, the person making the payment is serving or has served as a member, employee, fundraiser, or agent of the candidate's authorized committee in an executive or policymaking position.

''(v) A payment made by a person if the person making the payment has served in any formal policy making or advisory position with the candidate's campaign or has participated in formal strategic or formal policymaking discussions (other than any discussion treated as a lobbying contact under the Lobbying Disclosure Act of 1995 in the case of a candidate holding Federal office or as a similar lobbying activity in the case of a candidate holding State or other elective office) with the candidate's campaign relating to the candidate's pursuit of nomination for election, or election, to Federal office, in the same election cycle as the election cycle in which the payment is made.

''(vi) A payment made by a person if, in the same election cycle, the person making the payment retains the professional services of any person that has provided or is providing campaign-related services in the same election cycle to a candidate (including services provided through a political committee of the candidate's political party) in connection with the candidate's pursuit of nomination for election, or election, to Federal office, including services relating to the candidate's decision to seek Federal office, and the person retained is retained to work on activities relating to that candidate's campaign.

''(vii) A payment made by a person who has directly participated in fundraising activities with the candidate or in the solicitation or receipt of contributions on behalf of the candidate.

''(viii) A payment made by a person who has communicated with the candidate or an agent of the candidate (including a communication through a political committee of the candidate's political party) after the declaration of candidacy (including a pollster, media consultant, vendor, advisor, or staff member acting on behalf of the candidate), about advertising message, allocation of resources, fundraising, or other campaign matters related to the candidate's campaign, including campaign operations, staffing, tactics, or strategy.

''(ix) The provision of in-kind professional services or polling data (including services or data provided through a political committee of the candidate's political party) to the candidate or candidate's agent.

''(x) A payment made by a person who has engaged in a coordinated activity with a candidate described in clauses (i) through (ix) for a communication that clearly refers to the candidate or the candidate's opponent and is for the purpose of influencing that candidates's election (regardless of whether the communication is express advocacy).

''(D) For purposes of subparagraph (C), the term 'professional services' means polling, media advice, fundraising, campaign research or direct mail (except for mailhouse services solely for the distribution of voter guides as defined in section 431(20)(B)) services in support of a candidate's pursuit of nomination for election, or election, to Federal office.

''(E) For purposes of subparagraph (C), all political committees established and maintained by a national political party (including all congressional campaign committees) and all political committees established and maintained by a State political party (including any subordinate committee of a State committee) shall be considered to be a single political committee.''.

(2) SECTION 315(a)(7).—Section 315(a)(7) (2 U.S.C. 441a(a)(7)) is amended by striking subparagraph (B) and inserting the following:

''(B) a coordinated activity, as described in section 301(8)(C), shall be considered to be a contribution to the candidate, and in the case of a limitation on expenditures, shall be treated as an expenditure by the candidate.

(b) MEANING OF CONTRIBUTION OR EXPENDITURE FOR THE PURPOSES OF SECTION 316.—Section 316(b)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b(b)) is amended by striking ''shall include'' and inserting ''includes a contribution or expenditure, as those terms are defined in section 301, and also includes''.

TITLE III—DISCLOSURE

SEC. 301. FILING OF REPORTS USING COMPUTERS AND FACSIMILE MACHINES.

Section 304(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)) is amended by striking paragraph (11) and inserting the following:

''(11)(A) The Commission shall promulgate a regulation under which a person required to file a designation, statement, or report under this Act—

''(i) is required to maintain and file a designation, statement, or report for any calendar year in electronic form accessible by computers if the person has, or has reason to expect to have, aggregate contributions or expenditures in excess of a threshold amount determined by the Commission; and

''(ii) may maintain and file a designation, statement, or report in electronic form or an alternative form, including the use of a facsimile machine, if not required to do so under the regulation promulgated under clause (i).

''(B) The Commission shall make a designation, statement, report, or notification that is filed electronically with the Commission accessible to the public on the Internet not later than 24 hours after the designation, statement, report, or notification is received by the Commission.

''(C) In promulgating a regulation under this paragraph, the Commission shall provide methods (other than requiring a signature on the document being filed) for verifying designations, statements, and reports covered by the regulation. Any document verified under any of the methods shall be treated for all purposes (including penalties for perjury) in the same manner as a document verified by signature.''.

SEC. 302. PROHIBITION OF DEPOSIT OF CONTRIBUTIONS WITH INCOMPLETE CONTRIBUTOR INFORMATION.

Section 302 of Federal Election Campaign Act of 1971 (2 U.S.C. 432) is amended by adding at the end the following:

''(j) DEPOSIT OF CONTRIBUTIONS.—The treasurer of a candidate's authorized committee shall not deposit, except in an escrow account, or otherwise negotiate a contribution from a person who makes an aggregate amount of contributions in excess of $200 during a calendar year unless the treasurer verifies that the information required by this section with respect to the contributor is complete.''.

SEC. 303. AUDITS.

(a) RANDOM AUDITS.—Section 311(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 438(b)) is amended—

(1) by inserting ''(1) IN GENERAL.—'' before ''The Commission'';

(2) by moving the text 2 ems to the right; and

(3) by adding at the end the following:

''(2) RANDOM AUDITS.—

''(A) IN GENERAL.—Notwithstanding paragraph (1), the Commission may conduct random audits and investigations to ensure voluntary compliance with this Act. The selection of any candidate for a random audit or investigation shall be based on criteria adopted by a vote of at least four members of the Commission.

''(B) LIMITATION.—The Commission shall not conduct an audit or investigation of a candidate's authorized committee under subparagraph (A) until the candidate is no longer a candidate for the office sought by the candidate in an election cycle.

''(C) APPLICABILITY.—This paragraph does not apply to an authorized committee of a candidate for President or Vice President subject to audit under section 9007 or 9038 of the Internal Revenue Code of 1986.''.

(b) EXTENSION OF PERIOD DURING WHICH CAMPAIGN AUDITS MAY BE BEGUN.—Section 311(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 438(b)) is amended by striking ''6 months'' and inserting ''12 months''.

SEC. 304. REPORTING REQUIREMENTS FOR CONTRIBUTIONS OF $50 OR MORE.

Section 304(b)(3)(A) of the Federal Election Campaign Act at 1971 (2 U.S.C. 434(b)(3)(A) is amended—

(1) by striking ''$200'' and inserting ''$50''; and

(2) by striking the semicolon and inserting '', except that in the case of a person who makes contributions aggregating at least $50 but not more than $200 during the calendar year, the identification need include only the name and address of the person;''.

SEC. 305. USE OF CANDIDATES' NAMES.

Section 302(e) of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(e)) is amended by striking paragraph (4) and inserting the following:

''(4)(A) The name of each authorized committee shall include the name of the candidate who authorized the committee under paragraph (1).

''(B) A political committee that is not an authorized committee shall not—

''(i) include the name of any candidate in its name; or

''(ii) except in the case of a national, State, or local party committee, use the name of any candidate in any activity on behalf of the committee in such a context as to suggest that the committee is an authorized committee of the candidate or that the use of the candidate's name has been authorized by the candidate.''.

SEC. 306. PROHIBITION OF FALSE REPRESENTATION TO SOLICIT CONTRIBUTIONS.

Section 322 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441h) is amended—

(1) by inserting after ''SEC. 322.'' the following: ''(a) IN GENERAL.—''; and

(2) by adding at the end the following:

''(b) SOLICITATION OF CONTRIBUTIONS.—No person shall solicit contributions by falsely representing himself or herself as a candidate or as a representative of a candidate, a political committee, or a political party.''.

SEC. 307. SOFT MONEY OF PERSONS OTHER THAN POLITICAL PARTIES.

(a) IN GENERAL.—Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) (as amended by section 103(c) and section 204) is amended by adding at the end the following:

''(g) DISBURSEMENTS OF PERSONS OTHER THAN POLITICAL PARTIES.—

''(1) IN GENERAL.—A person, other than a political committee of a political party or a person described in section 501(d) of the Internal Revenue Code of 1986, that makes an aggregate amount of disbursements in excess of $50,000 during a calendar year for activities described in paragraph (2) shall file a statement with the Commission—

''(A) on a monthly basis as described in subsection (a)(4)(B); or

''(B) in the case of disbursements that are made within 20 days of an election, within 24 hours after the disbursements are made.

''(2) ACTIVITY.—The activity described in this paragraph is—

''(A) Federal election activity;

''(B) an activity described in section 316(b)(2)(A) that expresses support for or opposition to a candidate for Federal office or a political party; and

''(C) an activity described in subparagraph (B) or (C) of section 316(b)(2).

''(3) APPLICABILITY.—This subsection does not apply to—

''(A) a candidate or a candidate's authorized committees; or

''(B) an independent expenditure.

''(4) CONTENTS.—A statement under this section shall contain such information about the disbursements made during the reporting period as the Commission shall prescribe, including—

''(A) the aggregate amount of disbursements made;

''(B) the name and address of the person or entity to whom a disbursement is made in an aggregate amount in excess of $200;

''(C) the date made, amount, and purpose of the disbursement; and

''(D) if applicable, whether the disbursement was in support of, or in opposition to, a candidate or a political party, and the name of the candidate or the political party.''.

(b) DEFINITION OF GENERIC CAMPAIGN ACTIVITY.—Section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) (as amended by section 201(b)) is further amended by adding at the end the following:

''(21) GENERIC CAMPAIGN ACTIVITY.—The term 'generic campaign activity' means an activity that promotes a political party and does not promote a candidate or non-Federal candidate.''.

SEC. 308. CAMPAIGN ADVERTISING.

Section 318 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441d) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''Whenever'' and inserting ''Whenever a political committee makes a disbursement for the purpose of financing any communication through any broadcasting station, newspaper, magazine, outdoor advertising facility, mailing, or any other type of general public political advertising, or whenever'';

(ii) by striking ''an expenditure'' and inserting ''a disbursement''; and

(iii) by striking ''direct''; and

(B) in paragraph (3), by inserting ''and permanent street address'' after ''name''; and

(2) by adding at the end the following:

''(c) Any printed communication described in subsection (a) shall—

''(1) be of sufficient type size to be clearly readable by the recipient of the communication;

''(2) be contained in a printed box set apart from the other contents of the communication; and

''(3) be printed with a reasonable degree of color contrast between the background and the printed statement.

''(d)(1) Any communication described in paragraphs (1) or (2) of subsection (a) which is transmitted through radio or television shall include, in addition to the requirements of that paragraph, an audio statement by the candidate that identifies the candidate and states that the candidate has approved the communication.

''(2) If a communication described in paragraph (1) is transmitted through television, the communication shall include, in addition to the audio statement under paragraph (1), a written statement that—

''(A) appears at the end of the communication in a clearly readable manner with a reasonable degree of color contrast between the background and the printed statement, for a period of at least 4 seconds; and

''(B) is accompanied by a clearly identifiable photographic or similar image of the candidate.

''(e) Any communication described in paragraph (3) of subsection (a) which is transmitted through radio or television shall include, in addition to the requirements of that paragraph, in a clearly spoken manner, the following statement: '_____ is responsible for the content of this advertisement.' (with the blank to be filled in with the name of the political committee or other person paying for the communication and the name of any connected organization of the payor). If transmitted through television, the statement shall also appear in a clearly readable manner with a reasonable degree of color contrast between the background and the printed statement, for a period of at least 4 seconds.''.

TITLE IV—PERSONAL WEALTH OPTION

SEC. 401. VOLUNTARY PERSONAL FUNDS EXPENDITURE LIMIT.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by section 101, is further amended by adding at the end the following new section:

''VOLUNTARY PERSONAL FUNDS EXPENDITURE LIMIT

''SEC. 324. (a) ELIGIBLE CONGRESSIONAL CANDIDATE.—

''(1) PRIMARY ELECTION.—

''(A) DECLARATION.—A candidate for election for Senator or Representative in or Delegate or Resident Commissioner to the Congress is an eligible primary election Congressional candidate if the candidate files with the Commission a declaration that the candidate and the candidate's authorized committees will not make expenditures in excess of the personal funds expenditure limit.

''(B) TIME TO FILE.—The declaration under subparagraph (A) shall be filed not later than the date on which the candidate files with the appropriate State officer as a candidate for the primary election.

''(2) GENERAL ELECTION.—

''(A) DECLARATION.—A candidate for election for Senator or Representative in or Delegate or Resident Commissioner to the Congress is an eligible general election Congressional candidate if the candidate files with the Commission—

''(i) a declaration under penalty of perjury, with supporting documentation as required by the Commission, that the candidate and the candidate's authorized committees did not exceed the personal funds expenditure limit in connection with the primary election; and

''(ii) a declaration that the candidate and the candidate's authorized committees will not make expenditures in excess of the personal funds expenditure limit.

''(B) TIME TO FILE.—The declaration under subparagraph (A) shall be filed not later than 7 days after the earlier of—

''(i) the date on which the candidate qualifies for the general election ballot under State law; or

''(ii) if under State law, a primary or runoff election to qualify for the general election ballot occurs after September 1, the date on which the candidate wins the primary or runoff election.

''(b) PERSONAL FUNDS EXPENDITURE LIMIT.—

''(1) IN GENERAL.—The aggregate amount of expenditures that may be made in connection with an election by an eligible Congressional candidate or the candidate's authorized committees from the sources described in paragraph (2) shall not exceed $50,000.

''(2) SOURCES.—A source is described in this paragraph if the source is—

''(A) personal funds of the candidate and members of the candidate's immediate family; or

''(B) proceeds of indebtedness incurred by the candidate or a member of the candidate's immediate family.

''(c) CERTIFICATION BY THE COMMISSION.—

''(1) IN GENERAL.—The Commission shall determine whether a candidate has met the requirements of this section and, based on the determination, issue a certification stating whether the candidate is an eligible Congressional candidate.

''(2) TIME FOR CERTIFICATION.—Not later than 7 business days after a candidate files a declaration under paragraph (1) or (2) of subsection (a), the Commission shall certify whether the candidate is an eligible Congressional candidate.

''(3) REVOCATION.—The Commission shall revoke a certification under paragraph (1), based on information submitted in such form and manner as the Commission may require or on information that comes to the Commission by other means, if the Commission determines that a candidate violates the personal funds expenditure limit.

''(4) DETERMINATIONS BY COMMISSION.—A determination made by the Commission under this subsection shall be final, except to the extent that the determination is subject to examination and audit by the Commission and to judicial review.

''(d) PENALTY.—If the Commission revokes the certification of an eligible Congressional candidate—

''(1) the Commission shall notify the candidate of the revocation; and

''(2) the candidate and a candidate's authorized committees shall pay to the Commission an amount equal to the amount of expenditures made by a national committee of a political party or a State committee of a political party in connection with the general election campaign of the candidate under section 315(d).''.

SEC. 402. POLITICAL PARTY COMMITTEE COORDINATED EXPENDITURES.

Section 315(d) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(d)) (as amended by section 204) is amended by adding at the end the following:

''(5) This subsection does not apply to expenditures made in connection with the general election campaign of a candidate for Senator or Representative in or Delegate or Resident Commissioner to the Congress who is not an eligible Congressional candidate (as defined in section 324(a)).''.

TITLE V—MISCELLANEOUS

SEC. 501. CODIFICATION OF BECK DECISION.

Section 8 of the National Labor Relations Act (29 U.S.C. 158) is amended by adding at the end the following new subsection:

''(h) NONUNION MEMBER PAYMENTS TO LABOR ORGANIZATION.—

''(1) IN GENERAL.—It shall be an unfair labor practice for any labor organization which receives a payment from an employee pursuant to an agreement that requires employees who are not members of the organization to make payments to such organization in lieu of organization dues or fees not to establish and implement the objection procedure described in paragraph (2).

''(2) OBJECTION PROCEDURE.—The objection procedure required under paragraph (1) shall meet the following requirements:

''(A) The labor organization shall annually provide to employees who are covered by such agreement but are not members of the organization—

''(i) reasonable personal notice of the objection procedure, a list of the employees eligible to invoke the procedure, and the time, place, and manner for filing an objection; and

''(ii) reasonable opportunity to file an objection to paying for organization expenditures supporting political activities unrelated to collective bargaining, including but not limited to the opportunity to file such objection by mail.

''(B) If an employee who is not a member of the labor organization files an objection under the procedure in subparagraph (A), such organization shall—

''(i) reduce the payments in lieu of organization dues or fees by such employee by an amount which reasonably reflects the ratio that the organization's expenditures supporting political activities unrelated to collective bargaining bears to such organization's total expenditures; and

''(ii) provide such employee with a reasonable explanation of the organization's calculation of such reduction, including calculating the amount of organization expenditures supporting political activities unrelated to collective bargaining.

''(3) DEFINITION.—In this subsection, the term 'expenditures supporting political activities unrelated to collective bargaining' means expenditures in connection with a Federal, State, or local election or in connection with efforts to influence legislation unrelated to collective bargaining.''.

SEC. 502. USE OF CONTRIBUTED AMOUNTS FOR CERTAIN PURPOSES.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by striking section 313 and inserting the following:

''USE OF CONTRIBUTED AMOUNTS FOR CERTAIN PURPOSES

''SEC. 313. (a) PERMITTED USES.—A contribution accepted by a candidate, and any other amount received by an individual as support for activities of the individual as a holder of Federal office, may be used by the candidate or individual—

''(1) for expenditures in connection with the campaign for Federal office of the candidate or individual;

''(2) for ordinary and necessary expenses incurred in connection with duties of the individual as a holder of Federal office;

''(3) for contributions to an organization described in section 170(c) of the Internal Revenue Code of 1986; or

''(4) for transfers to a national, State, or local committee of a political party.

''(b) PROHIBITED USE.—

''(1) IN GENERAL.—A contribution or amount described in subsection (a) shall not be converted by any person to personal use.

''(2) CONVERSION.—For the purposes of paragraph (1), a contribution or amount shall be considered to be converted to personal use if the contribution or amount is used to fulfill any commitment, obligation, or expense of a person that would exist irrespective of the candidate's election campaign or individual's duties as a holder of Federal officeholder, including—

''(A) a home mortgage, rent, or utility payment;

''(B) a clothing purchase;

''(C) a noncampaign-related automobile expense;

''(D) a country club membership;

''(E) a vacation or other noncampaign-related trip;

''(F) a household food item;

''(G) a tuition payment;

''(H) admission to a sporting event, concert, theater, or other form of entertainment not associated with an election campaign; and

''(I) dues, fees, and other payments to a health club or recreational facility.''.

SEC. 503. LIMIT ON CONGRESSIONAL USE OF THE FRANKING PRIVILEGE.

Section 3210(a)(6) of title 39, United States Code, is amended by striking subparagraph (A) and inserting the following:

''(A) A Member of Congress shall not mail any mass mailing as franked mail during the 180-day period which ends on the date of the general election for the office held by the Member or during the 90-day period which ends on the date of any primary election for that office, unless the Member has made a public announcement that the Member will not be a candidate for reelection during that year or for election to any other Federal office.''.

SEC. 504. PROHIBITION OF FUNDRAISING ON FEDERAL PROPERTY.

Section 607 of title 18, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

''(a) PROHIBITION.—

''(1) IN GENERAL.—It shall be unlawful for any person to solicit or receive a donation of money or other thing of value in connection with a Federal, State, or local election from a person who is located in a room or building occupied in the discharge of official duties by an officer or employee of the United States. An individual who is an officer or employee of the Federal Government, including the President, Vice President, and Members of Congress, shall not solicit a donation of money or other thing of value in connection with a Federal, State, or local election while in any room or building occupied in the discharge of official duties by an officer or employee of the United States, from any person.

''(2) PENALTY.—A person who violates this section shall be fined not more than $5,000, imprisoned more than 3 years, or both.''; and

(2) in subsection (b), by inserting ''or Executive Office of the President'' after ''Congress''.

SEC. 505. PENALTIES FOR VIOLATIONS.

(a) INCREASED PENALTIES.—Section 309(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)) is amended—

(1) in paragraphs (5)(A), (6)(A), and (6)(B), by striking ''$5,000'' and inserting ''$10,000''; and

(2) in paragraphs (5)(B) and (6)(C), by striking ''$10,000 or an amount equal to 200 percent'' and inserting ''$20,000 or an amount equal to 300 percent''.

(b) EQUITABLE REMEDIES.—Section 309(a)(5)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)(5)) is amended by striking the period at the end and inserting '', and may include equitable remedies or penalties, including disgorgement of funds to the Treasury or community service requirements (including requirements to participate in public education programs).''.

(c) AUTOMATIC PENALTY FOR LATE FILING.—Section 309(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)) is amended—

(1) by adding at the end the following:

''(13) PENALTY FOR LATE FILING.—

''(A) IN GENERAL.—

''(i) MONETARY PENALTIES.—The Commission shall establish a schedule of mandatory monetary penalties that shall be imposed by the Commission for failure to meet a time requirement for filing under section 304.

''(ii) REQUIRED FILING.—In addition to imposing a penalty, the Commission may require a report that has not been filed within the time requirements of section 304 to be filed by a specific date.

''(iii) PROCEDURE.—A penalty or filing requirement imposed under this paragraph shall not be subject to paragraph (1), (2), (3), (4), (5), or (12).

''(B) FILING AN EXCEPTION.—

''(i) TIME TO FILE.—A political committee shall have 30 days after the imposition of a penalty or filing requirement by the Commission under this paragraph in which to file an exception with the Commission.

''(ii) TIME FOR COMMISSION TO RULE.—Within 30 days after receiving an exception, the Commission shall make a determination that is a final agency action subject to exclusive review by the United States Court of Appeals for the District of Columbia Circuit under section 706 of title 5, United States Code, upon petition filed in that court by the political committee or treasurer that is the subject of the agency action, if the petition is filed within 30 days after the date of the Commission action for which review is sought.'';

(2) in paragraph (5)(D)—

(A) by inserting after the first sentence the following: ''In any case in which a penalty or filing requirement imposed on a political committee or treasurer under paragraph (13) has not been satisfied, the Commission may institute a civil action for enforcement under paragraph (6)(A).''; and

(B) by inserting before the period at the end of the last sentence the following: ''or has failed to pay a penalty or meet a filing requirement imposed under paragraph (13)''; and

(3) in paragraph (6)(A), by striking ''paragraph (4)(A)'' and inserting ''paragraph (4)(A) or (13)''.

SEC. 506. STRENGTHENING FOREIGN MONEY BAN.

(a) IN GENERAL.—Section 319 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e) is amended—

(1) by striking the heading and inserting the following: ''CONTRIBUTIONS AND DONATIONS BY FOREIGN NATIONALS''; and

(2) by striking subsection (a) and inserting the following:

''(a) PROHIBITION.—It shall be unlawful for—

''(1) a foreign national, directly or indirectly, to make—

''(A) a donation of money or other thing of value, or to promise expressly or impliedly

to make a donation, in connection with a Federal, State, or local election, or

''(B) a contribution or donation to a committee of a political party; or

''(2) a person to solicit, accept, or receive such a contribution or donation from a foreign national.''.

(b) PROHIBITING USE OF WILLFUL BLINDNESS AS DEFENSE AGAINST CHARGE OF VIOLATING FOREIGN CONTRIBUTION BAN.—

(1) IN GENERAL.—Section 319 of such Act (2 U.S.C. 441e) is amended—

(A) by redesignating subsection (b) as subsection (c); and

(B) by inserting after subsection (a) the following new subsection:

''(b) PROHIBITING USE OF WILLFUL BLINDNESS DEFENSE.—It shall not be a defense to a violation of subsection (a) that the defendant did not know that the contribution originated from a foreign national if the defendant should have known that the contribution originated from a foreign national, except that the trier of fact may not find that the defendant should have known that the contribution originated from a foreign national solely because of the name of the contributor.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to violations occurring on or after the date of the enactment of this Act.

SEC. 507. PROHIBITION OF CONTRIBUTIONS BY MINORS.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by sections 101 and 401, is further amended by adding at the end the following new section:

''PROHIBITION OF CONTRIBUTIONS BY MINORS

''SEC. 325. An individual who is 17 years old or younger shall not make a contribution to a candidate or a contribution or donation to a committee of a political party.''.

SEC. 508. EXPEDITED PROCEDURES.

(a) IN GENERAL.—Section 309(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)) (as amended by section 505(c)) is amended by adding at the end the following:

''(14)(A) If the complaint in a proceeding was filed within 60 days preceding the date of a general election, the Commission may take action described in this subparagraph.

''(B) If the Commission determines, on the basis of facts alleged in the complaint and other facts available to the Commission, that there is clear and convincing evidence that a violation of this Act has occurred, is occurring, or is about to occur, the Commission may order expedited proceedings, shortening the time periods for proceedings under paragraphs (1), (2), (3), and (4) as necessary to allow the matter to be resolved in sufficient time before the election to avoid harm or prejudice to the interests of the parties.

''(C) If the Commission determines, on the basis of facts alleged in the complaint and other facts available to the Commission, that the complaint is clearly without merit, the Commission may—

''(i) order expedited proceedings, shortening the time periods for proceedings under paragraphs (1), (2), (3), and (4) as necessary to allow the matter to be resolved in sufficient time before the election to avoid harm or prejudice to the interests of the parties; or

''(ii) if the Commission determines that there is insufficient time to conduct proceedings before the election, summarily dismiss the complaint.''.

(b) REFERRAL TO ATTORNEY GENERAL.—Section 309(a)(5) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)(5)) is amended by striking subparagraph (C) and inserting the following:

''(C) The Commission may at any time, by an affirmative vote of at least 4 of its members, refer a possible violation of this Act or chapter 95 or 96 of the Internal Revenue Code of 1986, to the Attorney General of the United States, without regard to any limitation set forth in this section.''.

SEC. 509. INITIATION OF ENFORCEMENT PROCEEDING.

Section 309(a)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)(2)) is amended by striking ''reason to believe that'' and inserting ''reason to investigate whether''.

SEC. 510. PROTECTING EQUAL PARTICIPATION OF ELIGIBLE VOTERS IN CAMPAIGNS AND ELECTIONS.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by sections 101, 401, and 507, is further amended by adding at the end the following new section:

''PROTECTING EQUAL PARTICIPATION OF ELIGIBLE VOTERS IN CAMPAIGNS AND ELECTIONS

''SEC. 326. (a) IN GENERAL.—Nothing in this Act may be construed to prohibit any individual eligible to vote in an election for Federal office from making contributions or expenditures in support of a candidate for such an election (including voluntary contributions or expenditures made through a separate segregated fund established by the individual's employer or labor organization) or otherwise participating in any campaign for such an election in the same manner and to the same extent as any other individual eligible to vote in an election for such office.

''(b) NO EFFECT ON GEOGRAPHIC RESTRICTIONS ON CONTRIBUTIONS.—Subsection (a) may not be construed to affect any restriction under this title regarding the portion of contributions accepted by a candidate from persons residing in a particular geographic area.''.

SEC. 511. PENALTY FOR VIOLATION OF PROHIBITION AGAINST FOREIGN CONTRIBUTIONS.

(a) IN GENERAL.—Section 319 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e), as amended by section 506(b), is further amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

''(c) PENALTY.—

''(1) IN GENERAL.—Except as provided in paragraph (2), notwithstanding any other provision of this title any person who violates subsection (a) shall be sentenced to a term of imprisonment which may not be more than 10 years, fined in an amount not to exceed $1,000,000, or both.

''(2) EXCEPTION.—Paragraph (1) shall not apply with respect to any violation of subsection (a) arising from a contribution or donation made by an individual who is lawfully admitted for permanent residence (as defined in section 101(a)(22) of the Immigration and Nationality Act).''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations occurring on or after the date of the enactment of this Act.

SEC. 512. EXPEDITED COURT REVIEW OF CERTAIN ALLEGED VIOLATIONS OF FEDERAL ELECTION CAMPAIGN ACT OF 1971.

(a) IN GENERAL.—Section 309 of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

''(d) Notwithstanding any other provision of this section, if a candidate (or the candidate's authorized committee) believes that a violation described in paragraph (2) has been committed with respect to an election during the 90-day period preceding the date of the election, the candidate or committee may institute a civil action on behalf of the Commission for relief (including injunctive relief) against the alleged violator in the same manner and under the same terms and conditions as an action instituted by the Commission under subsection (a)(6), except that the court involved shall issue a decision regarding the action as soon as practicable after the action is instituted and to the greatest extent possible issue the decision prior to the date of the election involved.

''(2) A violation described in this paragraph is a violation of this Act or of chapter 95 or chapter 96 of the Internal Revenue Code of 1986 relating to—

''(A) whether a contribution is in excess of an applicable limit or is otherwise prohibited under this Act; or

''(B) whether an expenditure is an independent expenditure under section 301(17).''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to elections occurring after the date of the enactment of this Act.

SEC. 513. CONSPIRACY TO VIOLATE PRESIDENTIAL CAMPAIGN SPENDING LIMITS.

(a) IN GENERAL.—Section 9003 of the Internal Revenue Code of 1986 (26 U.S.C. 9003) is amended by adding at the end the following new subsection:

''(g) PROHIBITING CONSPIRACY TO VIOLATE LIMITS.—

''(1) VIOLATION OF LIMITS DESCRIBED.—If a candidate for election to the office of President or Vice President who receives amounts from the Presidential Election Campaign Fund under chapter 95 or 96 of the Internal Revenue Code of 1986, or the agent of such a candidate, seeks to avoid the spending limits applicable to the candidate under such chapter or under the Federal Election Campaign Act of 1971 by soliciting, receiving, transferring, or directing funds from any source other than such Fund for the direct or indirect benefit of such candidate's campaign, such candidate or agent shall be fined not more than $1,000,000, or imprisoned for a term of not more than 3 years, or both.

''(2) CONSPIRACY TO VIOLATE LIMITS DEFINED.—If two or more persons conspire to violate paragraph (1), and one or more of such persons do any act to effect the object of the conspiracy, each shall be fined not more than $1,000,000, or imprisoned for a term of not more than 3 years, or both.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to elections occurring on or after the date of the enactment of this Act.

SEC. 514. DEPOSIT OF CERTAIN CONTRIBUTIONS AND DONATIONS IN TREASURY ACCOUNT.

(a) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by sections 101, 401, 507, and 510, is further amended by adding at the end the following new section:

''TREATMENT OF CERTAIN CONTRIBUTIONS AND DONATIONS TO BE RETURNED TO DONORS

''SEC. 327. (a) TRANSFER TO COMMISSION.—

''(1) IN GENERAL.—Notwithstanding any other provision of this Act, if a political committee intends to return any contribution or donation given to the political committee, the committee shall transfer the contribution or donation to the Commission if—

''(A) the contribution or donation is in an amount equal to or greater than $500 (other than a contribution or donation returned within 60 days of receipt by the committee); or

''(B) the contribution or donation was made in violation of section 315, 316, 317, 319,

320, or 325 (other than a contribution or donation returned within 30 days of receipt by the committee).

''(2) INFORMATION INCLUDED WITH TRANSFERRED CONTRIBUTION OR DONATION.—A political committee shall include with any contribution or donation transferred under paragraph (1)—

''(A) a request that the Commission return the contribution or donation to the person making the contribution or donation; and

''(B) information regarding the circumstances surrounding the making of the contribution or donation and any opinion of the political committee concerning whether the contribution or donation may have been made in violation of this Act.

''(3) ESTABLISHMENT OF ESCROW ACCOUNT.—

''(A) IN GENERAL.—The Commission shall establish a single interest-bearing escrow account for deposit of amounts transferred under paragraph (1).

''(B) DISPOSITION OF AMOUNTS RECEIVED.—On receiving an amount from a political committee under paragraph (1), the Commission shall—

''(i) deposit the amount in the escrow account established under subparagraph (A); and

''(ii) notify the Attorney General and the Commissioner of the Internal Revenue Service of the receipt of the amount from the political committee.

''(C) USE OF INTEREST.—Interest earned on amounts in the escrow account established under subparagraph (A) shall be applied or used for the same purposes as the donation or contribution on which it is earned.

''(4) TREATMENT OF RETURNED CONTRIBUTION OR DONATION AS A COMPLAINT.—The transfer of any contribution or donation to the Commission under this section shall be treated as the filing of a complaint under section 309(a).

''(b) USE OF AMOUNTS PLACED IN ESCROW TO COVER FINES AND PENALTIES.—The Commission or the Attorney General may require any amount deposited in the escrow account under subsection (a)(3) to be applied toward the payment of any fine or penalty imposed under this Act or title 18, United States Code, against the person making the contribution or donation.

''(c) RETURN OF CONTRIBUTION OR DONATION AFTER DEPOSIT IN ESCROW.—

''(1) IN GENERAL.—The Commission shall return a contribution or donation deposited in the escrow account under subsection (a)(3) to the person making the contribution or donation if—

''(A) within 180 days after the date the contribution or donation is transferred, the Commission has not made a determination under section 309(a)(2) that the Commission has reason to investigate whether that the making of the contribution or donation was made in violation of this Act; or

''(B)(i) the contribution or donation will not be used to cover fines, penalties, or costs pursuant to subsection (b); or

''(ii) if the contribution or donation will be used for those purposes, that the amounts required for those purposes have been withdrawn from the escrow account and subtracted from the returnable contribution or donation.

''(2) NO EFFECT ON STATUS OF INVESTIGATION.—The return of a contribution or donation by the Commission under this subsection shall not be construed as having an effect on the status of an investigation by the Commission or the Attorney General of the contribution or donation or the circumstances surrounding the contribution or donation, or on the ability of the Commission or the Attorney General to take future actions with respect to the contribution or donation.''.

(b) AMOUNTS USED TO DETERMINE AMOUNT OF PENALTY FOR VIOLATION.—Section 309(a) of such Act (2 U.S.C. 437g(a)) is amended by inserting after paragraph (9) the following new paragraph:

''(10) For purposes of determining the amount of a civil penalty imposed under this subsection for violations of section 326, the amount of the donation involved shall be treated as the amount of the contribution involved.''.

(c) DISGORGEMENT AUTHORITY.—Section 309 of such Act (2 U.S.C. 437g) is amended by adding at the end the following new subsection:

''(e) Any conciliation agreement, civil action, or criminal action entered into or instituted under this section may require a person to forfeit to the Treasury any contribution, donation, or expenditure that is the subject of the agreement or action for transfer to the Commission for deposit in accordance with section 326.''.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply to contributions or donations refunded on or after the date of the enactment of this Act, without regard to whether the Federal Election Commission or Attorney General has issued regulations to carry out section 326 of the Federal Election Campaign Act of 1971 (as added by subsection (a)) by such date.

SEC. 515. ESTABLISHMENT OF A CLEARINGHOUSE OF INFORMATION ON POLITICAL ACTIVITIES WITHIN THE FEDERAL ELECTION COMMISSION.

(a) ESTABLISHMENT.—There shall be established within the Federal Election Commission a clearinghouse of public information regarding the political activities of foreign principals and agents of foreign principals. The information comprising this clearinghouse shall include only the following:

(1) All registrations and reports filed pursuant to the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.) during the preceding 5-year period.

(2) All registrations and reports filed pursuant to the Foreign Agents Registration Act, as amended (22 U.S.C. 611 et seq.), during the preceding 5-year period.

(3) The listings of public hearings, hearing witnesses, and witness affiliations printed in the Congressional Record during the preceding 5-year period.

(4) Public information disclosed pursuant to the rules of the Senate or the House of Representatives regarding honoraria, the receipt of gifts, travel, and earned and unearned income.

(5) All reports filed pursuant to title I of the Ethics in Government Act of 1978 (5 U.S.C. App.) during the preceding 5-year period.

(6) All public information filed with the Federal Election Commission pursuant to the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) during the preceding 5-year period.

(b) DISCLOSURE OF OTHER INFORMATION PROHIBITED.—The disclosure by the clearinghouse, or any officer or employee thereof, of any information other than that set forth in subsection (a) is prohibited, except as otherwise provided by law.

(c) DIRECTOR OF CLEARINGHOUSE.—

(1) DUTIES.—The clearinghouse shall have a Director, who shall administer and manage the responsibilities and all activities of the clearinghouse. In carrying out such duties, the Director shall—

(A) develop a filing, coding, and cross-indexing system to carry out the purposes of this section (which shall include an index of all persons identified in the reports, registrations, and other information comprising the clearinghouse);

(B) notwithstanding any other provision of law, make copies of registrations, reports, and other information comprising the clearinghouse available for public inspection and copying, beginning not later than 30 days after the information is first available to the public, and permit copying of any such registration, report, or other information by hand or by copying machine or, at the request of any person, furnish a copy of any such registration, report, or other information upon payment of the cost of making and furnishing such copy, except that no information contained in such registration or report and no such other information shall be sold or used by any person for the purpose of soliciting contributions or for any profit-making purpose; and

(C) not later than 150 days after the date of the enactment of this Act and at any time thereafter, to prescribe, in consultation with the Comptroller General, such rules, regulations, and forms, in conformity with the provisions of chapter 5 of title 5, United States Code, as are necessary to carry out the provisions of this section in the most effective and efficient manner.

(2) APPOINTMENT.—The Director shall be appointed by the Federal Election Commission.

(3) TERM OF SERVICE.—The Director shall serve a single term of a period of time determined by the Commission, but not to exceed 5 years.

(d) PENALTIES FOR DISCLOSURE OF INFORMATION.—Any person who discloses information in violation of subsection (b), and any person who sells or uses information for the purpose of soliciting contributions or for any profit-making purpose in violation of subsection (c)(1)(B), shall be imprisoned for a period of not more than 1 year, or fined in the amount provided in title 18, United States Code, or both.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to conduct the activities of the clearinghouse.

(f) FOREIGN PRINCIPAL.—In this section, the term ''foreign principal'' shall have the same meaning given the term ''foreign national'' under section 319 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e), as in effect as of the date of the enactment of this Act.

SEC. 516. ENFORCEMENT OF SPENDING LIMIT ON PRESIDENTIAL AND VICE PRESIDENTIAL CANDIDATES WHO RECEIVE PUBLIC FINANCING.

(a) IN GENERAL.—Section 9003 of the Internal Revenue Code of 1986 (26 U.S.C. 9003) is amended by adding at the end the following new subsection:

''(f) ILLEGAL SOLICITATION OF SOFT MONEY.—No candidate for election to the office of President or Vice President may receive amounts from the Presidential Election Campaign Fund under this chapter or chapter 96 unless the candidate certifies that the candidate shall not solicit any funds for the purposes of influencing such election, including any funds used for an independent expenditure under the Federal Election Campaign Act of 1971, unless the funds are subject to the limitations, prohibitions, and reporting requirements of the Federal Election Campaign Act of 1971.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to elections occurring on or after the date of the enactment of this Act.

TITLE VI—INDEPENDENT COMMISSION ON CAMPAIGN FINANCE REFORM

SEC. 601. 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 title 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. 602. 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) Three 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) Three 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) Three 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) Three 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 three 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 office-holder 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 four members of the Commission may be of the same political party.

SEC. 603. POWERS OF COMMISSION.

(a) HEARINGS.—The Commission may, for the purpose of carrying out this title, 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 nine 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. 604. 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. 605. 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 Sixth 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 (taking into account the provisions of this Act and the amendments made by this Act), including any changes in the rules of the Senate or the House of Representatives, to which nine 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. 606. 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 605(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 605(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. 607. TERMINATION.

The Commission shall cease to exist 90 days after the date of the submission of its report under section 605.

SEC. 608. AUTHORIZATION OF APPROPRIATIONS.

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

TITLE VII—PROHIBITING USE OF WHITE HOUSE MEALS AND ACCOMMODATIONS FOR POLITICAL FUNDRAISING

SEC. 701. PROHIBITING USE OF WHITE HOUSE MEALS AND ACCOMMODATIONS FOR POLITICAL FUNDRAISING.

(a) IN GENERAL.—Chapter 29 of title 18, United States Code, is amended by adding at the end the following new section:

''§ 612. Prohibiting use of meals and accommodations at White House for political fundraising

''(a) It shall be unlawful for any person to provide or offer to provide any meals or accommodations at the White House in exchange for any money or other thing of value, or as a reward for the provision of any money or other thing of value, in support of any political party or the campaign for electoral office of any candidate.

''(b) Any person who violates this section shall be fined under this title or imprisoned not more than three years, or both.

''(c) For purposes of this section, any official residence or retreat of the President (including private residential areas and the grounds of such a residence or retreat) shall be treated as part of the White House.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 29 of title 18, United States Code, is amended by adding at the end the following new item:

''612. Prohibiting use of meals and accommodations at White House for political fundraising.''.

TITLE VIII—SENSE OF THE CONGRESS REGARDING FUNDRAISING ON FEDERAL GOVERNMENT PROPERTY

SEC. 801. SENSE OF THE CONGRESS REGARDING APPLICABILITY OF CONTROLLING LEGAL AUTHORITY TO FUNDRAISING ON FEDERAL GOVERNMENT PROPERTY.

It is the sense of the Congress that Federal law clearly demonstrates that ''controlling legal authority'' under title 18, United States Code, prohibits the use of Federal Government property to raise campaign funds.

TITLE IX—PROHIBITING SOLICITATION TO OBTAIN ACCESS TO CERTAIN FEDERAL GOVERNMENT PROPERTY

SEC. 901. PROHIBITION AGAINST ACCEPTANCE OR SOLICITATION TO OBTAIN ACCESS TO CERTAIN FEDERAL GOVERNMENT PROPERTY.

(a) IN GENERAL.—Chapter 11 of title 18, United States Code, is amended by adding at the end the following new section:

''§ 226. Acceptance or solicitation to obtain access to certain Federal Government property

''Whoever solicits or receives anything of value in consideration of providing a person with access to Air Force One, Marine One, Air Force Two, Marine Two, the White House, or the Vice President's residence, shall be fined under this title, or imprisoned not more than one year, or both.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 11 of title 18, United States Code, is amended by adding at the end the following new item:

''226. Acceptance or solicitation to obtain access to certain Federal Government property.''.

TITLE X—REIMBURSEMENT FOR USE OF AIR FORCE ONE FOR POLITICAL FUNDRAISING

SEC. 1001. REQUIRING NATIONAL PARTIES TO REIMBURSE AT COST FOR USE OF AIR FORCE ONE FOR POLITICAL FUNDRAISING.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by sections 101, 401, 507, 510, and 515, is further amended by adding at the end the following new section:

''REIMBURSEMENT BY POLITICAL PARTIES FOR USE OF AIR FORCE ONE FOR POLITICAL FUNDRAISING

''SEC. 328. (a) IN GENERAL.—If the President, Vice President, or the head of any executive department (as defined in section 101 of title 5, United States Code) uses Air Force One for transportation for any travel which includes a fundraising event for the benefit of any political committee of a national political party, such political committee shall reimburse the Federal Government for the fair market value of the transportation of the individual involved, based on the cost of an equivalent commercial chartered flight.

''(b) AIR FORCE ONE DEFINED.—In subsection (a), the term 'Air Force One' means the airplane operated by the Air Force which has been specially configured to carry out the mission of transporting the President.''.

TITLE XI—PROHIBITING USE OF WALKING AROUND MONEY

SEC. 1101. PROHIBITING CAMPAIGNS FROM PROVIDING CURRENCY TO INDIVIDUALS FOR PURPOSES OF ENCOURAGING TURNOUT ON DATE OF ELECTION.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by sections 101, 401, 507, 510, 515, and 1001, is further amended by adding at the end the following new section:

''PROHIBITING USE OF CURRENCY TO PROMOTE ELECTION DAY TURNOUT

''SEC. 329. It shall be unlawful for any political committee to provide currency to any individual (directly or through an agent of the committee) for purposes of encouraging the individual to appear at the polling place for the election.''.

TITLE XII—ENHANCING ENFORCEMENT OF CAMPAIGN LAW

SEC. 1201. ENHANCING ENFORCEMENT OF CAMPAIGN FINANCE LAW.

(a) MANDATORY IMPRISONMENT FOR CRIMINAL CONDUCT.—Section 309(d)(1)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(d)(1)(A)) is amended—

(1) in the first sentence, by striking ''shall be fined, or imprisoned for not more than one year, or both'' and inserting ''shall be imprisoned for not fewer than 1 year and not more than 10 years''; and

(2) by striking the second sentence.

(b) CONCURRENT AUTHORITY OF ATTORNEY GENERAL TO BRING CRIMINAL ACTIONS.—Section 309(d) of such Act (2 U.S.C. 437g(d)) is amended by adding at the end the following new paragraph:

''(4) In addition to the authority to bring cases referred pursuant to subsection (a)(5), the Attorney General may at any time bring a criminal action for a violation of this Act or of chapter 95 or chapter 96 of the Internal Revenue Code of 1986.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to actions brought with respect to elections occurring after January 1999.

TITLE XIII—BAN ON COORDINATED SOFT MONEY ACTIVITIES BY PRESIDENTIAL CANDIDATES

SEC. 1301. BAN ON COORDINATION OF SOFT MONEY FOR ISSUE ADVOCACY BY PRESIDENTIAL CANDIDATES RECEIVING PUBLIC FINANCING.

(a) IN GENERAL.—Section 9003 of the Internal Revenue Code of 1986 (26 U.S.C. 9003) is amended by adding at the end the following new subsection:

''(f) BAN ON COORDINATION OF SOFT MONEY FOR ISSUE ADVOCACY.—

''(1) IN GENERAL.—No candidate for election to the office of President or Vice President who is certified to receive amounts from the Presidential Election Campaign Fund under this chapter or chapter 96 may coordinate the expenditure of any funds for issue advocacy with any political party unless the funds are subject to the limitations, prohibitions, and reporting requirements of the Federal Election Campaign Act of 1971.

''(2) ISSUE ADVOCACY DEFINED.—In this section, the term 'issue advocacy' means any activity carried out for the purpose of influencing the consideration or outcome of any Federal legislation or the issuance or outcome of any Federal regulations, or educating individuals about candidates for election for Federal office or any Federal legislation, law, or regulations (without regard to whether the activity is carried out for the purpose of influencing any election for Federal office).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to elections occurring on or after the date of the enactment of this Act.

TITLE XIV—POSTING NAMES OF CERTAIN AIR FORCE ONE PASSENGERS ON INTERNET

SEC. 1401. REQUIREMENT THAT NAMES OF PASSENGERS ON AIR FORCE ONE AND AIR FORCE TWO BE MADE AVAILABLE THROUGH THE INTERNET.

(a) IN GENERAL.—The President shall make available through the Internet the name of any non-Government person who is a passenger on an aircraft designated as Air Force One or Air Force Two not later than 30 days after the date that the person is a passenger on such aircraft.

(b) EXCEPTION.—Subsection (a) shall not apply in a case in which the President determines that compliance with such subsection would be contrary to the national security interests of the United States. In any such case, not later than 30 days after the date that the person whose name will not be made available through the Internet was a passenger on the aircraft, the President shall submit to the chairman and ranking member of the Permanent Select Committee on Intelligence of the House of Representatives and of the Select Committee on Intelligence of the Senate—

(1) the name of the person; and

(2) the justification for not making such name available through the Internet.

(c) DEFINITION OF PERSON.—As used in this Act, the term ''non-Government person'' means a person who is not an officer or employee of the United States, a member of the Armed Forces, or a Member of Congress.

TITLE XV—EXPULSION PROCEEDINGS FOR HOUSE MEMBERS RECEIVING FOREIGN CONTRIBUTIONS

SEC. 1501. PERMITTING CONSIDERATION OF PRIVILEGED MOTION TO EXPEL HOUSE MEMBER ACCEPTING ILLEGAL FOREIGN CONTRIBUTION.

(a) IN GENERAL.—If a Member of the House of Representatives is convicted of a violation of section 319 of the Federal Election Campaign Act of 1971 (or any successor provision prohibiting the solicitation, receipt, or acceptance of a contribution from a foreign national), the Committee on Standards of Official Conduct, shall immediately consider the conduct of the Member and shall make a report and recommendations to the House forthwith concerning that Member which may include a recommendation for expulsion.

(b) EXERCISE OF RULEMAKING AUTHORITY.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the House of Representatives, and as such it is deemed a part of the rules of the House of Representatives, and it supersedes other rules only to the extent that it is inconsistent therewith; and

(2) with full recognition of the constitutional right of the House of Representatives to change the rule at any time, in the same manner and to the same extent as in the case of any other rule of the House of Representatives.

TITLE XVI—SEVERABILITY; CONSTITUTIONALITY; EFFECTIVE DATE; REGULATIONS

SEC. 1601. SEVERABILITY.

If any provision of this Act or amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this Act and amendments made by this Act, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

SEC. 1602. REVIEW OF CONSTITUTIONAL ISSUES.

An appeal may be taken directly to the Supreme Court of the United States from any final judgment, decree, or order issued by any court ruling on the constitutionality of any provision of this Act or amendment made by this Act.

SEC. 1603. EFFECTIVE DATE.

Except as otherwise provided in this Act, this Act and the amendments made by this Act shall take effect upon the expiration of the 90-day period which begins on the date of the enactment of this Act.

SEC. 1604. REGULATIONS.

The Federal Election Commission shall prescribe any regulations required to carry out this Act and the amendments made by this Act not later than 45 days after the date of the enactment of this Act.

The CHAIRMAN. No amendment is in order except those printed in House Report 106–311. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment.

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 consider amendment No. 1 printed in House Report 106–311.

AMENDMENT NO. 1 OFFERED BY MR. WHITFIELD

Mr. WHITFIELD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. Whitfield:

Page 12, insert after line 8 the following:

(c) INCREASE IN INDIVIDUAL CONTRIBUTION LIMIT.—Section 315(a)(1)(A) of such Act (2 U.S.C. 441a(a)(1)(A)) is amended by striking ''$1,000'' and inserting ''$3,000''.

MODIFICATION TO AMENDMENT NO. 1, OFFERED BY MR. WHITFIELD

Mr. WHITFIELD. Mr. Chairman, I ask unanimous consent to make a technical correction to the amendment.

The CHAIRMAN. The Clerk will report the amendment, as modified.

The Clerk read as follows:

Amendment No. 1, as modified, offered by Mr. WHITFIELD:

The amendment is modified as follows:

Page 21, insert after line 17 the following:

(c) INCREASE IN INDIVIDUAL CONTRIBUTION LIMIT.—Section 315(a)(1)(A) of such Act (2 U.S.C. 441a(a)(1)(A)) is amended by striking ''$1,000'' and inserting ''$3,000''.

Mr. WHITFIELD. (during the reading). Mr. Chairman, I ask unanimous consent that the amendment, as modified, be considered as read and printed in the RECORD.

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

There was no objection.

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

There was no objection.

The CHAIRMAN. Without objection, the modification is agreed to.

Pursuant to House Resolution 283, the gentleman from Kentucky (Mr. WHITFIELD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kentucky (Mr. WHITFIELD).

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

Mr. Chairman, first of all, I would like to commend the gentleman from Massachusetts (Mr. MEEHAN) and the gentleman from Connecticut (Mr. SHAYS) for their commitment to their cause on this important issue. They have worked hard on this bill last year, as well as this year.

I would like to make it clear as I discuss this amendment that I do oppose the bill, but this amendment I do honestly believe will improve the bill.

I would like to say briefly why I oppose this bill. I oppose it primarily because it changes the definition of ''express advocacy''. The Supreme Court has made it very clear repeatedly that there is a bright line test. If an ad does not expressly advocate the defeat of the election of a candidate, it is not express advocacy. They change it to say that any ad run within 60 days of an election is express advocacy, by definition.

Now, when I ran in 1998, labor unions came into my district and they spent about $600,000 or $700,000 running issue advocacy ads about my voting record. They did not expressly advocate my defeat or my election, but it was clear that they did not support my position. I did not like that, and it was done within 60 days of the election, but I do believe that they have the right to do that. That is what this debate really is all about. That is their first amendment right. The courts who have considered this amendment on 18 separate occasions have ruled that they do have that right every single time.

Just yesterday in my hometown paper of Paducah, a group ran an ad about my position on campaign finance reform. Had they run that ad 60 days, within 60 days of an election, they would not have had the right to do it under Shays-Meehan unless they met all of the hard money requirements and went to the FEC and so forth. That is why the courts have said you cannot create these kinds of obstructions to participating in political speech.

That is the reason I primarily object to this legislation. I am convinced that if it goes to the courts, that it will be overruled.

The amendment that I offer today is simply this. It increases from $1,000 to $3,000 the amount of money that an individual can contribute to a candidate under the hard money requirements. We could make an argument that this legislation, instead of being campaign finance reform, is really incumbent protection, because it reduces the rights of other people to speak but not candidates themselves.

All of us know that as an incumbent, we can better obtain political action committee money than our challengers can. There is not anything in this bill, the Shays-Meehan bill, that would affect political action committee money.

So this amendment would simply increase from $1,000 to $3,000 the amount that an individual can contribute to a candidate. It has not been changed since 1974. Although I am not excited about helping challengers raise money, my amendment will help them at least be more competitive in raising money. Therefore, I do not really understand how anybody could object to this amendment.

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

Mr. FARR of California. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from California (Mr. FARR) is recognized for 5 minutes.

Mr. FARR of California. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I hope our Members are listening to this debate, or more importantly, are reading what this campaign finance reform bill is all about. It is about reform. It is about campaign reform. It is not about doing what the American public does not want us to do, getting more money into politics.

We just had a break. Most of us were home. I never had one question, somebody coming up and saying, the problem with America right now is you are not spending enough money in your campaigns. Why do you not spend more money?

I find it ironic that the party that wants to cut, squeeze, and trim government, comes here and says, ladies and gentlemen, we want to cut Federal Government, but when it comes to electing Federal Members of Congress, just spend all the money you can, just making it obscene. We do not need to raise the limit, we need to limit what people are going to spend.

So look at this amendment. Look at what it says. There are people that say,

well, if we raise more money, we spend less time. We just have to make fewer phone calls. That is not true, this is an arms race out there. We spend as much time raising money as the process allows. Unfortunately, it allows too much. We find that a candidate's spending has gone up at a rate of 50 percent greater than the rate of inflation since 1974, two to three times the rate of increase in the wages of ordinary citizens.

Large donors in America are, listen to this, are disproportionately white, male, and from high status occupations, and more conservative.

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

Mr. WHITFIELD. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, first of all, I would like to point out there are 16 States that do not have any limits on the amount of money that can be given to candidates. The American people seem to be more concerned about the soft money issue than they do the hard money issue.

The money that I am talking about today increasing from $1,000 to $3,000 is hard money. Anybody can go get an FEC report. They can read who gives us the money, the dates they give the money, their occupation, their address. All of that information is available.

I would just say that the American people have a right to know the issues in these political campaigns. We have more money spent on America today advertising pizza, Coca-Cola, and toothpaste than we do issues in political campaigns.

So I would urge everyone to vote for this amendment, because I do think that it will be a small step in removing the incumbent protection that the Shays-Meehan bill provides.

Mr. FARR of California. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. UDALL), the outstanding new Member of Congress.

(Mr. UDALL of Colorado asked and was given permission to revise and extend his remarks.)

Mr. UDALL of Colorado. Mr. Chairman, I thank my colleague, the gentleman from the great State of California, for yielding time to me.

Mr. Chairman, I rise in support of the Shays-Meehan bill and in opposition to the substitutes.

Mr. Chairman, earlier this year I urged the House to pass legislation before the race for the year 2000 begins. But if we read the newspaper and watch the news, it is clear that the 2000 year election has already begun. Candidates for president and Congress and Political Action Committees are breaking fund-raising records at phenomenal rates. More and more time is being spent raising money, and this translates into less time being spent doing our duties to support the public and represent our citizens.

The high cost of campaigns is unfairly restricting dedicated, qualified people from running for public office, and is putting elected officials in a position of having to choose between spending their time doing their jobs or raising money. Unlimited soft money contributions are continuing to allow special interests to buy political access.

Mr. Chairman, this must change. To my colleagues, I say, of all the issues we address this year, none is more important. Let us pass this moderate, reasonable campaign finance reform law now.

Mr. FARR of California. Mr. Chairman, I yield 1½ minutes to the gentleman from Iowa (Mr. GANSKE).

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

□ 1600

Mr. GANSKE. Mr. Chairman, I rise in opposition to these amendments, to the two Whitfield amendments, and in support of Shays-Meehan.

With due respect to the gentleman from Kentucky (Mr. WHITFIELD), I do not think we need to add more money to the system. In 1996, I was the target of over $2 million in independent expenditures, sham issue ads. In my campaign, I was able to raise with the $1,000 per election limits for individuals and the $5,000 per election limits for PACs about $1.8 million.

Under these amendments, one would be able then to raise $6,000 essentially from an individual for one's primary and for one's general election, $12,000 per couple in addition to thousands of dollars extra from members, adult members of their family. I do not think we need to do that. I think that just increases the money in the system.

Let me give my colleagues one example. Governor George Bush is doing a marvelous job as a Republican presidential candidate raising funds. He has raised over $50 million, $1,000 at a time per individual, $5,000 per PAC. Those are under current limits. We do not need more of that.

Mr. FARR of California. Mr. Chairman, how much time is remaining on each side?

The CHAIRMAN. The time of the gentleman from Kentucky (Mr. WHITFIELD) has expired. The gentleman from California (Mr. FARR) has 1½ minutes remaining.

Mr. FARR of California. Mr. Chairman, I yield 1 minute to the gentleman from Maine (Mr. BALDACCI).

Mr. BALDACCI. Mr. Chairman, I thank the gentleman from California (Mr. FARR) for his leadership on this issue and all that has been involved with reform.

Going from $1,000 to $3,000 is not going to solve the problem. It is going in the opposite direction. People who I represent have difficulty with $50 and $100, and they feel that they are not part of the political process in that, in fact, it is separate and apart from their daily lives and the concerns that they have and that they are experiencing around the kitchen table every night.

By bringing the process closer to them is where we should be going, not getting further away from them. We must make them part of the political process. We must have campaign finance reform.

In this Congress, we have passed laws that have brought Congress in light in reforms of lobbyists' gifts, meals, and trips that were offered to Members of Congress and changed the way that Congress has operated. We need to make sure that we change the way campaigns are financed and the way campaigns are operated so that the American public feels part of this political process, that we are here to serve the public interest and be here in the public interest as public servants.

Mr. FARR of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong opposition to this first Whitfield amendment, the first amendment we are considering, because this is a poison pill. It breaks apart the coalition of support for the Shays-Meehan by tripling the individual contributions. This same amendment was defeated in a bipartisan vote last year on a vote of 102 to 315. I ask Members to repeat last year's action and defeat this amendment.

The CHAIRMAN. All time is expired.

The question is on the amendment, as modified, offered by the gentleman from Kentucky (Mr. WHITFIELD).

The question was taken; and the Chairman announced that the noes appeared to have it.

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

The CHAIRMAN. Pursuant to House Resolution 283, further proceedings on the amendment offered by the gentleman from Kentucky (Mr. WHITFIELD) will be postponed.

It is now in order to consider Amendment No. 2 printed in House Report 106–311.

AMENDMENT NO. 2 OFFERED BY MR. DOOLITTLE

Mr. DOOLITTLE. Mr. Chairman, I am the designated presenter of this amendment, and I offer amendment No. 2 for the gentleman from Kentucky (Mr. WHITFIELD).

The CHAIRMAN. Is the gentleman from California (Mr. DOOLITTLE) the designee for amendment No. 2?

Mr. DOOLITTLE. I am, Mr. Chairman.

PARLIAMENTARY INQUIRY

Mr. HOYER. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman from Maryland (Mr. HOYER) will state his parliamentary inquiry.

Mr. HOYER. Mr. Chairman, I do not know that I am going to object, but my point of inquiry is, does the rule provide for designees?

The CHAIRMAN. The rule permits the proponent of an amendment to designate another member to offer the amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment no. 2 offered by Mr. DOOLITTLE:

Page 12, line 8, strike ''$30,000'' and insert ''$75,000''.

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from California (Mr. DOOLITTLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California (Mr. DOOLITTLE).

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

Mr. Chairman, this is a corollary to the last amendment that we took up. This is the aggregate for what large donors can give, adjusting it for inflation, as the last amendment adjusted the individual limit.

This is important. I hear people get up and say, well, gee, there is no problem raising the $1.8 million at $1,000 a pop. Well, that is not what most people say. In fact, good candidates have thrown up their hands in despair. We just had a couple, a Republican in New Jersey for the U.S. Senate and a Democrat in Nevada, they both just pulled out in part because of this problem of the limits.

In fact, I will see if I can find quickly the quote here. I am not going to find it, so I will have to use it later. She just basically felt like the present limits were just demanding so much consumption of time. This was the Democrat from Nevada who decided not to run for the Senate, that it was not worth making the effort.

Mr. Chairman, this is what we are increasingly seeing. Why are we creating the system and tolerating the system that allows only the wealthy or in a sense only the wealthy to run. They spend all of their own money they want. They do not have to raise a dime. But, boy, if one does not have wealth, one has got to go out and grind it out at $1,000 a pop. For U.S. Senate races in large States that is $20 million or more.

So, yes, we are discouraging people of average means from running, from exercising their First Amendment rights.

This amendment here is intended to modify the system, to give effect to what even many on the other side say, yes, it is reasonable, we ought to allow the adjustment of the limits for inflation. It is allowing that to occur and doing it with reference to the aggregate, individual contribution limit.

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

Mr. UDALL of New Mexico. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from New Mexico (Mr. UDALL) is recognized for 5 minutes.

Mr. UDALL of New Mexico. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in opposition to the Whitfield amendment to the Shays-Meehan campaign finance reform bill. This amendment is a poison pill that ruins the integrity of campaign finance reform and breaks apart the coalition of support for Shays-Meehan.

Under this amendment, annual individual contribution limits for Federal elections would triple from $25,000 to $75,000, increasing the influence the wealthiest individuals have on congressional campaigns.

When only one-quarter of 1 percent of the American people contribute in excess of $200 to federal campaigns, raising the contribution limits moves reform in exactly the wrong direction. We need to encourage smaller contributions below $200, not mandate and encourage larger and larger sums.

Last year's coalition that passed Shays-Meehan proved that there is a strong support for campaign finance reform legislation. Today we have the opportunity to once again do the right thing for the American people.

A vote for the Whitfield amendment is a poison pill that campaign finance reformers and the American public cannot swallow. A vote to increase the influence of hard working American families is a vote ''no'' on this amendment and a vote for final passage of Shays-Meehan.

Mr. Chairman, I yield 1½ minutes to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Chairman, I thank the gentleman from New Mexico for yielding me this time.

Mr. Chairman, this is an absurd amendment which would take us in precisely the wrong direction. My constituents in Vermont ask me many questions, and they raise many concerns. But I can honestly say no Vermonter has ever come up to me and said, ''Bernie, the major problem I face is that I can only contribute $25,000 to candidates, and you have got to raise that ceiling so that I can now contribute $75,000.'' No Vermonter has ever asked me that, and I suspect no Vermonter ever will ask me that.

The great crisis in our democracy right now is that the wealthiest one-quarter of 1 percent of the population contribute 80 percent of the campaign monies that candidates receive. The great crisis of our time is that big money dominates both political parties and that ordinary Americans are giving up because they believe that their one vote does not mean anything compared to the huge contributions that the big corporations and wealthy individuals make.

To raise the level to $75,000 per person is moving us in exactly the wrong direction. In fact, what we need to do now is what Shays-Meehan says, and that is to end the soft money pollution that currently exists, to go even further than that so that ordinary people can regain the power that this democracy is supposed to provide them.

MODIFICATION TO AMENDMENT NO. 2 OFFERED BY MR. DOOLITTLE

Mr. DOOLITTLE. Mr. Chairman, I ask unanimous consent that the modification I placed at the desk be adopted.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Amendment No. 2, as modified, offered by Mr. DOOLITTLE:

The amendment is modified as follows:

Page 12, line 17, strike ''$30,000'' and insert ''$75,000''.

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

Mr. CAMPBELL. Reserving the right to object, Mr. Chairman, under my reservation, I yield to the gentleman from California (Mr. DOOLITTLE).

Mr. DOOLITTLE. Mr. Chairman, unfortunately when these amendments were drafted, and there will be, I believe, other requests, the page numbers and line numbers do not match up with what in fact is the base bill. So that is the purpose of asking to make this modification.

Mr. CAMPBELL. Mr. Chairman, the gentleman is entitled to have his amendment debated in the form that he wishes.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Without objection, the amendment is modified.

There was no objection.

Mr. DOOLITTLE. Mr. Chairman, may I inquire as to how much time remains on each side.

The CHAIRMAN. The gentleman from California (Mr. DOOLITTLE) has 3 minutes remaining. The gentleman from New Mexico (Mr. UDALL) has 1½ minutes remaining.

Mr. DOOLITTLE. Mr. Chairman, I believe I have the right to close.

The CHAIRMAN. The gentleman from California (Mr. DOOLITTLE) has the right to close.

Mr. UDALL of New Mexico. Mr. Chairman, I yield 1 minute to the gentleman from Iowa (Mr. GANSKE).

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

Mr. GANSKE. Mr. Chairman, this amendment seeks to triple the aggregate contribution or limit to $75,000. I mean, how many contributors in this country give $75,000? The average House race today costs probably about $700,000. I can guarantee my colleagues that if they made it Federal law to approve amendment No. 1 and amendment No. 2 that they would be doubling or tripling the average cost for a House race.

Now, some would give the full amount. But this, in my opinion, would actually increase the amount of time that Members spend on the phone and candidates or challengers spend on the phone. It is a poorly thought out amendment. We ought to reject it. We should not increase the amount of money in this political fund-raising chase.

We should actually stick with the limits that we have now. I would consider both of these amendments to be

amendments which would benefit a very, very small percentage of the population in terms of increasing their access in the political system at the expense of the majority, the vast majority of givers who give $50 or $100.

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

Mr. Chairman, this is why debating this issue with these folks is so maddening. They tell us about all the problems of soft money. It is clear that we have these problems because of the limits that they refuse to adjust on hard money. Then when we attempt to adjust them for hard money, they talk about how unreasonable it is that we triple the limits. Well, inflation tripled.

□ 1615

If that was reasonable, why can we not adjust the limitation? We vote to do that every year for Social Security recipients, federal retirees, everybody. Why is that unreasonable when it comes to campaigns?

Look at this. Lamar Alexander, when he ran for president in 1996: ''Contribution and spending limits forced me to spend 70 percent of my time raising money in amounts no greater than $1,000.''

That is outrageous. That is what the guy in Vermont does not understand. Let me tell my colleagues, he expects us, knowing what we know, to make the right changes. That is why we need to pass this amendment.

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

Mr. UDALL of New Mexico. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, this is an issue of campaign finance reform. It is not a Democratic issue. It is not a Republican issue. It is a bipartisan problem that requires a bipartisan solution.

I would ask all of us to look at it in that way Democrats, Republicans, Independent, and see that we do the right thing for America.

Mr. DOOLITTLE. Mr. Chairman, I have how much time remaining?

The CHAIRMAN. The gentleman from California (Mr. DOOLITTLE) has 2 minutes remaining.

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

Mr. Chairman, I agree with the gentleman that the campaign finance reform system is a mess. But they want to make it even more of a mess by piling on more regulation.

This amendment at least tries to remove some of the pressure from money to go elsewhere other than from the contributor to the candidate by allowing an adjustment for inflation for the limits. And then even some of our Republican speakers stand up here and mouth the idea that it is outrageous for us to triple the limits.

Well, what about inflation? Why is it outrageous to maintain the purchasing power of the limit? After all, if it was reasonable in 1976, then at least that level ought to be maintained today, and that requires this adjustment.

I mean, if we could just get people to think about this issue and quit mouthing these mantras about the evils of money and politics. Money is going to be in politics as long as we have a properly elected government. So instead of trying to pretend it does not exist or to command a control of regulations, why do we not let the voters decide? Why do we not let them contribute to the candidate and simply disclose it?

The amendment that I am offering is a reasonable amendment. If it is going to be revisited by the supposed stewards of pure campaign finance reform, one has got to question their sincerity. And I do question their sincerity.

I guess I would just observe the Washington Times refers to this as campaign finance charade. Earlier I quoted from the Nevada candidate. The Nevada candidate was a lady named Sue Del Papa, and this is what she said as she was withdrawing from running for the Democrat nomination for Senate in Nevada. She quoted from the Wall Street Journal. They called the political process a game that ''rewards those who will spend hours and hours each day raising money rather than seeking solutions.'' That is what the Republicans talk about raising money.

Please vote for this amendment.

Mr. STENHOLM. Mr. Chairman, I rise in opposition to the Doolittle amendment and in support of the Shays-Meehan campaign finance reform bill. The Doolittle amendment would undermine the important reforms in Shays-Meehan which would bring greater accountability to campaign spending.

Shays-Meehan would let public know who is running ads and allow them to decide for themselves whether or not the ad is credible. Brining all campaign activity out in to the open through increased disclosure is beneficial to the election process and does not harm any organizations. The public should know who is beyond any advertising in order to evaluate the credibility and reliability of the opinions being presented, especially when they are presented as ''facts,'' not opinions. What is wrong with disclosure and openness? Why does requiring disclosure prevent people from running ads?

The Shays-Meehan bill does not prevent any organization from saying whatever it wants about any candidate for office in a TV ad, voter guide or anywhere else at any time. It simply states that campaign activities of political parties and independent organizations should be subject to the same rules that apply to candidates for office.

The Doolittle amendment is disguised as a ''voter guide exemption,'' but in reality, it would undermine the reforms in the bill. Under the Doolittle amendment, individuals and groups could run unlimited print or Internet ads with no regard to election law simply by including information on a candidate's voting record. This is a gigantic loophole.

The Shays-Meehan bill already contains a true voter guide exemption. Legitimate voter guides that state a candidate's position on an issue and how that compares to the groups position in a neutral manner are explicitly exempted. The only way that a voter guide would be covered is if it is designed to clearly benefit one candidate over another. We have all seen these ''voter guides'' which pick and choose votes and characterize positions in a way that is clearly intended to express opposition to or support for a candidate.

As a Member with a strong pro-life record throughout my career, I strongly disagree with the argument made by some folks that Shays-Meehan would hurt the pro-life cause. I cannot understand who pro-life groups are not willing to be completely open and up front about where they raise their money and how they spend their money to promote the pro-life position in political campaigns. That is all Shays-Meehan would require these organizations to do.

I urge you to vote ''no'' on the Doolittle amendment and for the Shays-Meehan bill.

The CHAIRMAN. All time has expired.

The question is on the amendment, as modified, offered by the gentleman from California (Mr. DOOLITTLE).

The question was taken; and the Chairman announced that the noes appeared to have it.

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

The CHAIRMAN. Pursuant to House Resolution 283, further proceedings on the amendment offered by the gentleman from California (Mr. DOOLITTLE) will be postponed.

It is now in order to consider Amendment No. 3 printed in House Report 106–311.

AMENDMENT NO. 3 OFFERED BY MR. DOOLITTLE

Mr. DOOLITTLE. Mr. Chairman, I offer an amendment.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 Offered by Mr. DOOLITTLE:

Page 16, strike line 5 and all that follows through page 17, line 17 and insert the following:

''(B) NONAPPLICATION TO PUBLICATIONS ON VOTING RECORDS.—The term 'express advocacy' shall not apply with respect to any communication which is in printed form or posted on the Internet and which provides information or commentary on the voting record of, or positions on issues taken by, any individual holding Federal office or any candidate for election for Federal office, unless the communication contains explicit words expressly urging a vote for or against any identified candidate or political party.''.

MODIFICATION TO AMENDMENT NO. 3 OFFERED BY MR. DOOLITTLE

Mr. DOOLITTLE. Mr. Chairman, we have the same situation with the line

and page numbers not matching up, and I ask unanimous consent that the amendment be modified in the form at the desk.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to Amendment No. 3 Offered by Mr. Doolittle:

The amendment is modified as follows:

Page 16, strike line 9 and all that follows through page 17, line 22 and insert the following:

''(B) NONAPPLICATION TO PUBLICATIONS ON VOTING RECORDS.—The term 'express advocacy' shall not apply with respect to any communication which is in printed form or posted on the Internet and which provides information or commentary on the voting record of, or positions on issues taken by, any individual holding Federal office or any candidate for election for Federal office, unless the communications contains explicit words expressly urging a vote for or against any identified candidate or political party.''.

The CHAIRMAN. Without objection, the amendment is modified.

There was no objection.

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from California (Mr. DOOLITTLE) and the gentleman from Florida (Mr. DAVIS) each will control 5 minutes.

The Chair recognizes the gentleman from California (Mr. DOOLITTLE).

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

Mr. Chairman, I offer this amendment to make certain that the voter guides can be published without fear of hedging or the chilling of any speech, which I believe will occur if we enact the law as it is proposed in the Shays-Meehan bill. The Shays-Meehan bill takes a situation where it is a bright-line test; it is very clear what is and is not permitted, and blurs it.

They say that is not their intent to prevent the voter guides. I believe that we should enact my amendment so that there is no doubt about what can happen. Otherwise, the person making the speech is not really going to know and is subject to sanction by the Federal Election Commission bureaucrats if he unknowingly steps over the line.

Let me just quote from the Buckley decision. I think this goes right to the heart of it. This is back in 1976 in the Buckley versus Valeo decision, which has been repeatedly upheld by the courts in subsequent decisions.

''So long as persons and groups eschew expenditures that in express terms advocate the election or defeat of a clearly identified candidate, they are free to spend as much as they want to promote the candidate and his views.''

I would like to ensure that that freedom continues unfettered.

Now, the authors of Shays-Meehan will tell us that, more or less, it is okay to do but they just have got to be viewed as a totality and there are some qualifications and so forth that they make the test subjective, whereas now it is clear.

And, as anybody knows, do they really want to get out there and engage in speech and maybe be compelled to hire an attorney, go through 3 years of discovery and litigation and spend a $100,000 or more on attorney's fees because some bureaucrat in Washington might argue that, in the totality, arguably they violated the regulation?

I just want a clear test. Let me offer this from Buckley versus Valeo: ''Whether words intended and designed to fall short of invitation would miss the mark is a question both of intent and effect. No speaker in such circumstances safely could assume that anything he might say upon the general subject would not be understood by some as an invitation. In short, the supposedly clear-cut distinction between discussion, laudation, general advocacy, and solicitation puts the speaker in these circumstances wholly at the mercy of the varied understanding of his harriers and consequently of whatever inference may be drawn as to his intent and meaning. Such a distinction offers no security for free discussion. In these conditions, it blankets with uncertainty whatever may be said. It compels the speaker to ''hedge and trim'' and, therefore, chills speech and, therefore, is unconstitutional.

Therefore, I ask for the adoption of this amendment.

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

Mr. DAVIS of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee (Mr. WAMP), a leading expert in bipartisan opposition to this amendment.

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

Mr. Chairman, Yogi Berra once said, ''It is deja vu all over again.'' And that is where I feel like we are today. We have been down this road.

Under the leadership of a former Member, Ms. Smith of Washington, this legislation pending before the floor is very clear in exempting voter guides from any of these provisions.

But the big concern here is about these political ads in the last 60 days of the campaign. The warning that I would raise is candidates are losing and will lose control of the messages in their own campaigns if the outside groups that run these ads in the final 60 days do not declare who they are and if they do not come under the same rules as candidates.

Candidates, all of their money, income and expenses, are regulated. These groups should be regulated in the exact same way, no restriction on speech any different than a candidate.

I would be the last one to support any restrictions in the ability to speak in the final 60 days of the campaign, but the candidates must prevail.

Mr. DOOLITTLE. May I inquire, Mr. Chairman, how much time does each side have remaining.

The CHAIRMAN. The gentleman from California (Mr. DOOLITTLE) has 2 minutes remaining. The gentleman from Florida (Mr. DAVIS) has 4 minutes remaining.

Mr. DAVIS of Florida. Mr. Chairman, I yield 30 seconds to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Chairman, in our legislation we do nothing to impact voter guides at all. But because there was a concern that we might, we put in language that makes it a certainty that voter guides are allowed. They do not come under the campaign law at all. All these printed documents do not come under it. They are allowed.

What the gentleman from California (Mr. DOOLITTLE) is doing is using this as an opportunity to then eliminate the provision on sham issue ads. And we cannot do that. Sham issue ads are the vehicle in which corporations and labor unions bring big money into the ads. We call them ''campaign ads,'' as they are, and they can still make their voice heard through their campaign ads.

Mr. DAVIS of Florida. Mr. Chairman, may I inquire who has the right to close.

The CHAIRMAN. The gentleman from Florida (Mr. DAVIS) has the right to close, being a member of the committee.

Mr. DOOLITTLE. Mr. Chairman, I just love the circuitous reasoning here.

The gentleman from Connecticut (Mr. SHAYS) just said they have no impact whatsoever on these voter guides, and then he went on to talk about sham issue ads and how those are bad and, of course, we have got to ban sham issue ads. Well, the point is are they sham issue ads or is this the constitutional right of people to speak?

Under Buckley versus Valeo and all the cases that have followed, this is people having their constitutional right to speak. They are not subject to regulation by the FEC. And yet this bill makes them subject to regulation arguably by causing them to hedge and trim and fashion their language in such a way that the federal czar cannot intervene and sanction them for things that they said.

All I am saying is let us have a bright-line test so that nobody is in doubt as to what the standard is. If they say vote for or vote against or if in some way they convey that clearly to vote for or vote against, that is prohibited and subject to regulation under the present law.

□ 1630

We do not want the situation, though, where the author of the voter guide is subjectively determined, after the fact, to have crossed that line. We just think, why put people who are American citizens exercising their constitutional rights, why put them in jeopardy? For that reason, I object to the present language.

Mr. Chairman, I am going to close simply by saying, if, as is represented, there is no intent to affect voter guides, what is the matter with this amendment? It just makes clear that people can continue to do the voter guides and not be subject to the Federal bureaucratic czar, to his whim, to

make it clear, as is present law, that they can continue to speak during these campaigns.

I ask for an ''aye'' vote.

Mr. DAVIS of Florida. Mr. Chairman, I yield 30 seconds to the distinguished gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. Mr. Chairman, Shays-Meehan is clear about voter guides. What the Doolittle amendment does is to essentially gut Shays-Meehan in terms of sham issue ads.

The gentleman from California says he wants a bright line so only certain words would be covered. In first amendment instances, there are no bright lines in terms of free speech, that you can only use such words or you cannot. In terms of censorship, the Supreme Court standard does not have a bright line, allowing only this word or that word. What the gentleman from California would do would be to gut the heart of this bill. Vote ''no.''

Mr. DAVIS of Florida. Mr. Chairman, I yield the balance of my time to the distinguished gentleman from California (Mr. CAMPBELL).

The CHAIRMAN. The gentleman from California (Mr. CAMPBELL) is recognized for 3 minutes.

Mr. CAMPBELL. I thank my good friend for yielding me this time.

Mr. Chairman, my good friend from California's amendment recognizes that an ad that says ''vote against Congressman Smith'' is subject to regulation. Suppose the following ad is run by Congressman Smith's Republican opponent in coordination with the Republican National Committee. It says, ''Congressman Smith is a real bad Congressman because he voted against prayer in school.'' Now, that is not using an explicit word expressly urging a vote against Congressman Smith. It just says, ''Congressman Smith is a real bad Congressman because he voted against prayer in school.''

I yield to the gentleman to tell me whether that would be permitted under his amendment.

Mr. DOOLITTLE. Your remedy is not to bridge the freedom of speech but is to raise the limits on hard dollars so we do not have all this pressure for soft money issue ads.

Mr. CAMPBELL. Mr. Chairman, could we have a clearer admission of the loophole nature of the Doolittle amendment? I yielded to the gentleman to explain how he would handle this hypothetical and he does not handle this hypothetical.

In other words, I can run ads, coordinated with my Republican Party, against a Democrat, a Democrat can run ads, coordinated with his or her Democratic Party, against a Republican that say, my opponent is a horrible person, my opponent is a terrible Congressman, Congresswoman, look at his or her record, it is awful, but so long as you do not say ''vote against,'' it is okay.

I could not imagine a more clear example of a loophole, and that is the intention of the amendment by my colleague from northern California.

As to the question of the Constitution, the test is essentiality. It is not whether an actual word ''vote for'' or ''vote against'' is used which is what is in the Doolittle amendment. It is what is the heart and soul of what you are doing. If you are actually, in effect, urging that one should vote for or against a candidate, well, then that should be subject to the same regulations as are applicable, under existing law, to hard dollar expenditures. Indeed, 10 years after Buckley versus Valeo, the Supreme Court said, in the FEC versus Massachusetts case, the test was essentiality and not just the words. This was 10 years after Buckley versus Valeo.

I conclude by observing that restrictions on speech are permissible so that others may speak. You can prohibit a bullhorn if it drowns out everybody else. There are constitutional decisions allowing limits on fighting words, slander, commercial speech, obscenity, antitrust communicating price information, group libel, speech causing a clear and present danger of violence, or shouting so loud that you do not allow anybody else to be heard. That is what we are trying to do by saying that there should be reasonable limits on funding of ads, as there are in Shays-Meehan.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. DOOLITTLE), as modified.

The question was taken; and the Chairman announced that the noes appeared to have it.

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

The CHAIRMAN. Pursuant to House Resolution 283, further proceedings on the amendment offered by the gentleman from California (Mr. DOOLITTLE), as modified, will be postponed.

It is now in order to consider amendment No. 4 printed in House Report 106–311.

AMENDMENT NO. 4 OFFERED BY MR. BEREUTER

Mr. BEREUTER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Admendment No. 4 offered by Mr. Bereuter:

Page 54, insert after line 22 the following:

(c) PROHIBITION APPLICABLE TO ALL INDIVIDUALS WHO ARE NOT CITIZENS OR NATIONALS OF THE UNITED STATES.—Section 319(b)(2) of such Act (2 U.S.C. 441e(b)(2)) is amended by striking the period at the end and inserting the following: '', or in the case of an election for Federal office, an individual who is not a citizen of the United States or a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act).''.

MODIFICATION TO AMENDMENT NO. 4 OFFERED BY MR. BEREUTER

Mr. BEREUTER. Mr. Chairman, I ask unanimous consent that a substitute amendment be made in order to deal with the pagination and line problem created by a change in pagination by the Committee on Rules.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Amendment No. 4, as modified, offered by Mr. BEREUTER:

The amendment is modified as follows:

Page 55, insert after line 6 the following:

(e) PROHIBITION APPLICABLE TO ALL INDIVIDUALS WHO ARE NOT CITIZENS OR NATIONALS OF THE UNITED STATES.—Section 319(b)(2) of such Act (2 U.S.C. 441e(b)(2)) is amended by striking the period at the end and inserting the following: '', or in the case of an election for Federal office, an individual who is not a citizen of the United States or a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act).''.

The CHAIRMAN. Is there objection to the modification?

Mr. HOYER. Mr. Chairman, reserving the right to object, I just want to ask the gentleman from Nebraska, as I understand, this is simply a technical change and not a substantive change; am I correct?

Mr. BEREUTER. If the gentleman will yield, that is correct. Simply page and line number changes.

Mr. HOYER. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Without objection, the modification is accepted.

There was no objection.

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from Nebraska (Mr. BEREUTER) and the gentlewoman from Maryland (Mrs. MORELLA) each will control 5 minutes.

The Chair recognizes the gentleman from Nebraska (Mr. BEREUTER).

Mr. BEREUTER. Mr. Chairman, I yield myself 2 minutes.

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

Mr. BEREUTER. Mr. Chairman, the foreign contributions prohibition amendment that this Member is offering along with the distinguished gentleman from Mississippi (Mr. WICKER) will prohibit foreign individual campaign contributions. It will, in other words, permit them for U.S. citizens and U.S. nationals. This legislation essentially was passed by the House on two occasions in the previous Congress, once as a separate bill, H.R. 34, and again, in precisely the same form as offered today, as an amendment to the Shays-Meehan bill in the last Congress by a recorded vote.

This Member reintroduced this legislation because the situation remains the same. Many Americans believe that it is already illegal for foreigners to make Federal campaign contributions. What happened allegedly in the last presidential campaign related to contributions from supposedly resident foreign aliens raised this subject. The problem for Americans who believe that campaign contributions from foreign contributers is already illegal is that they are both right and wrong about our current Federal election laws. The fact of the matter is that under our current Federal election laws, an individual does not have to be

a U.S. citizen to make campaign contributions to Federal candidates. He or she does not even have to be a U.S. national. Under our current Federal election laws, a person can make a campaign contribution to candidates running for Federal office if that individual is a permanent legal resident alien and is, in fact, residing in the United States. This is not only an improper provision, in my judgment, it is not only what this Member would call a loophole in American law, it creates such huge enforcement problems that there really is no effective way to detect and stop contributions from foreigners who are not resident aliens by status or who do not in fact reside in the United States.

This Member believes that this situation is wrong, where foreigners affect our elections, he believes that most Americans would agree that it is wrong, and he believes that this is a problem begging for correction.

To this Member it is a very simple proposition. If an individual wants to be fully involved in the American political process, then he or she must become a citizen of the United States or be a U.S. national. If that person does not make the full commitment to this country by becoming a U.S. citizen or a U.S. national, then he or she should not have the right to participate in our political system by making a campaign contribution and affecting the lives of American citizens.

Mrs. MORELLA. Mr. Chairman, I yield myself 2 minutes.

Passage of this amendment that has just been offered would prevent lawful permanent residents from making campaign contributions and expenditures to Federal elections. I want to explain, Mr. Chairman, what defines a legal permanent resident. These individuals represent approximately 4 percent of the U.S. population. In fiscal year 1998, 660,000 legal immigrants came to the United States, according to the INS. The vast majority of legal immigrants came to the United States to join close family members, to fill jobs that no qualified U.S. citizen has taken after the job was advertised by the employer, and to escape persecution based on political opinion, race, religion, national origin or membership in a particular social group.

I want to point out that these individuals are integral stakeholders in our society. They invest in, and they contribute to, our communities in countless ways just as citizens do. Permanent residents, or citizens-in-waiting, pay Federal taxes on their worldwide income as well as State and local taxes. And, moreover, permanent residents are required to register for the draft, and many of them in fact are veterans. Nearly 20,000 legal residents are now serving voluntarily in our armed forces. Moreover, more than 20 percent of the Congressional Medal of Honor recipients in U.S. wars have been legal immigrants or naturalized Americans.

Many permanent residents operate businesses that contribute enormously to our economy. Others send their citizen children to our schools. These individuals are concerned, involved members of each and every community in which they live. This amendment would have a chilling effect on their political participation by severely hindering their ability to support a candidate of their choice, which is a basic freedom that is constitutionally guaranteed.

The Supreme Court has ruled that spending on campaigns is a form of speech protected by the first amendment. Let us vote against this amendment and allow these people their rights to participate in political campaigns by contributing.

Mr. BEREUTER. Mr. Chairman, I am pleased to yield 2 minutes to the distinguished gentleman from Mississippi (Mr. WICKER), the cosponsor of the amendment.

Mr. WICKER. I thank the gentleman from Nebraska for yielding me this time.

Mr. Chairman, we have heard a little discussion earlier today about so-called ''poison pill'' amendments. Certainly this is not one of those poison pill amendments. The House of Representatives has voted on this issue twice in the past year, each time approving it overwhelmingly. The first time it passed by a vote of 369–43 and the second time, during last year's campaign regulation debate, the House approved this measure by a margin of 282–126. As these votes suggest, this is a common sense reform which has bipartisan support.

If you are not a United States citizen, or a United States national, you should not be able to influence the electoral process. It is wrong and dangerous to allow a potential to exist for undue foreign influence in electing Federal officials. That is what the debate on this amendment is about, undue foreign influence in our election process.

The American people have witnessed in the last two Clinton-Gore campaigns a breathtaking willingness to solicit money from non-citizens. We have all seen the video of Vice President GORE soliciting money from Buddhist monks who had taken a vow of poverty.

□ 1645

The Bereuter-Wicker amendment would address this problem by removing any ambiguity in the law, ambiguities which today allow foreign money to be funneled through U.S. addresses.

If a foreign national is dedicated to the ideals of the American democratic system of government, then I encourage him to become a United States citizen. With the adoption of the Bereuter-Wicker amendment, not only could that person then invest their money in a candidate he believes in, but he could actually vote for the candidate he was contributing to.

We have heard much today about the importance of money in our political system. We should remove the loophole in the current law which allows for the possibility of foreign money funding our political discourse.

Mr. Chairman, I urge adoption of this common sense amendment.

Mrs. MORELLA. Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. DINGELL) to speak against this amendment which would deny citizens in-waiting the opportunity to participate.

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

Mr. DINGELL. Mr. Chairman, I commend the gentlewoman, and I thank her for yielding me this time. I want to express affection and respect for the authors of the amendment and just simply say some years ago I was in favor of this, but I have gotten wiser, and this amendment is wrong. If my colleagues are concerned about Americans or rather permanent residents who have come here to live and to join us, and they do not want them to have free speech, and they do not want to let them have the other rights, then say so.

I have heard a lot on the other side of the aisle about how this is about free speech and how gifts of money for campaign purposes are the exercise of free speech. Correct. These people do almost everything that every American citizen does. They serve in the Armed Forces. As the gentlewoman mentioned, 20 percent of the Congressional Medal of Honor recipients have been legal immigrants or naturalized citizens. They serve in our Army. They are permitted to participate in our elective process, and they should be permitted to give money if they are legally resident.

Mr. Chairman, they should not be permitted to do things which are improper, but I say give them the right to participate in the system in the degree that is full and proper.

Mrs. MORELLA. Mr. Chairman, I yield 30 seconds to the gentlewoman from Hawaii (Mrs. MINK).

(Mrs. MINK of Hawaii asked and was given permission to revise and extend her remarks.)

Mrs. MINK of Hawaii. Mr. Chairman, I rise in opposition to this amendment that is an unconscionable limitation of the freedom of persons legally admitted as permanent residents to participate in the political process. What do we fear from these people? Are they a threat to our democracy? If this provision becomes law, it will be challenged in the courts. A hundred law professors have written to all of us. It must be a case of simply not knowing that persons in this country are protected under the Constitution. Nowhere in the Constitution does it say that protections are only for citizens.

This amendment is absolutely a violation of the Constitution.

Mr. Chairman, I rise in opposition to the Bereuter-Wicker amendment to H.R. 417.

Rules Committee Chair argued the need to open up the electoral process and to restore

confidence in our democracy. This amendment shuts out from participating in our democracy over 10 million persons who have been legally allowed to enter our country as permanent residents, 20,000 of whom are currently in the military. How is their money tainted? How will the hardearned money of millions of taxpaying legal resident taint the electoral process?

One hundred law professors have written to the Congress to advise that this prohibition against contributions by legal residents is an unconstitutional violation of the rights of free speech as defined by the Supreme Court.

This unconscionable amendment places on the candidate the burden of ascertaining the citizenship status of the person from whom you are soliciting a contribution, and selling a campaign fundraiser ticket. Picture a $10 Chilirice event. Whose money can you accept? Who will you ask whether they are citizens? Will you ask a Mrs. Smith who sent in a check? No? Why not? Because you assume that Mrs. Smith is white and a citizen. If this same Mrs. Smith handed you a check at a fundraiser, and is a Chinese woman married to a Smith, will you ask her? The rule of the law would require you to ask. If the contributor turns out to be a legal resident, you could be fined up to $5000 or go to jail for a year.

This is an unconscionable limitation of the freedom of persons legally admitted as permanent residents to participate in the political process. What do we fear from these persons? Are they a threat to our democracy?

If this provision becomes law it will be challenged in the Courts and it will be expunged as a violation of the Bill of Rights. Our Constitution guarantees all persons legally living in the United States all of the civil rights as inalienable in a free and open democracy.

I am devastated that the leaders of this debate did not see fit to designate this amendment as a ''poison pill''. For me it is a Poison Pill. If this amendment passes, I will vote against the bill as a whole.

Mrs. MORELLA. Mr. Chairman, I yield 45 seconds to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I rise in opposition to this amendment. I am concerned by the characterizations of foreigner that supporters of this amendment have used, and I would stress legal permanent residents are in this country legally. They have followed all the proper procedures and have played by the rules. For LPRs, campaign contributions are the only form of political participation available to them.

Proponents of this amendment call on immigrants to make the commitment to the United States by becoming citizens. In fact, a significant number of LPRs eager to take their places as citizens are frustrated in their effort by long backlogs at the INS. Their desire to get involved in the political process as they await their citizenship should be welcomed.

Mrs. MORELLA. Mr. Chairman, I yield 15 seconds to the gentleman from Guam (Mr. UNDERWOOD).

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

Mr. UNDERWOOD. Mr. Chairman, basically there have been unfair characterizations about undue foreign influence. This is not about undue foreign influence. This is about the violation of constitutional rights for permanent residents in order for them to participate more fully in the American process when many of their families are already citizens.

Mr. Chairman, I am in full support of H.R. 417, the Shays-Meehan Bipartisan Campaign Finance Reform Act, which is a true campaign finance reform bill. This legislation bans soft money and bars foreign nationals from contributing funds towards U.S. campaigns.

I would like to express my strong opposition to the Bereuter/Wicker amendment, which prohibits legal permanent residents from making financial contributions toward our political campaigns.

First, and most importantly, this particular amendment is an attack on the First Amendment right of legal permanent residents. These residents, also known as ''citizens in training,'' are entitled to many of the same rights as American-born or naturalized American citizens. After all, unlike foreign nationals, legal permanent residents pay taxes and are drafted into the military. These permanent residents are stakeholders in our society; they invest in our community. Their children are and will become citizens of the United States.

By voting for this amendment, we are taking an unfair and unconstitutional step towards campaign finance reform. In Buckley versus Valeo the Supreme Court ruled that campaign contributions are a form of speech protected under the First Amendment and subject to the highest levels of judicial scrutiny. This ruling held that campaign contributions are a form of protected speech. The Constitution applies not only to U.S. citizens, but to all legal permanent residents of the United States. Ruling affirmed the same right for legal permanent residents. The Supreme Court has held that legal residents have the same rights accorded to citizens under Yick Ho versus Hopkins in 1886. In 1945, the Court reaffirmed its position in Briggs versus Wixon by stating that ''[f]reedom of speech and press is accorded to aliens residing in this country.'' Hence barring donations from legal immigrants would be in violation of their constitutional rights. The Supreme Court has never approved a total ban on political expenditures or contributions from legal permanent residents.

By banning the legal permanent residents from making campaign contributions, we are also preventing these residents from participating in the political process. Legal permanent residents should be able to voice their support for candidates whom they believe will make the United States a better place for them and their children, who are generally U.S. citizens.

Furthermore, this amendment will not only affect the rights of these residents, they will also affect the rights of other U.S. citizens. Ethnicity will once again become an issue. Those American citizens with ethnic minority backgrounds will be compelled to show proof of citizenship when offering campaign contributions. This kind of action is discriminatory and will make people of color more reluctant about participating in our political process. Passage of this amendment is in itself an insult to the Asian Pacific American community, as well as other minorities who are legal permanent residents. The Bereuter/Wicker not only shuts out legal permanent residents out of the political process but threatens to silence the voice of minority citizens all over the United States.

There are numerous reasons why legal permanent residents immigrated to the United States. Many come to the United States to join close family members; others immigrate to fill jobs that no qualified American citizen has filled after the job was advertised. Presently, we have about two million legal immigrants who are trying to become U.S. citizens. Unfortunately, as a result of the two-year backlog at the Immigration and Naturalization Service, this effort will take some time. Legal permanent residents should not be punished for this fact.

The Bereuter/Wicker amendment would subvert our political system by trying to prohibit legal permanent residents from contributing to the campaigns of candidates, many of whom promise to better the educational standards of our children and to better our lives altogether.

Banning the legal immigrants' contribution will do nothing in helping to stifle foreign governments from funneling money into political campaigns. Foreign governments or other disqualified donors need only use a citizen as a conduit, an action already prohibited under current law. Therefore the banning of legal immigrants' campaign contributions to stop foreign governments' influence in our political process does not make sense. Instead, it insinuates, in a discriminatory matter, that legal permanent residents are more likely to make illegal contributions than U.S. citizens. We have no proof of that assumption.

Last, but not least, I would like to urge my colleagues not to be diverted by the amendments to H.R. 417 that have emerged. Many of these amendments will only work against all the reforms we wish to make. We need to focus, instead, on the important issue at hand, which is to make sure that all persons contributing to political campaigns be legal residents. We need to limit the amount of soft money that people contribute under ''independent expenditure.'' Let us do the right thing by voting for the Shays-Meehan Bipartisan Campaign Finance Reform. By voting for H.R. 417, let us make sure that all legal permanent residents and American citizens be allowed to contribute within the law and participate fully in our political process.

Mrs. MORELLA. Mr. Chairman, I yield 15 seconds to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

(Ms. SCHAKOWSKY asked and was given permission to revise and extend her remarks.)

Ms. SCHAKOWSKY. Mr. Chairman, if legal permanent residents are good enough to pay taxes, to work in our country and to serve in our military service, then we are certainly also made better by their voice, and I would urge defeat of this amendment.

I rise to urge my colleagues to oppose the Bereuter/Wicker amendment. Cutting legal permanent residents access to the political process is absolutely the wrong thing to do

Legal permanent residents are immigrants who have made the commitment to become citizens of the United States and are in the middle of the process towards full citizenship. They have made the commitment, not only to come to this country and make a better life for

themselves and their family but, through the goods and services, jobs and taxes that their labors produce, they have made the commitment to make this country better for all of us. And they have given more than that. Legal permanent residents are eligible for the draft, have served in the U.S. military and served with great distinction in defense of the rights that every American holds dear. Like immigrants for generations, they came to this country and participated and this country is much better for it.

The Bereuter/Wicker amendment, however, would limit their participation. The Bereuter/Wicker amendment says that legal permanent residents—people who we ask to put their life on the line—aren't good enough to support the people who would put them on that line. That's wrong. If we are made better by their work, their taxes and their military service, then we are also made better by their voice.

I urge my colleagues to oppose this amendment and allow legal permanent residents to enjoy much needed reform of campaign finance reform just like we enjoy all that they bring to our country.

Mrs. MORELLA. Mr. Chairman, I yield myself the balance of my time.

In my remaining 15 seconds I just want to urge this body to recognize that these are lawful, permanent residents who are part of our communities. They are our neighbors; they are part of our work force. They engage in producing jobs for others, and I hope that we will vote against this amendment.

Legal residents should have the same rights to make political contributions and expenditures as do American citizens. To bar legal immigrants from showing support for the candidates of their choice would be like requiring them to sit out during a demonstration, or denying them the right to hold a rally in a park, or banning them from running a political ad in a newspaper. This is hardly the message about our first amendment freedoms we should send to all ''citizens in training.'' Legal immigrants, like U.S. citizens, want to support candidates who they believe make America a better place to live. Though legal immigrants cannot vote in the United States, they have a substantial stake in our country, and should be allowed their full first amendment rights to express their views.

A vote for this amendment is nothing more than an attack on the first amendment rights of legal immigrants—I urge my colleagues to vote ''no'' on the Bereuter-Wicker amendment.

Mr. BEREUTER. Mr. Chairman, I yield myself the remainder of the time.

The CHAIRMAN. The gentleman from Nebraska is recognized for the remaining 1 minute.

Mr. BEREUTER. First of all, there is nothing negative about the word ''foreigner'' as used here, and I would remind the gentleman from New Jersey that I have used the term ''permanent resident alien'' frequently in my comments.

I would also say the constitutionality of this matter has not been ruled on by the courts; and I think there is at least that many law professors that would say that this kind of statutory limitation which we would act upon here would be perfectly constitutional. This amendment goes to our basic sovereignty, the ability to rule ourselves, to protect our basic rights.

And I will also ask do my colleagues remember on the campaign contribution cards that colleagues and I and others have to fill out in our campaigns, it asks occupation? This amendment does not discriminate against the minorities as alleged in a Dear Colleague letter. All we have to do is have two blanks on a contribution card which asks the following: Are you a U.S. citizen? Are you a U.S. national? Then the burden of enforcement falls upon the complaint process against the campaign under the FEC.

This amendment constitutes a perfectly reasonable approach. I urge my colleagues to reserve the right to affect our elections to U.S. citizens and U.S. nationals.

Ms. ROYBAL-ALLARD. Mr. Chairman, I rise in opposition to the Bereuter-Wicker amendment which prevents legal permanent residents from making campaign contributions.

At first glance, this amendment seems innocuous. Why would we want anyone other than U.S. citizens to participate in our political process?

Legal permanent residents can't vote; why should they be able to contribute to elections?

Hasn't it been proven through prosecutions during the last several years that foreign nationals can't be trusted to participate in the election process?

First, legal permanent residents are tax-paying residents of the United States. They are also subject to the draft; in fact, more than 20,000 legal permanent residents are serving honorably at the present time in the U.S. Armed Forces. Many legal permanent residents have filed for U.S. citizenship and are merely waiting for a lengthy naturalization process to be completed.

Second, legal permanent residents are already part of our political process. We count them in the census. They determine congressional representation, and, in representing a state or a congressional district, a Member of Congress is entrusted with representing them as well as U.S. citizens residing there.

Finally, the prosecutions of a few foreign nationals during the last few years prove nothing. In fact, they emphasize that we make an enormous mistake if we leap to such judgments about entire ethnic groups based on the illegal and reprehensible deeds of a few.

But discrimination is an important issue. How would the proponents of this amendment enforce such a stipulation? We have to assume that each and every campaign contributor would need to be queried about the status of their U.S. citizenship.

And who is most likely to be queried at a fund-raising event? Obviously, those with ethnic looks or those who speak broken English or have an ethnic accent.

Ultimately, this amendment could inhibit the participation of ethnic Americans. What candidate or campaign worker would risk accepting or soliciting a contribution from a person who looks foreign, speaks with an accent, or has an ethnic name?

The Supreme Court has ruled that spending on campaigns is a form of speech and is protected by the first amendment. The first amendment applies to everyone living in the United States, not just U.S. citizens.

It is therefore ironic that those who want to defeat the Shays-Meehan bill today and oppose efforts to reform campaign finance laws based on the argument that restrictions inhibit the exercise of free speech, are the first ones to lineup in favor of this amendment that will take away one form of free speech from legal permanent residents.

I urge my colleagues to oppose this attempt to undermine the first amendment.

I urge my colleagues to fight against the type of ethnic discrimination that would surely arise from adoption of such a provision.

I urge my colleagues to support the full participation of legal permanent residents in our political system, as we demonstrate what U.S. democracy truly means.

Mr. WU. Mr. Chairman, I rise today in strong opposition to the amendment offered by Mr. BEREUTER and Mr. WICKER.

The gentleman from Nebraska seeks to silence voices in America trying to speak out on their own behalf, and on behalf of those who can not speak for themselves.

The amendment would slam the door to political participation and free speech right in the face of millions of legal residents.

Let us be perfectly clear: Legal permanent residents are invited by the U.S. Government to live permanently within our borders. They pay taxes, they are subject to the draft, and they serve in the military.

There are over 10 million permanent legal residents in the United States. Many have come to this country fleeing persecution in their homeland.

Others have come to this country for the same reasons my own family did almost forty years ago, seeking opportunity in a new land, and hoping to be reunited with their families.

Banning contributions by legal permanent residents would have a chilling effect. It would send a message to many communities—particularly those rich with first generation Americans—that we do not value ''citizens in training.''

We here in this democratic body should work to bring more people into our political system and encourage their full participation, not discourage civic engagement.

I am also concerned that enforcing such a ban would cause other unintended problems. Imagine candidates and campaign workers trying to enforce such a ban by discouraging participation from people who look ''foreign'' or have ''foreign'' sounding names.

Banning contributions from legal permanent residents does nothing to address the real problem with our campaign finance system: the limitless flow of special interest money into political campaigns.

Denying the right of legal permanent residents to participate in campaigns in equivalent to selectively reducing their free speech rights.

Shays-Meehan already prohibits contributions from foreign nationals. Going beyond the language in Shays-Meehan only punishes tax paying, law abiding people in our communities and prohibits them from participating in the political process.

I urge my colleagues to vote ''no'' on the Bereuter-Wicker amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment, as modified, offered by the gentleman from Nebraska (Mr. BEREUTER).

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

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

The CHAIRMAN. Pursuant to House Resolution 283, further proceedings on the amendment, as modified, offered by the gentleman from Nebraska (Mr. BEREUTER) will be postponed.

It is now in order to consider Amendment No. 5 printed in House Report 106–311.

AMENDMENT NO. 5 OFFERED BY MR. FALEOMAVAEGA

Mr. FALEOMAVAEGA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. FALEOMAVAEGA:

Add at the end of title V the following new section (and conform the table of contents accordingly):

SEC. 517. CLARIFICATION OF RIGHT OF NATIONALS OF THE UNITED STATES TO MAKE POLITICAL CONTRIBUTIONS.

Section 319(d)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e(d)(2)), as amended by sections 506(b) and 511(a), is further amended by inserting after ''United States'' the following: ''or a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act)''.

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from American Samoa (Mr. FALEOMAVAEGA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from American Samoa (Mr. FALEOMAVAEGA).

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

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

Mr. Chairman, I rise today in support of my amendment No. 5 to the Shays-Meehan campaign finance reform bill, H.R. 417. I want to thank the gentleman from California (Mr. DREIER), chairman of the Committee on Rules, and the gentleman from Massachusetts (Mr. MOAKLEY), the ranking Democrat from the Committee on Rules, for making my amendment in order and for the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) for their support of this amendment, which will ensure that the right of U.S. nationals to make contributions in federal elections is fully protected.

Mr. Chairman, I represent the territory of American Samoa, the only U.S. soil in the Southern Hemisphere. Persons born in American Samoa of U.S. parents are given the status of U.S. nationals. These individuals are nationals of the United States but are not U.S. citizens. They hold permanent allegiance to the United States, serving the U.S. military, carry U.S. passports, and have the same access to the United States as do U.S. citizens; but they are not foreign nationals or aliens.

Approximately 80 percent of the residents of American Samoa are U.S. nationals. The status can be acquired only by birth in American Samoa or by birth in a foreign country from parents, one or both of whom are U.S. nationals.

Mr. Chairman, federal campaign law currently specifies that U.S. citizens are permanent resident foreign nationals, may make contributions to candidates for federal office. This section of law was enacted into law before American Samoa had a congressional delegate in the U.S. House of Representatives. My concern is that if Congress changes this section of the law now while we know of the U.S. national problem, our action could be interpreted to mean that Congress intended to prohibit U.S. nationals from contributing to federal elections.

Mr. Chairman, this would cause a major problem in my district because, as I mentioned earlier, the vast majority of the residents of my congressional district will be prohibited from contributing to candidates running for federal office, particularly the office of delegate to the U.S. House of Representatives. Moreover, the U.S. nationals residing in the States and other territories in the United States, estimated to be approximately 200,000 patriotic Americans, would also be prohibited from contributing.

Few U.S. nationals are aware of this problem and this distinction made in federal campaign laws that many contribute to candidates of the U.S. House, the U.S. Senate, and also those who run for the U.S. presidency; and this interpretation of the law could find these candidates in violation of campaign laws for having received contributions from persons not authorized under the law.

Mr. Chairman, I believe this is a technical correction to the law; and I know of no opposition, at least hopefully, and I do urge my colleagues to support this amendment.

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

Mr. FALEOMAVAEGA. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, I think the gentleman has initially found this to be an appropriate problem to solve. He has the solution. I think this should be unanimously supported, and I appreciate his representation of U.S. nationals.

Mr. FALEOMAVAEGA. Mr. Chairman, I yield 1 minute to the gentleman from Guam (Mr. UNDERWOOD).

Mr. HOYER. Mr. Chairman, absent anyone claiming time in opposition, I ask unanimous consent to claim the time.

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

There was no objection.

Mr. UNDERWOOD. Mr. Chairman, I thank my colleague from American Samoa for yielding me the time. It is rather obvious that where current restrictions remain in place that his own constituents, the gentleman from American Samoa (Mr. FALEOMAVAEGA'S) own constituents, could not contribute to his own campaign. This great anomaly is something that we share because those of us from Guam were American nationals, U.S. nationals, before 1950, and at that time the people of Guam became U.S. citizens.

As a U.S. territory, American Samoa and its people deserve the same constitutional rights and privileges afforded to U.S. citizens, and although it may seem like this is an inherent right of U.S. nationals which remains unchallenged, sometimes those of us who represent territories know some things always fall through the cracks. Of these in American Samoa there are some 60,000 residents. Of these residents 80 percent are U.S. nationals. Moreover, there may be an additional 150 to 200,000 U.S. nationals living in the U.S. mainland and throughout the world.

Mr. Chairman, I cannot stress enough the significance of adding U.S. nationals to this bill, and I hope there is really no opposition.

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

Mr. Chairman, as the gentleman from Nebraska (Mr. BEREUTER), the sponsor of the last amendment, indicated on this amendment, I think we all agree that the gentleman from American Samoa (Mr. FALEOMAVAEGA) has offered an amendment which all of us can and should support. Clearly we want to express in the strongest possible terms that the residents of American Samoa are in fact included as U.S. citizens. They are a full part of our country, and although they do not have every right of citizenship extended to them, Mr. FALEOMAVAEGA represents them extraordinarily well here on the floor of this House. And we share his view that we ought to make it very clear that his constituents can in fact contribute, exercise their speech rights by contributing to his campaign, and to such other campaigns as they choose, and I certainly know that I think on our side there is unanimous support for his amendment, and I thank him for his leadership on this very important point.

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

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

□ 1700

Mr. BILBRAY. Mr. Chairman, I would just like to point out as somebody who was almost born in Guam by a matter of days, I hear, frankly I want to strongly support the amendment.

Let me point out, I appreciate my colleague, the gentleman from American Samoa (Mr. FALEOMAVAEGA), articulating the position of birthright citizenship for United States citizens that parents who were obligated to loyalty and allegiance earn the right of automatic status as American nationals for people born in American Samoa

or in other areas. This is something that I think we need to articulate and need to point out, that his constituents in American Samoa have permanent allegiant responsibilities to the United States not temporary, like resident aliens.

Resident aliens still have obligations of loyalty and allegiance. They can be tried for treason, but the residents of American Samoa that fall under this category have permanent allegiance and can be tried for treason, can be drafted, and have obligations and with those obligations I think we all agree comes the rights and the rights that are articulated, at least from our point of view, and I think in this Congress, is the right to be able to contribute to their representatives.

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

Mr. Chairman, I certainly want to thank my good friend, the gentleman from Maryland (Mr. HOYER) and the gentleman from California (Mr. BILBRAY) for their support and their comments concerning my proposed amendment.

It might be of note to my colleagues that under the current law, the current immigration law of the United States, if I could be more specific, a United States national is defined as someone who owes permanent allegiance to the United States but who is neither a citizen nor an alien. That is exactly the status of U.S. nationals as it currently stands, and I do appreciate my good friend from Nebraska (Mr. BEREUTER) and all of the Members for their bipartisan support of this proposed amendment.

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

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 6 printed in House Report 106–311.

AMENDMENT NO. 6 OFFERED BY MR. GOODLING

Mr. GOODLING. Mr. Chairman, I offer amendment No. 6.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. Goodling.

Strike section 501 and insert the following (and conform the table of contents accordingly):

SEC. 501. WORKER PAYCHECK FAIRNESS.

(a) FINDINGS.—The Congress finds the following:

(1) Workers who pay dues or fees to a labor organization may not, as a matter of law, be required to pay to that organization any dues or fees supporting activities that are not necessary to performing the duties of the exclusive representative of the employees in dealing with the employer on labor-management issues.

(2) Many labor organizations use portions of the dues or fees they collect from the workers they represent for activities that are not necessary to performing the duties of the exclusive representative of the employees in dealing with the employer on labor-management issues. These dues may be used to support political, social, or charitable causes or many other noncollective bargaining activities. Unfortunately, many workers who pay such dues or fees have insufficient information both about their rights regarding the payment of dues or fees to a labor organization and about how labor organizations spend employee dues or fees.

(3) It is a fundamental tenet of this Nation that all men and women have a right to make individual and informed choices about the political, social, or charitable causes they support, and the law should protect that right to the greatest extent possible.

(b) PURPOSE.—The purpose of this section is to ensure that all workers have sufficient information about their rights regarding the payment of dues or fees to labor organizations and the uses of employee dues and fees by labor organizations and that the right of all workers to make individual and informed choices about the political, social, or charitable causes they support is protected to the greatest extent possible.

(c) WRITTEN CONSENT.—

(1) IN GENERAL.—

(A) AUTHORIZATION.—A labor organization accepting payment of any dues or fees from an employee as a condition of employment pursuant to an agreement authorized by Federal law must secure from each employee prior, voluntary, written authorization for any portion of such dues or fees which will be used for activities not necessary to performing the duties of the exclusive representative of the employees in dealing with the employer on labor-management issues.

(B) REQUIREMENTS.—Such written authorization shall clearly state that an employee may not be required to provide such authorization and that if such authorization is provided, the employee agrees to allow any dues or fees paid to the labor organization to be used for activities which are not necessary to performing the duties of exclusive representation and which may be political, social, or charitable in nature.

(2) REVOCATION.—An authorization described in paragraph (1) shall remain in effect until revoked. Such revocation shall be effective upon 30 days written notice.

(3) CIVIL ACTION BY EMPLOYEES.—

(A) LIABILITY.—Any labor organization which violates this subsection or subsection (f) shall be liable to the affected employee—

(i) for damages equal to—

(I) the amount of the dues or fees accepted in violation of this section;

(II) the interest on the amount described in subclause (I) calculated at the prevailing rate; and

(III) an additional amount as liquidated damages equal to the sum of the amount described in subclause (I) and the interest described in subclause (II); and

(ii) for such equitable relief as may be appropriate.

(B) RIGHT OF ACTION.—An action to recover the damages or equitable relief prescribed in subparagraph (A) may be maintained against any labor organization in any Federal or State court of competent jurisdiction by any one or more employees for and in behalf of—

(i) the employees; or

(ii) the employees and other employees similarly situated.

(C) FEES AND COSTS.—The court in such action shall, in addition to any judgment awarded to the plaintiff, allow a reasonable attorney's fee, reasonable expert witness fees, and other costs of the action to be paid by the defendant.

(D) LIMITATION.—An action may be brought under this paragraph not later than 2 years after the date the employee knew or should have known that dues or fees were accepted or spent by a labor organization in violation of this section, except that such period shall be extended to 3 years in the case of a willful violation.

(d) NOTICE.—An employer whose employees are represented by a collective bargaining representative shall be required to post a notice, of such size and in such form as the Department of Labor shall prescribe, in conspicuous places in and about its plants and offices, including all places where notices to employees are customarily posted, informing employees that any labor organization accepting payment of any dues or fees from an employee as a condition of employment pursuant to an agreement authorized by Federal law must secure from each employee prior, written authorization if any portion of such dues or fees will be used for activities not necessary to performing the duties of the exclusive representative of the employees in dealing with the employer on labor-management issues.

(e) DISCLOSURE TO WORKERS.—

(1) EXPENSES REPORTING.—Section 201(b) of the Labor-Management Reporting and Disclosure Act of 1959 is amended by adding at the end the following new sentence: ''Every labor organization shall be required to attribute and report expenses in such detail as necessary to allow members to determine whether such expenses were necessary to performing the duties of the exclusive representative of the employees in dealing with the employer on labor-management issues.''

(2) DISCLOSURE.—Section 201(c) of the Labor-Management Reporting and Disclosure Act of 1959 is amended—

(A) by inserting ''and employees required to pay any dues or fees to such organization'' after ''members''; and

(B) inserting ''or employee required to pay any dues or fees to such organization'' after ''member'' each place it appears.

(3) WRITTEN REQUESTS.—Section 205(b) of the Labor-Management Reporting and Disclosure Act of 1959 is amended by adding at the end the following new sentence: ''Upon written request, the Secretary shall make available complete copies of any report or other document filed pursuant to section 201.''.

(f) RETALIATION AND COERCION PROHIBITED.—It shall be unlawful for any labor organization to coerce, intimidate, threaten, interfere with, or retaliate against any employee in the exercise of, or on account of having exercised, any right granted or protected by this section.

(g) REGULATIONS.—The Secretary of Labor shall prescribe such regulations as are necessary to carry out subsection (d) not later than 60 days after the enactment of this Act and shall prescribe such regulations as are necessary to carry out the amendments made by subsection (e) not later than 120 days after the enactment of this Act.

(h) EFFECTIVE DATE AND APPLICATION.—This section shall be effective immediately upon enactment, except that subsections (c) and (d) pertaining to worker consent and notice shall take effect 90 days after enactment and subsection (e) pertaining to disclosure shall take effect 150 days after enactment.

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from Pennsylvania (Mr. GOODLING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. GOODLING).

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

Mr. Chairman, one author in general debate said that we must treat all in the same manner. That is exactly why I made this amendment in order.

This bill purports to codify an important Supreme Court case dealing with workers' rights; but unfortunately the bill, in fact, takes a step backward and would hammer into law an NLRB interpretation which has created a system that is abusive to union members and would, in effect, nullify the Supreme Court's decision.

My committee held six hearings on the Beck decision, and what we heard over and over again from union workers was that they strongly support their union but they believe that the union owes them the respect of asking for their permission to spend money beyond the purposes allowed in Beck.

My amendment creates a mechanism where one can truly implement the Supreme Court's decision.

In Beck, the court held that workers cannot be required to pay for activities beyond legitimate union functions. But our hearings showed that the Beck rights remain illusory, and that is because of NLRB interpretation.

Witnesses described the problems, including not getting notice of their Beck rights, procedural hurdles, notably the requirement that one must first resign from the union before disputing any dues expenditure.

Now it is important to understand that in Beck the Supreme Court said that one does not have to pay those dues for anything other than the negotiating process.

Again, the interpretation, as has come down through the NLRB, says to these very people in 29 States, who must belong or can be required to belong to the union, must pay their union dues, that they first must resign from the union in order to challenge the use of their dues. At the same time, they must continue to pay those dues; and at the same time, the very people who took their dues and used them as they wished to use them now become the jury and the judge to determine whether they get them back or whether they do not get them back.

Now, obviously there is something wrong with that; and we are trampling on the rights of union workers in 29 States.

Section 501 in this bill says it applies only to nonmembers. That is right. Workers must resign from the union in order to be covered.

Section 501 defines the dues payments that may be objected to, and this is dangerous because what they do, they say expenditures in connection with a Federal, State, or local election or in connection with efforts to influence legislation unrelated to collective bargaining.

Now, the definition infers that there could be other ways that one could take their money and use their money without their permission. So it becomes a perversion.

Well, somebody in the press said to me that would not be fair because that is not true of stockholders and corporations, and I said to that person, one has to have an IQ of minus 10 to ever try to mix those apples and oranges. Obviously as a stockholder, one has every right under the sun. They do not have to buy the stock. They can sell it whenever they want to sell it. And they can object to what is being done, and they can vote in relationship to what those who are using their money are doing in relationship to that corporation. So that is a silly, factitious argument.

It is very obvious to me, having listened to the debate, that we have an awful lot of people here who want to go back home and say: I voted for campaign reform. I do not care about the rights of union workers in 29 States. I just voted, and I want everyone to know I voted for campaign reform. It does not matter whether it is good, bad, or indifferent. I voted for it.

Well, I do not want union rights to be trampled in that manner and under that mentality. So I am going to, at the appropriate time, ask to withdraw my amendment and bring it to the floor as a stand-alone issue so that we can, as a matter of fact, protect those union workers in 29 States and make sure that they have the right to determine how their dues are used beyond what the Supreme Court said it could be used for.

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

Mr. HOYER. Mr. Chairman, I rise in opposition to the amendment, and I yield 1 minute to the gentleman from California (Mr. GEORGE MILLER), the distinguished ranking member of the Committee of Jurisdiction.

Mr. GEORGE MILLER of California. Mr. Chairman, I rise in strong opposition to this amendment, and I am glad to hear that the gentleman from Pennsylvania (Mr. GOODLING) will withdraw the amendment after the debate.

I think that this amendment is patently unfair to union members. It does deny them one of the benefits of organization. It does deny them the ability to collectively organize and decide for the purposes they are going to engage in the electoral process within this country; and, in fact, it does not treat them the same. It treats them very differently than corporations.

It also recognizes that corporations all the time vote either by a majority or the boards of directors or the CEO and others make decisions about campaigns and political speech and issues that they are going to get involved in or they are not going to get involved in. And they do it without the consent of all of their members, all of their shareholders, all of their workers, and all of the rest of that. And yet somehow we are going to put that effectively on the backs of working men and women.

I think what this really is, this has stuck in the craw of the other side of the aisle since a very effective campaign by organized labor to tell the truth about what Republicans were doing when they first took over the House, and as a result of that this is a payback not a paycheck protection. It has been rejected in the State of California by voters. It has been rejected in the State of Oregon by voters, and it should be rejected in the House of Representatives.

Mr. HOYER. Mr. Chairman, still controlling the time in opposition to this bill, I yield 1 minute to the gentleman from Missouri (Mr. CLAY) the individual, I would say the chairman in exile. I referred to the gentleman from California (Mr. GEORGE MILLER) as the ranking member, but actually the ranking member is my chairman in exile, as I said, one of the senior Members of this House, who has done such extraordinary service to the Congress.

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

Mr. CLAY. Mr. Chairman, I rise in opposition to this amendment offered by the gentleman from Pennsylvania (Mr. GOODLING). By imposing unfair restrictions on labor unions, this amendment denies workers an effective voice in public affairs. This amendment deliberately destroys the right of workers to determine for themselves the activities of their own organizations.

The amendment makes a further mockery of democratic principles by imposing these restrictions only on groups, only one group, the unions. A similar effort in the last Congress to gag the voice of workers was soundly defeated by a vote of 166 to 246. Fifty-two Republicans voted against this provision.

Current law fully protects the rights of workers to refrain from joining the union or underwriting any union political activity. This amendment adds nothing to these protections. Instead, it punishes workers by crippling their ability to participate in politics and jeopardizing their ability to organize to litigate on their own behalf and even to make charitable contributions.

I urge Members to once again defeat this ill-conceived, anti-democratic attack on workers.

Mr. HOYER. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Chairman, I thank the gentleman from Maryland (Mr. HOYER) for yielding me this time.

Mr. Chairman, when we drafted this bill, we wanted to be true to Beck. We did not want it to be less. We did not want it to be more. We wanted it to be just what the Court said.

What we had was a situation where Harry Beck, who was an employee of AT&T but was not a member of the Communications Workers of America, the CWA, objected to his agency fee also including political activity, and this ultimately was brought to the Supreme Court. And they said his political activity, since he was not a member of the union, should not be covered and he should only pay for true collective bargaining. That is what the Beck

decision decided, and that is what we did in our bill.

This is not paycheck protection, but we also didn't think we needed paycheck protection because we eliminate the sham issue ads and call them campaign ads so one cannot use union dues money. We eliminate soft money, which is the other way union monies get into campaigns. So we thought that was even more powerful than even paycheck protection.

I have personal experience in this legislation. My wife was a member of a union, and her money was going to support a Democrat candidate for governor and she supported the Republican candidate. And she objected. They said, well, you are a member of the union; and this is what we are doing. So she then said, well, then I resign from the union; I do not want this money to go for candidates I do not support.

She ended up only paying the agency fee for collective bargaining, and her political contributions were refunded to her.

This is true to the Beck decision, and I encourage my colleagues to recognize that.

Mr. GOODLING. Mr. Chairman, I yield 30 seconds to the gentleman from North Carolina (Mr. BALLENGER), a member of the committee.

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

Mr. BALLENGER. Mr. Chairman, no American can be forced to contribute to political causes or campaigns with which he or she disagrees except one group, members of labor unions.

Our committee had a hearing and heard from members of the U.S. Airways union in Charlotte, North Carolina. These men testified how that portion of their union dues went to fund the campaigns of candidates who were pro-abortion, a stance that they considered deeply was against their Christian beliefs.

We ought to stop it now, and we ought to vote for the Goodling amendment.

Mr. HOYER. Mr. Chairman, I yield 30 seconds to the distinguished gentlewoman from Missouri (Ms. MCCARTHY).

(Ms. MCCARTHY of Missouri asked and was given permission to revise and extend her remarks.)

Ms. MCCARTHY of Missouri. Mr. Chairman, I thank the gentleman from Maryland (Mr. HOYER) for yielding me this time.

Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Pennsylvania (Mr. GOODLING). The amendment is deceptively entitled the Worker Paycheck Fairness Act but is more appropriately named the Worker Gag Act.

The Shays-Meehan bill, of which I am a cosponsor, would ban soft money, regulate phony issue ads on television, and toughen disclosure requirements.

Above all, Shays-Meehan is fair, bipartisan, even-handed reform legislation.

In the guise of reform, the Goodling amendment undoes the balance achieved by Shays-Meehan, which seeks meaningful campaign finance reform to rid the process of the abuse of soft money and restore the people's voice in the electoral process.

I urge my colleagues to vote no on Goodling and support Shays-Meehan.

The Goodling amendment represents an unprecedented governmental intrusion into the internal operations of labor organizations, without a concomitant restriction on the communications of a corporation and its shareholders.

□ 1715

Mr. HOYER. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Maryland (Mr. HOYER) has 1 minute remaining.

Mr. HOYER. Mr. Chairman, I yield myself the balance of my time.

I rise in opposition to the Goodling amendment. I would like to think my IQ is above minus 10. I think there is an analogy. Yes, I can buy the stock and yes, I can take the job, or yes, I can join the union or not join the union. If I do not need the job, I can go someplace else.

The fact of the matter is, Beck is included in this legislation, as the gentleman from Connecticut has said, exactly as the court ruled. The fact of the matter is, this legislation is an attempt to make impotent the ability of unions to effectively represent the interests of their members and those whom they represent, members or not.

I would suggest that we defeat this amendment, but I am pleased that the gentleman has decided to withdraw the amendment and that will not be necessary. I know the gentleman feels strongly about his amendment, but we feel equally strongly that this is not an amendment in the best interest of this bill or in the best interest of America's workers.

The CHAIRMAN. The gentleman from Pennsylvania (Mr. GOODLING) has 30 seconds remaining.

Mr. GOODLING. Mr. Chairman, I yield myself the balance of my time.

I want to make sure that we clarify what was just said. The gentleman said we have the right to join the union or not. In 29 States, one does not have the right. In 29 States, to keep your job one must belong to the union, one must pay the dues; but if one wants to challenge them under the Beck decision, one must resign from the union, continue to pay one's dues, and then one is judged by the very people who took their money. They are the judge and they are the jury if you get anything back, but the harassment has been terrible.

Let me tell my colleagues again, this is too important. This is too important as far as union workers in 29 States are concerned. Their rights need to be protected, and we will bring that legislation to the floor; and everybody will have an opportunity to deal with it at that particular time.

Ms. ROYBAL-ALLARD. Mr. Chairman, I rise in the strongest possible opposition to the Goodling amendment to H.R. 417.

This amendment is yet another attempt to cripple the ability of unions to effectively participate in the political affairs of the nation and advocate on behalf of our working families.

Mr. GOODLING's amendment, which is identical to the bill H.R. 2434, would require labor unions to obtain written authorization from all union members before using any portion of union dues for political activities. This legislation infringes on the right of workers to establish their own rules regarding union membership. In addition, the amendment imposes costly, crippling paperwork requirements and effectively imposes a punitive tax on all union members. At the same time, however, the amendment does not require corporations to go through this cumbersome and costly process in order to obtain authorization from their shareholders before using corporate funds for political activities. This is hypocrisy at its best.

Further, Mr. Chairman, this amendment is unnecessary. The U.S. Supreme Court has ruled that workers have the right to refuse to contribute to their union's political activities. This ruling is already incorporated into the text of the Shays-Meehan campaign finance reform bill.

Finally, not only is the Goodling amendment bad policy, it is also a poison pill that, if passed, would ensure that this much-needed campaign finance bill would fail.

Mr. Chairman, it is clear that this amendment is not about ''paycheck protection for workers.'' It is about the systematic disenfranchisement of American workers such as our teachers, nurses, police officers and factory workers.

I urge my colleagues to defeat this harmful, hypocritical, and unnecessary amendment.

Ms. WOOLSEY. Mr. Chairman, the Goodling amendment is a clear attempt to silence the voices of working women and men, to stop their participation in the political process.

Labor unions are voluntary democratic organizations in which the members vote on the union's political activities—as in a democracy, the majority rules.

But, what about private corporations which, by the way, outspent unions in the 1996 elections by 17 to 1?

I notice that no one is suggesting that corporations need to get written permission from their shareholders before they participate in the political process.

The Goodling amendment will give corporations an open line to the candidates while disconnecting the teachers, nurses, carpenters, truck drivers, firefighters, and other American workers who count on their labor unions to speak for them.

This amendment must be defeated.

Mr. GOODLING. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 287, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment No. 1 offered by Mr. WHITFIELD of Kentucky; Amendment No. 2 offered by Mr. DOOLITTLE of California; Amendment No. 3 offered by Mr. DOOLITTLE of California; Amendment No. 4 offered by Mr. BEREUTER of Nebraska.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1, AS MODIFIED, OFFERED BY MR. WHITFIELD

The CHAIRMAN. The pending business is the demand for a recorded vote on Amendment No. 1, as modified, offered by the gentleman from Kentucky (Mr. WHITFIELD) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment, as modified.

The Clerk designated the amendment, as modified.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 127, noes 300, not voting 6, as follows:

[Roll No. 411]

AYES—127

Armey
Baker
Ballenger
Barr
Barton
Bateman
Bereuter
Biggert
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Canady
Cannon
Chambliss
Chenoweth
Coburn
Collins
Combest
Cox
Crane
Cubin
Davis (VA)
DeLay
DeMint
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehrlich
Everett
Fossella
Fowler
Gibbons
Gutknecht
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hutchinson
Hyde
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kasich
King (NY)
Knollenberg
Kolbe
Largent
Lewis (KY)
Linder
McCollum
McCrery
McInnis
McIntosh
McKeon
Miller (FL)
Miller, Gary
Myrick
Nethercutt
Norwood
Oxley
Packard
Paul
Pease
Peterson (PA)
Pickering
Pitts
Pombo
Radanovich
Riley
Rogan
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Sisisky
Smith (MI)
Smith (TX)
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thornberry
Tiahrt
Toomey
Vitter
Weldon (FL)
Weldon (PA)
Whitfield
Wicker
Wilson
Young (AK)

NOES—300

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Bachus
Baird
Baldacci
Baldwin
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Becerra
Bentsen
Berkley
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Camp
Campbell
Capps
Capuano
Cardin
Carson
Castle
Chabot
Clay
Clayton
Clement
Clyburn
Coble
Condit
Conyers
Cook
Cooksey
Costello
Coyne
Cramer
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hefley
Hilleary
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Hoyer
Hunter
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Petri
Phelps
Pickett
Pomeroy
Portman
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shays
Sherman
Sherwood
Shows
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weller
Wexler
Weygand
Wise
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—6

Hastings (FL)
Kingston
Porter
Pryce (OH)
Ros-Lehtinen
Shaw

□ 1739

Messrs. GEJDENSON, ADERHOLT, LATHAM, and CUNNINGHAM changed their vote from ''aye'' to ''no.''

Messrs. DUNCAN, BLUNT, and TAYLOR of North Carolina, Mrs. MYRICK, and Mr. DICKEY changed their vote from ''no'' to ''aye.''

So the amendment, as modified, was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 283, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 2, AS MODIFIED, OFFERED BY MR. DOOLITTLE

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 2, as modified, offered by the gentleman from California (Mr. DOOLITTLE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment, as modified.

The Clerk designated the amendment, as modified.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 123, noes 302, not voting 8, as follows:

[Roll No. 412]

AYES—123

Armey
Baker
Ballenger
Barr
Barton
Bateman
Bereuter
Biggert
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Burton
Buyer
Callahan
Calvert
Canady
Cannon
Chambliss
Chenoweth
Coburn
Collins
Combest
Cooksey
Cox
Crane
Cubin
Davis (VA)
DeLay
DeMint
Dickey
Doolittle
Dreier
Dunn
Ehlers
Ehrlich
English
Everett
Fossella
Fowler
Gekas
Gibbons
Goodlatte
Gutknecht
Hansen
Hastings (WA)
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hobson
Hoekstra
Hostettler
Hulshof
Hutchinson
Istook
Johnson, Sam
Jones (NC)
Kasich
King (NY)
Knollenberg
Largent
Latham
Lewis (CA)
Lewis (KY)
Linder
McCollum
McCrery
McInnis
McIntosh
McKeon
Metcalf
Miller (FL)
Miller, Gary
Nethercutt
Norwood
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pombo
Radanovich
Riley
Rogan
Rogers
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (MI)
Smith (TX)
Souder
Spence
Stump
Sununu
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Tiahrt
Toomey
Vitter
Weldon (FL)
Weldon (PA)
Whitfield
Wicker
Wilson
Young (AK)

NOES—302

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer

Bachus
Baird
Baldacci
Baldwin
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Becerra
Bentsen
Berkley
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Bryant
Burr
Camp
Campbell
Capps
Capuano
Cardin
Carson
Castle
Chabot
Clay
Clayton
Clement
Clyburn
Coble
Condit
Conyers
Cook
Costello
Coyne
Cramer
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Deal
DeFazio
DeGette
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Edwards
Emerson
Engel
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hayes
Hilleary
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hunter
Hyde
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pitts
Pomeroy
Portman
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shays
Sherman
Sherwood
Shows
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stupak
Sweeney
Talent
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weller
Wexler
Weygand
Wise
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—8

Delahunt
Hastings (FL)
Kingston
Porter
Pryce (OH)
Ros-Lehtinen
Salmon
Shaw

□ 1747

Mr. SCOTT changed his vote from ''aye'' to ''no''.

So the amendment, as modified, was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3, AS MODIFIED, OFFERED BY MR. DOOLITTLE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment No. 3, as modified, offered by the gentleman from California (Mr. DOOLITTLE), on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment, as modified.

The Clerk designated the amendment, as modified.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 189, noes 238, not voting 6, as follows:

[Roll No. 413]

AYES—189

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bateman
Biggert
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cook
Cooksey
Costello
Cox
Crane
Cubin
Cunningham
Davis (VA)
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
English
Everett
Ewing
Fletcher
Fossella
Fowler
Gekas
Gibbons
Goode
Goodlatte
Goodling
Granger
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kasich
King (NY)
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lucas (KY)
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Radanovich
Rahall
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Salmon
Scarborough
Schaffer
Scott
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shuster
Simpson
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Vitter
Walden
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—238

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett (NE)
Barrett (WI)
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Bilbray
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Emerson
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Goss
Graham
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
Lampson
Lantos
Larson
Lazio
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Obey
Olver
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pickett
Pomeroy
Price (NC)
Quinn
Ramstad
Rangel
Regula
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schakowsky
Serrano
Shays
Sherman
Shows
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—6

Hastings (FL) Porter Ros-Lehtinen
Kingston Pryce (OH) Shaw

□ 1756

Mr. TALENT changed his vote from ''no'' to ''aye''.

So the amendment, as modified, was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4, AS MODIFIED, OFFERED BY MR. BEREUTER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment No. 4, as modified, offered by the gentleman from Nebraska (Mr. BEREUTER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment, as modified.

The Clerk designated the amendment, as modified.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 242, noes 181, not voting 10, as follows:

[Roll No. 414]

AYES—242

Aderholt
Archer
Armey
Bachus
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berkley
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Bono
Boswell
Boucher
Brady (TX)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Chabot
Chambliss
Chenoweth
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Cubin
Cunningham
Danner
DeLay
DeMint
Dickey
Duncan
Dunn
Edwards
Emerson
English
Evans
Everett
Ewing
Fletcher
Fossella
Fowler
Franks (NJ)
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Inslee
Isakson
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Kaptur
Kasich
Kelly
Kildee
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Markey
Mascara
McCarthy (MO)
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pomeroy
Portman
Radanovich
Ramstad
Regula
Reynolds
Riley
Roemer
Rogan
Rogers
Rohrabacher
Rothman
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Toomey
Traficant
Turner
Upton
Visclosky
Vitter
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wise
Wolf
Young (AK)

NOES—181

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldwin
Barrett (WI)
Becerra
Berman
Berry
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Burton
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clyburn
Conyers
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Ehlers
Ehrlich
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foley
Frank (MA)
Frelinghuysen
Frost
Gejdenson
Gephardt
Gilchrest
Gonzalez
Gutierrez
Hall (OH)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Hooley
Horn
Houghton
Hoyer
Hutchinson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kennedy
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Maloney (NY)
Martinez
Matsui
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Olver
Ortiz
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pombo
Price (NC)
Quinn
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Scott
Serrano
Shays
Skelton
Slaughter
Snyder
Spratt
Stark
Talent
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Vento
Walsh
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wilson
Woolsey
Wu
Wynn

NOT VOTING—10

Forbes
Ford
Hastings (FL)
Kingston
Lazio
Porter
Pryce (OH)
Ros-Lehtinen
Shaw
Young (FL)

□ 1805

Mr. MASCARA changed his vote from ''no'' to ''aye.''

So the amendment, as modified, was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. PORTER. Mr. Chairman, I regret that I was unavoidably detained in Chicago today on a family emergency.

Had I been present, I would have voted yes on rollcall Nos. 408, 409 and 410. I would have voted no on rollcall Nos. 411, 412, and 413. I would have voted yes on rollcall No. 414.

The CHAIRMAN. It is now in order to consider Amendment No. 7 printed in House Report 106–311.

AMENDMENT NO. 7 OFFERED BY MR. CALVERT

Mr. CALVERT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 Offered by Mr. CALVERT:

Add at the end of title V the following new section (and conform the table of contents accordingly):

SEC. 517. REQUIRING MAJORITY OF AMOUNT OF CONTRIBUTIONS ACCEPTED BY CONGRESSIONAL CANDIDATES TO COME FROM IN-STATE RESIDENTS.

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

''(i)(1) The total amount of contributions accepted with respect to an election by a candidate for the office of Senator or the office of Representative in, or Delegate or Resident Commissioner to, the Congress from in-State individual residents shall be at least 50 percent of the total amount of contributions accepted from all sources.

''(2) If a candidate in an election makes expenditures of personal funds (including contributions by the candidate or the candidate's spouse to the candidate's authorized campaign committee) in an amount in excess of $250,000, paragraph (1) shall not apply with respect to any opponent of the candidate in the election.

''(3) In determining the amount of contributions accepted by a candidate for purposes of paragraph (1), the amounts of any contributions made by a political committee of a political party shall be allocated as follows:

''(A) 50 percent of such amounts shall be deemed to be contributions from in-State individual residents.

''(B) 50 percent of such amounts shall be deemed to be contributions from persons other than in-State individual residents.

''(4) As used in this subsection, the term 'in-State individual resident' means an individual who resides in the State in which the election involved is held.''.

(b) REPORTING REQUIREMENTS.—Section 304 of such Act (2 U.S.C. 434), as amended by sections 103(c), 204, and 307, is further amended by adding at the end the following new subsection:

''(h)(1) Each principal campaign committee of a candidate for the Senate or the House of Representatives shall include the following information in the first report filed under subsection (a)(2) which covers the period which begins 19 days before an election and ends 20 days after the election:

''(A) The total contributions received by the committee with respect to the election involved from in-State individual residents (as defined in section 315(i)(4)), as of the last day of the period covered by the report.

''(B) The total contributions received by the committee with respect to the election involved from all persons, as of the last day of the period covered by the report.

''(2)(A) Each principal campaign committee of a candidate for the Senate or the House of Representatives shall submit a notification to the Commission of the first expenditure of personal funds (including contributions by the candidate or the candidate's spouse to the committee) by which the aggregate amount of personal funds expended (or contributed) with respect to the election exceeds $250,000.

''(B) Each notification under subparagraph (A)—

''(I) shall be submitted not later than 24 hours after the expenditure or contribution which is the subject of the notification is made; and

''(II) shall include the name of the candidate, the office sought by the candidate, and the date of the expenditure or contribution and amount of the expenditure or contribution involved.''.

(c) PENALTY FOR VIOLATION OF LIMITS.—Section 309(d) of such Act (2 U.S.C. 437g(d)) is amended by adding at the end the following new paragraph:

''(4)(A) Any candidate who knowingly and willfully accepts contributions in excess of any limitation provided under section 315(i) shall be fined an amount equal to the greater of 200 percent of the amount accepted in excess of the applicable limitation or (if applicable) the amount provided in paragraph (1)(A).

''(B) Interest shall be assessed against any portion of a fine imposed under subparagraph (A) which remains unpaid after the expiration of the 30-day period which begins on the date the fine is imposed.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to elections occurring after January 2001.

Page 86, line 10, strike ''(2 U.S.C. 437g(d)) is amended'' and insert the following: ''(2 U.S.C. 437g(d)), as amended by section 517(c), is further amended''.

Page 86, line 12, strike ''(4)'' and insert ''(5)''.

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from California (Mr. CALVERT) and the gentleman from Delaware (Mr. CASTLE) each will control 5 minutes.

The Chair recognizes the gentleman form California (Mr. CALVERT).

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

Mr. Chairman, I rise today to introduce the Shaw-Calvert-Gallegly amendment. It is a simple reform that would make candidates 100 percent accountable to the people they represent by controlling the source of campaign funds.

Unfortunately, some of our colleagues from Florida, including the gentleman from Florida (Mr. SHAW), have hurricane-force winds bearing down on their homes. Our prayers are with them and their constituents as they brace for Hurricane Floyd's impact. The gentleman from Florida (Mr. SHAW) requested that I offer this amendment in his absence.

Too many candidates take their show on the road and sell themselves to the Americans all across this country. This practice comes at the expense of the people the candidate is supposed to represent. When a candidate has to primarily rely on money from people outside their home State, they no longer need to listen to the needs and concerns of their own constituents.

This amendment requires candidates to raise at least half of the money for their campaigns from their home State. Through this simple requirement, we give all Americans a greater voice in the political process.

I introduced a similar amendment last year that received 147 votes. My colleague, the gentleman from Florida (Mr. SHAW), also submitted a similar amendment last year that garnered 160 votes.

We brought the best of both bills together today, working with the gentleman from Florida (Mr. SHAW) and our colleague from California (Mr. GALLEGLY). We combined my language with the amendment of the gentleman from Florida (Mr. SHAW) to address the concerns of Members about the constitutionality of its provisions.

I also heard from a number of Members who are concerned about the wealthy candidates abusing these provisions for their own advantages. These are valid concerns, and we have amended the language accordingly.

Should a candidate face an opponent that uses more than $250,000 of their own funds in a campaign, all candidates would be exempt from this amendment's provision.

This amendment is common sense electoral reform, and I hope that every Member will support it.

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

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

Mr. Chairman, I do rise in opposition to this legislation. It is not quite as simple as it sounds. And it does sound, I believe, good on its face. But the truth of the matter is there are those of us in small States, and I am one of them, there are those that have border districts, which small States automatically have, so I am one of them, as well. And there are those who are from very poor districts throughout this country who have problems raising campaign funds. I am not in that category, as Delaware is a relatively wealthy State.

When I first ran four terms ago for the Congress of the United States, I was out-spent by my opponent, not significantly, but I was out-spent. He raised at least 90 percent, probably a lot greater percentage, of his money from outside Delaware. We made a campaign issue out of it. It worked out just fine. And I understood what the process was. He was allowed to raise that money and he could.

If we are going to carry this to the nth degree, we really should say that no money should come from outside a particular State.

Delaware has 800,000 people. Many of my constituents cross over into Pennsylvania and Delaware on a regular basis and back over. It is almost impossible to distinguish exactly where they are from, and it makes I believe a matter like this very complicated.

The Shays bill calls for a study of this, and I believe that we should go with that.

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

Mr. CALVERT. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. ENGLISH).

Mr. ENGLISH. Mr. Chairman, I rise in strong support of the Shaw-Calvert amendment.

This key amendment requires candidates to raise their money locally thereby aligning constituent and donor interest. By requiring candidates to raise 50 percent of their contributions within their home State, we not only give the public a greater voice in elections but also limit the power of Washington special interests.

This is a seminal change that should be coupled with anti-bundling reforms to restrict gaming of PAC donor limits and a requirement that half of a candidate's contributions come from an individual rather than PACs to achieve truly viable reform.

In considering campaign finance legislation, we should consider the practical effects of the bill, not the stated intentions of its proponents. By limiting the ability of all candidates to raise money, Shays-Meehan rewards candidate committees with a broad, already-established donor base.

Specifically, incumbents, Shays-Meehan is clearly the incumbent protection bill in this debate. Because Shays-Meehan tilts the field to incumbents, this amendment is necessary to help correct this fatal flaw by forcing incumbents and challengers to raise half their money at home and compete on a level playing field.

I urge all my colleagues and all true friends of campaign finance reform to vote in favor of this amendment. However, without additional perfecting amendments, I, for one, cannot support Shays-Meehan this evening. And I feel bad about that.

I hope this amendment is successful.

Mr. CASTLE. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Chairman, I appreciate the honesty of the gentleman from Pennsylvania. He makes it clear he is against Shays-Meehan, so he is for an amendment which would kill it.

Here is one of the problems. We have, in the first place, some very large States, California. When the gentleman from California, and two of the three sponsors are from California, talk about how self-sacrificing they are going to be because they can only go from San Diego to north of San Francisco, that is not very self-sacrificing compared to people from much smaller States.

We have small States in this country with ethnic diversity. Let us be very

clear. Money and ethnicity are sometimes correlated. And if we now tell African-American candidates in the South, now that we have redistricting rules from the Supreme Court that say that the districts have to be fairly evenly balanced ethnically, if we tell candidates in Mississippi and South Carolina and Alabama, these smaller States, that the money has to be raised in State, we are putting minority candidates at a significant disadvantage. Because we know as a fact that wealth is not equally distributed, and we put ethnic minority candidates at a disadvantage.

Finally, as to incumbent protection, when we limit money to that State, we are increasing incumbent protection because the incumbent in a small State is far more likely to be able to raise the money.

Mr. CALVERT. Mr. Chairman, I yield myself 15 seconds to answer the concern of the gentleman.

My amendment probably will not even impact most candidates. According to the Congressional Research Service, in 1996 only 8 percent of total known receipts raised by Democratic candidates for the House came from outside their State. A similar figure for House Republican candidates was 7 percent.

Mr. Chairman, I yield 30 seconds to my good friend, the gentleman from the State of Michigan (Mr. SMITH).

(Mr. SMITH of Michigan asked and was given permission to revise and extend his remarks.)

□ 1815

Mr. SMITH of Michigan. Mr. Chairman, I have introduced legislation that actually bans PAC money from donating to individual congressional campaigns and requires that congressional candidates raise 50 percent of the money from within their own legislative district. Having a requirement that 50% of contributions for a Member of Congress come from the State is reasonable. It moves us in the right direction, and it helps make sure that constituents are going to be represented, not special interests.

Mr. Chairman, let's concentrate on constituent interests, not special interests. As the great political reporter Theodore White wrote, "The flood of money that gushes into politics today is a pollution of democracy." I haven't accepted PAC contributions since I first ran for the Michigan state senate in 1982. Although I knew I would always vote the way I felt was right regardless of who donated to my campaign, I also knew that it was equally important that my constituents had no doubts about how much PAC lobbyists might be influencing my decisions.

Mr. CASTLE. Mr. Chairman, I yield 1 minute to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Chairman, I rise in strong opposition to the Shaw-Calvert amendment. This bill requires candidates to raise 50 percent of their contributions from their own State. This bill makes it difficult, if not impossible, for candidates to remain competitive if they represent low-income districts, border or small geographic districts.

When I rise to speak in Congress, I represent more than the 11th Congressional District of Ohio. I represent the hopes and dreams of the descendants of a host of African Americans who were enslaved, beaten, hung, brutalized and died, and are still underrepresented in the United States Congress.

Their descendants, wherever they reside, should be able to contribute to my campaign. When I rise to speak in this House, I represent the United States as a whole. I recommend that a commission be appointed to study the impact this provision would have on the ability of Members to raise sufficient funds when they represent low-income, border and minority districts. Until such a commission is appointed, I urge my colleagues in this House to vote "no."

Mr. CALVERT. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. BILBRAY.)

Mr. BILBRAY. Mr. Chairman, I rise as a strong supporter of Shays-Meehan. I was one of the original cosponsors. I rise as a representative of all the people in the 49th District of California.

The supporters of true campaign finance reform in my district have come to me and said they want Shays-Meehan passed, but they want a condition that says at least half of your money should come from your State. The fact is, these rules will apply to everyone equally in the district that is being run for.

Now, there was a gentleman from Massachusetts who said, "Why not make it district?" My constituents would like to have it district, but this is a compromise. It is the minimum we can do. Let us do true campaign finance reform, pass Shays-Meehan, and require half the money to come from your State.

Mr. CASTLE. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I rise in opposition to this amendment because I think it is an attempt to undermine the Shays-Meehan campaign finance reform bill. That bill is the best opportunity America has to end the corrupting influence of big money and to ensure that all Americans can participate and be heard by their elected officials without money as the motivator. Real campaign finance reform is needed to accomplish this goal. Every single one of us who comes to this body takes an oath of office to support and defend the Constitution against all enemies, foreign and domestic. The biggest enemy to our constitutional democracy is campaign money.

This city was built on a swamp over 200 years ago. It has returned to being a swamp, a swamp that is dirtied by the huge amount of special interest money that pours in here and stacks the deck against the typical American seeking a legitimate role in the political process.

As far as this amendment is concerned, as a Californian, a State that is wealthy and supports its candidates, I urge my colleagues to vote against it. There will be no way we will have more women and more minorities in this Congress if we pass this legislation. This Congress will never look like America. I urge a "no" vote.

Mr. Chairman, I rise in strong support of the Shays-Meehan campaign finance reform bill. The gentlemen are to be commended for their leadership in bringing hope to the House that we will finally break the bonds between the political process and big monied special interests.

The Shays-Meehan campaign finance reform bill is the best opportunity America has to end the corrupting influence of big money and to ensure that all Americans can participate and be heard by their elected officials without money as the motivator. Real campaign finance reform is needed to accomplish this goal.

Unfortunately, an election system based on wealth and money distorts the political process and adversely affects the civil rights of low-income Americans by allowing politicians and fundraisers to dismiss or ignore their voices and infringe on their voting rights. While first amendment concerns have been raised, civil rights concerns must be addressed first.

The Shays-Meehan bill includes a ban on soft money at the Federal and State level; a ban on foreign money entering the system; tougher political advertising disclosure requirements; mandatory electronic filing and internet posting of a candidate's Federal Election Commission reports; and establishment of a Commission to study further reforms to improve our campaign finance system.

When Washington, D.C. first was established as America's capital, it was built on a swamp. It is still a swamp, a swamp dirtied by the huge amounts of special interest money that pours in here and stacks the deck against the typical American seeking a legitimate role in the political process.

I urge my colleagues to oppose all the poison pill amendments and substitutes designed to derail this measure. America needs real campaign reform in the political process. Let's support today's bipartisan campaign finance measure.

Mr. CASTLE. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, we have heard the arguments here. We do not have a very long time to discuss this tonight. We only have 10 minutes. The bottom line is, I think there are some serious questions about this. I have raised some about the small State problem that I have, the border districts where the people you really know, such as in a Kansas City situation, for example, right up in the border between two different States, those districts which are extraordinarily poor, represented often by minorities which need some help with respect to these circumstances.

Let me just point out what is in the Shays-Meehan bill, because I think before everybody votes, they should understand this, and that is simply this. It establishes a bipartisan commission

to study the impact of such concerns, and I think it goes a long way toward addressing the problem of campaign finance reform. This is what we need to do.

I think that the gentleman from California's amendment raises a serious question, something perhaps we should consider, but I do not think we are ready to vote on it at this particular time and make it part of the law of the United States of America. I think, indeed, it is something that we should continue to look at and should continue to discuss, make some sort of professional determination if it is possible; if so, what it should be. For now, this amendment should be defeated and the Shays-Meehan bill should be passed.

Mr. CALVERT. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, in closing, it is constitutional, it is common sense, it is constructive. I have been for this since I have been in Congress. I am in my fourth term. I was for this in my first term, and I am still for this. It is a good idea. Give your citizens a greater voice and vote for this amendment.

Mr. SHAW. Mr. Chairman, I rise today in support of the Shaw-Calvert-Gallegly amendment to H.R. 417, the Bipartisan Campaign Finance Reform Act of 1999.

The Shaw-Calvert-Gallegly amendment is a common sense solution to reforming our current campaign finance laws. Our amendment would simply require candidates running for Congress to raise and accept no less than 50 percent of the total contributions from within the State they represent.

Our amendment is simple and fair. It does not tilt the playing field in favor or Republicans or Democrats. If affects rich and poor districts equally. Our amendment does, however, lessen the huge advantage Washington insiders have over challengers who do not have access to the out-of-state fundraising circuit.

In the past, some congressional candidates have raised as much as 95 percent of their campaign funds from out-of-State donors. This amendment would require that candidates should be financially supported at least in part by the citizens they wish to represent.

Mr. Chairman, Members should spend more time with the people that really count, namely the voters in our districts. We should show our constituents that we represent Main Street, not K Street. If you believe we should bring the focus of fundraising back to the people we represent, then I urge you vote in favor of the Shaw-Calvert-Gallegly amendment.

Mr. ENGLISH. Mr. Chairman, I rise in strong support of the Shaw-Calvert-Gallegly amendment to H.R. 417. This key amendment requires candidates to raise their money locally, thereby aligning constituent and donor interests. I have supported similar legislation in previous sessions of Congress. In fact, during the 105th Congress, I drafted a similar amendment to this one.

By requiring candidates to raise 50 percent of their contributions within their home State, we not only give the public a greater voice in elections, but also limit the power of Washington special interests. This change should be coupled with antibundling reforms to restrict gaming of PAC donor limits and a requirement that half of a candidate's contributions come from individuals rather than PAC's to achieve more meaningful reform.

In considering campaign finance legislation, we should consider the practical effects of the bill, not simply the promises of its proponents. By limiting the ability of all candidates to raise money, the Shays-Meehan proposal rewards candidate committees with broad, already established donor files. The only committees with that type of donor file are incumbents.

Because the Shays-Meehan proposal tilts the field to incumbents, this amendment is necessary to help correct this potentially fatal flaw by forcing incumbents and challengers to compete on a level playing field.

I urge my colleagues to vote in favor of this amendment. However, without these additional amendments, I cannot support the passage of Shays-Meehan.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. CALVERT).

The question was taken; and the Chairman announced that the noes appeared to have it.

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

The CHAIRMAN. Pursuant to House Resolution 283, further proceedings on the amendment offered by the gentleman from California (Mr. CALVERT) will be postponed.

It is now in order to consider amendment No. 8 printed in House Report 106–311.

AMENDMENT NO. 8 OFFERED BY MR. SWEENEY

Mr. SWEENEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. SWEENEY:

Amend the heading for title X to read as follows (and conform the table of contents accordingly):

TITLE X—REIMBURSEMENT FOR USE OF GOVERNMENT PROPERTY FOR CAMPAIGN ACTIVITY

Add at the end of title X the following new section (and conform the table of contents accordingly):

SEC. 1002. REIMBURSEMENT FOR USE OF GOVERNMENT EQUIPMENT FOR CAMPAIGN-RELATED TRAVEL.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by sections 101, 401, 507, 510, 515, and 1001, is further amended by adding at the end the following new section:

''REIMBURSEMENT FOR USE OF GOVERNMENT EQUIPMENT FOR CAMPAIGN-RELATED TRAVEL

''SEC. 329. If a candidate for election for Federal office (other than a candidate who holds Federal office) uses Federal government property as a means of transportation for purposes related (in whole or in part) to the campaign for election for such office, the principal campaign committee of the candidate shall reimburse the Federal government for the costs associated with providing the transportation.''.

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from New York (Mr. SWEENEY) and the gentlewoman from New York (Mrs. MALONEY) each will control 5 minutes.

The Chair recognizes the gentleman from New York (Mr. SWEENEY).

Mr. SWEENEY. Mr. Chairman, I yield myself such time as I may consume. I offer this amendment today to strengthen the Nation's election law and bring a higher level of accountability into the campaign process.

I believe there are, among other things, two important goals of Federal election law. First, election laws level the playing field for candidates running for office, offering access to the process to all Americans. The amendment I am offering today attempts to open up the process so that all candidates have a chance to get the job despite disadvantages in campaign resources. We want the best, the brightest, the most qualified, to have a shot at winning a seat, not only those with access to either money or resources. Second, the reforms we are discussing today attempt to further distinguish the political campaign activities from official duties.

One of the issues we are addressing today is the perception among many Americans that the line between official duties and campaigning has been blurred. Americans deserve not to have policy decisions so colored by political motives, especially when their tax dollars are involved.

Mr. Chairman, my amendment addresses both of these objectives by leveling the playing field and separating political campaign activities from official duties. The proposal is simple and reasonable. If you are seeking elected office and you use government-owned property for campaign travel purposes, you must fully reimburse the American taxpayer. This will ensure that no candidate is given an unfair advantage over another.

Few people have access to government-owned vehicles, particularly military aircraft. Those that do should be responsible for paying the full and actual cost of travel when campaign activities are involved. This amendment will not only make the candidate more accountable to the taxpayer, but it also removes the unfair advantage that any individual may hold over candidates without access to government transportation.

This amendment also strengthens the separation between campaign activities and official duties. Candidates who use government-financed transportation, while defending the practice, often split hairs over what constitutes campaigning versus official business. We have an obligation to make these activities separate and distinct.

The American public deserves to know that every candidate using any government vehicle will not violate the public trust by traveling at taxpayer expense. We are free to run for office, but as we all know here today, running for office is not free. Neither are we free to spend the taxpayers' hard-earned dollars unless, of course, your campaign headquarters is some military jet. Freedom has its cost, running for office has its cost, but let us not confuse the two. One we gain at birth, the other we must earn.

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

Mrs. MALONEY of New York. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong opposition to the Sweeney amendment. We have an opportunity today to pass real campaign finance reform, but instead we are wasting our time on a mean-spirited, petty, politically partisan charged amendment that has nothing to do with real campaign finance reform.

The goal of this amendment is to target the First Lady by forcing her to pay for the full costs of her travel when she flies on government planes. Mrs. Clinton is already following the same FEC rules as all other candidates, rules that require her to reimburse the government for the fair value of the travel. If this amendment were to pass, the First Lady may be forced to abandon the security the Secret Service says she needs or face tremendous costs that no candidate could afford. We should not compromise her security for political, partisan purposes.

The gentleman from New York's amendment would apply to all candidates, and I quote, other than a candidate who currently holds Federal office. So the gentleman from New York would exempt himself. He says that it is okay to have two sets of rules, one for the current officeholders, himself, and another one for everyone else. It is a double standard. It is a glaring loophole.

I have a letter here from the chair of the Federal Election Commission which I would like to place in the RECORD at the appropriate time which states clearly that no provision of current law covers incumbent travel, that only FEC regulations apply.

The gentleman from New York would like to undermine these regulations by passing a law that specifically exempts himself, other incumbents and creates an enormous loophole. If the gentleman from New York's amendment is such a good idea for Mrs. Clinton, then why do we not apply it to candidates who rely on State and city transportation and State and city security when they run for Federal office? Or better yet, why do we not apply it to the gentleman from New York and Members of this body who may fly on corporate or commercial planes but are not required to reimburse the company or the government for the full cost of the plane?

We should not open up a huge loophole in election law by punishing challengers and giving the gentleman from New York and incumbents a free ride. Campaign finance reform is supposed to be about leveling the playing field, but here he is creating one standard for everyone else and Mrs. Clinton and a very different standard for incumbents. It is petty, it is partisan, it is just plain mean.

I urge my colleagues to reject the Sweeney amendment.

FEDERAL ELECTION COMMISSION,
OFFICE OF THE CHAIRMAN,
Washington, DC, May 14, 1991.

Hon. ROBERT E. WISE, JR.,
Chairman, Government Information, Justice and Agriculture Subcommittee, Committee on Government Operations, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: this responds to your April 25, 1991, letter requesting information concerning the application of Federal election law to the use of Government-owned aircraft for political purposes.

Your letter cites 24 flights taken by the White House Chief of Staff on aircraft owned by the Federal government that are listed as ''political'' in nature. You state that the chief of Staff or a campaign or political organization reimbursed the Department of Defense for these flights in the amount of ''coach fare plus one dollar.'' You request a summary of the law pertaining to political travel on Government aircraft and also ask how the pertinent laws ''would apply to the Chief of Staff's travel as listed'' in the enclosure submitted with your letter.

In addition, you are ''interested in how Federal election law applies to the President's use of military aircraft for political purposes,'' and whether the law applies differently when the aircraft is used for political purposes ''by other personnel.'' You further ask whether the ''rules change'' when Government aircraft is used ''in support'' of a Presidential candidate after he or she qualifies for Federal matching funds.

In view of the requirements of the Federal Election Campaign Act of 1971, as amended (''the Act''), it is not appropriate for me or the Commission to issue a ruling or opinion of an advisory nature in response to your inquiry. The advisory opinion procedure, as set forth in the Act, authorizes the Commission to give such an opinion only in response to the written request of any person who describes his or her own prospective or ongoing activity, not that of another person. 2 U.S.C. §437f, 11 CFR 112.1(b). Any person who believes that someone else may have violated the Act may file a sworn complaint with the Commission presenting the alleged facts and related violations. 2 U.S.C. §437g, 11 CFR 111.4.

Notwithstanding the inability to give such official advice, we can respond to your request for general information as to those provisions of the Act and Commission regulations that govern campaign travel on Government-owned aircraft for the purpose of influencing *Federal* elections, since the Commission has no jurisdiction over State election law.

First, the Act and the presidential public funding provisions of the Internal Revenue Code (26 U.S.C. §§9001–9042) are silent with respect to any use of Government-owned aircraft by any person in connection with any election for Federal office. the 1979 amendments to the Act did make clear that the use of appropriated funds of the Federal government would not result in a ''contribution' to influence a Federal election because the Federal government is not a ''person''; only persons are deemed to have the capacity to make contributions under the Act. 2 U.S.C. §§431(8)(A), 431(11). The legislative history further indicates that misuse of appropriated funds is a violation of Federal law and subject to enforcement by other agencies, not the Federal Election Commission. (report of Committee on House Administration, Federal Election Campaign Act Amendments of 1979, H. Rep. No. 96–422, 96th Cong., 1st Sess. 6, 7, 11 (1979).)

Several Commission regulations govern expenditures for campaign travel in connection with Federal elections and include provisions pertaining to campaign travel via Government-owned conveyance, which would include Government-owned aircraft. those cited herein are most pertinent in your inquiry and copies are enclosed for your reference.

11 CFR 106.3 pertains to allocation of campaign travel expenditures with respect to campaigns for Federal office,other than presidential candidates who receive Federal matching funds or grants for their campaign expenses. See, in particular, 11 CFR 106.3(e).

11 CFR 114.9(e) applies to the use of non-commercial corporate (or labor organization) aircraft for campaign travel in connection with a Federal election. It does not apply to the campaign use of aircraft owned by the Federal government.

11 CFR 9004.7 governs the allocation and payment of campaign travel expenditures by presidential and vice presidential candidates who accept Federal funding for their general election campaigns. See, in particular, 11 CFR 9004.7(b)(4) and (b)(5) with respect to use of Government-owned aircraft.

11 CFR 9034.7 governs the allocation and payment of campaign travel expenditures by a presidential candidate seeking nomination by a political party who has accepted Federal matching funds for his or her primary election campaign. See, in particular, 11 CFR 9034.7(b)(4) and (b)(5) regarding use of Government-owned aircraft.

I hope you will find this letter and the enclosed materials helpful for purposes of your inquiry. If you have any other questions, please contact me or John Surina, our Staff Director.

Sincerely yours,

JOHN WARREN MCGARRY,
Chairman for the Federal Election Commission.

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

Mr. SWEENEY. Mr. Chairman, I yield myself such time as I may consume. I am confused by my colleague and friend from New York and her position. First I am confused because I do not recall at any point in my opening remarks mentioning the First Lady and her bid for the Senate seat in New York State. Although I will say that on recess and throughout all of the travels that I have had in my district, a number of my constituents, in fact many of my constituents, have raised concerns about the inequity that exists with an individual who may or may not be a candidate using the resources of Air Force One or a military jet to conduct what may or may not be a campaign.

But let me address and respond to some of the positions that my good friend has taken. First, let me point out that the loophole that exists in the current proposal, in the underlying bill, would be a loophole that would allow a candidate who is not defined as a public officer, which the First Lady certainly fits under, to use the resources for transporting back and forth to conduct campaign activities. If we pass the underlying legislation, the President, the Vice President, other Federal officials, including myself, would not be able to use those resources, not that I have that available to me at this point in time, anyway, but they would not be able to do that. And the loophole that would exist would be one that would allow for a

continuation of that kind of use by a candidate who does not fall under that public officer definition.

Let me also talk about the issue of security and abandoning security and you talk about red herrings being thrown out there. At no point and no time do any of us advocate that security concerns as it relates to the First Family or any other Federal official who duly needs that kind of security be taken away from them. In fact, we all recall that it was just several years ago that Saddam Hussein and other Mideast terrorists threatened the life of former President Bush. It was because we had strong security around former President Bush that we were able to thwart that attempt.

□ 1830

I in no way intend to hinder the security today or in the future of the First Family, and I suspect and I propose that because we require a full reimbursement for the use of military jets we are not diminishing in any capacity. In fact, we are not diminishing the opportunity for the First Lady or anyone else who has access to those vehicles to use them. That is a choice that they will make, a choice that they will make in conjunction with the security interests that they will have as well.

Mrs. MALONEY of New York. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, if the gentleman is so certain that current officeholders are already covered, I would ask him to cite the specific provisions of election law that applies. Just tell me where in the Federal Election Act, and I will not yield, the gentleman may talk on his own time. It says that current officeholders are blocked from using Government travel for political purposes, but the challengers are not. I have a letter from the Chair of the FEC which says that no provision of current law covers it.

Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. LOFGREN), my good friend.

Ms. LOFGREN. Mr. Chairman, this partisan amendment is overtly aimed at the First Lady of the United States and no one else. Now candidates in Government planes pay back the Government for any part of their travel which is campaign related. If a candidate has to be guarded by the Secret Service, the FEC accommodates that in the cost calculation. That is the right thing to do.

A democratic Nation requires physical safety for public officials, and by the way, keeping the First Family safe benefits us all. This dangerous amendment also violates the Constitution's equal protection clause. Federal candidates who are not officeholders would pay, but not candidates who are already elected.

Mr. Chairman, that is a brand-new loophole for the in-crowd. The effect would be to repeal the repayment rule, but only for those already elected to a federal office. It could benefit every Member of this House, but not those who challenge us.

This amendment creates special protections for federal officeholders that singles out the First Lady for bad treatment. It is bad policy, it is unconstitutional, it is petty, and it is unchivalrous. It deserves to be voted down.

Mrs. MALONEY of New York. Mr. Chairman, I yield the balance of my time to the distinguished gentleman from Maryland (Mr. HOYER), the leader of the Democratic party.

The CHAIRMAN. The gentleman from Maryland (Mr. HOYER) is recognized for 30 seconds.

Mr. HOYER. Mr. Chairman, I thank the gentlewoman from New York for yielding this time to me.

We ought to reject this amendment. This is a large issue which we are debating, campaign finance reform. The American public wants campaign finance reform.

We ought not to mire ourselves in the petty politics, as the gentlewoman indicated. The gentleman from Pennsylvania says he did not mention the First Lady. He did not have to. He cannot mention anybody else that this affects. He cannot mention anybody else that this affects right off the top of his head. Mr. Chairman, I know it, and my colleagues know it. This is trying to make a petty political point to distract our attention from a major reform bill.

Reject this amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from New York (Mr. SWEENEY).

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

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

The CHAIRMAN. Pursuant to House Resolution 283, further proceedings on the amendment offered by the gentleman from New York (Mr. SWEENEY) will be postponed.

It is now in order to consider Amendment No. 9 printed in House Report 106–311.

AMENDMENT NO. 9 OFFERED BY MR. DELAY

Mr. DELAY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. DELAY:

Insert after title XV the following new title (and redesignate the succeeding provisions and conform the table of contents accordingly):

TITLE XVI—EXEMPTION OF INTERNET ACTIVITIES FROM REGULATION

SEC. 1601. EXEMPTION OF INTERNET ACTIVITIES FROM REGULATION UNDER FECA.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by sections 101, 401, 507, 510, 515, 1001, and 1101, is further amended by adding at the end the following new section:

''EXEMPTION OF INTERNET ACTIVITIES

''SEC. 330. (a) IN GENERAL.—Except as provided in subsection (b), none of the limitations, prohibitions, or reporting requirements of this Act shall apply to any activity carried out through the use of the Internet or to any information disseminated through the Internet.

''(b) EXCEPTION.—Subsection (a) shall not apply to the solicitation or receipt of contributions.

''(c) INTERNET DEFINED.—The term 'Internet' means the international computer network of both Federal and non-Federal interoperable packet-switched data networks.''.

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from Texas (Mr. DELAY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. DELAY).

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

Mr. Chairman, this amendment will prevent the burdensome restrictions and regulations in Shays-Meehan from applying to the Internet. Shays-Meehan will impose unprecedented free speech restrictions and discussions on the Internet. Chat rooms, e-mail and personal Web pages will all be regulated by the Federal Government if Shays-Meehan, as drafted, becomes law.

I want to take a minute to show my colleagues how overreaching some of these restrictions are. This Web site right here was created by an anonymous, private person who supports the gentleman from Missouri (Mr. GEPHARDT), the minority leader. The purpose of this site is to tell other people why DICK GEPHARDT and other Democrats are good people. Simply put, this private citizen is exercising his first amendment rights to communicate. But under Shays-Meehan, this site would violate the law.

First of all, the site clearly falls within the broad and burdensome express advocacy definition in Shays. Second, this person does not disclose their name and address, which Shays-Meehan would require. And third, the person has not submitted proper information to the FEC concerning the independent expenditure.

Now I want my colleagues to look at this Web site. This is the Nazi Party home page that freely distributes its hate and its filth across the Web. Under Shays-Meehan, this site is not regulated. These hate mongers can distribute their opinions under the protection of the first amendment without regulation.

Now I find it very disturbing that an informational site like this private citizen who supports the gentleman from Missouri (Mr. GEPHARDT) will be regulated while this Nazi Web site can freely distribute its filth. What is the sense in this legislation?

The Internet is a medium that allows individuals to engage in political discourse without regulation. I believe we should encourage this dialogue, not discourage it through burdensome regulations. Citizens should not be forced to register their Web sites with the Federal Government, and my amendment protects the rights of individuals

who want to engage in political communication on the Internet.

Even Democrat FEC Commissioner Karl Sandstrom supports this approach, stating that the best remedy for questionable information is more information, and our goal should be to encourage, not discourage, this new form of political participation.

So, Mr. Chairman, I could not agree more. We must defend the constitutionally guaranteed freedom of speech, and I urge my colleagues to oppose the burdensome Internet restrictions in Shays-Meehan and support this free speech amendment.

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

Mr. DAVIS of Florida. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from Florida (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. Mr. Chairman, I would like to begin, if my colleague would promise to be brief in his response, with a colloquy with the distinguished majority whip. Do I take him to say that he would like to impose regulation on that Nazi website?

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

Mr. CAMPBELL. I yield to the gentleman from Texas.

Mr. DELAY. Absolutely not. I am for free speech, and I want open and free speech.

Mr. CAMPBELL. Reclaiming my time then, the gentleman's point about the unfair treatment is really not very based in fact in that he would have no regulation of either website. He pointed out that perhaps the Nazi site should be regulated.

Mr. DELAY. If the gentleman would yield, I never said that.

Mr. CAMPBELL. Mr. Chairman, I will allow the gentleman from Texas to correct it as I ask him the second question.

First off, let me just suppose for a moment this Gephardt For President web ad was paid for by the Red Chinese Communists. They put this money to put this ad on the web, and as I understand it, the gentleman's position would be that nobody would know that this was financed by the Communists in China—or similarly banner ads on the web that they can put on at huge expense, spending say, $10 million.

Is that correct? Do I understand the gentleman's position.

Mr. Chairman, I continue to yield to the gentleman from Texas.

Mr. DELAY. If the gentleman will yield, first of all, I think it is a specious argument because I do not know how we would require the Chinese to file with the FEC, number one; and it just points out how when we seek regulating free speech, how complicated it can get.

Mr. CAMPBELL. Reclaiming the time, it is apparent to me that the gentleman would not do anything to disclose the Red Chinese Communists funding a huge campaign for a candidate for office in the United States, provided they use the Internet loophole which his amendment creates, and that is exactly the reason why we have disclosure.

Shays-Meehan does nothing to prohibit free speech, but it does protect free speech by guaranteeing disclosure so that if the Red Chinese Communists are behind the gentleman from Missouri (Mr. GEPHARDT) for president, a possibility which I do not entertain, it would be known by the people of the United States.

What is going on in this amendment is absolutely clear. Just read it. It says ''Except as provided in subsection (b),'' which deals with fund-raising, ''none of the limitations, prohibitions *or reporting requirements* of this Act shall apply to any activity carried out through the use of the Internet,'' [emphasis added] Not even the reporting requirements would apply.

I think I was asked to speak on this because my district cares more about the Internet, I suspect, than the average, but fair is fair. If the means of dissemination are to be controlled, the Internet should be covered no more and no less.

Mr. DELAY. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. DREIER).

Mr. DREIER. Mr. Chairman, I rise in strong support of this amendment. As a general policy, the Government should not try to control or regulate the Internet, and I think most of the 90 million Americans who send e-mail or surf the Web would totally agree with us on this.

Last year we overwhelmingly approved the Internet Tax Freedom Act. We were wise enough to allow commerce on the Web to grow and flourish unfettered by Government interference before trying to tax or control it, and I believe that keeping Government bureaucracies out of the business of regulating political speech on the Web is a very important thing for us to do.

This is not a partisan statement at all. In fact, a Democratic commissioner of the Federal Election Commission recently said the Internet changes politics. On the Internet every woman and man is a potential publisher. One need only visit the Web page of a sophisticated high school student to see how slim a technical advantage media giants enjoy.

The Government should not involve itself in regulating free speech, and I believe that support of this amendment is the most responsible thing that we can do.

Mr. DAVIS of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Chairman, I rise in strong opposition to the DeLay amendment. It is a poison pill that jeopardizes today's bipartisan effort to reform our campaign finance system.

The DeLay amendment exempts activities on the Internet from federal campaign finance laws. While proponents say they are protecting the Internet and protecting political speech, the DeLay proposal, if enacted, would endanger the Internet and stifle the voice of the average citizen. It is a step backwards; it is anti-reform.

First, it creates a potentially huge loophole through which big donors, corporations, and unions could pour unlimited funds into Internet ad campaigns to directly promote the election or defeat of a candidate. This would spread the disease of sham issue ads from the TV to the Internet.

Second, the DeLay amendment opens a loophole that would allow State parties to suspend unlimited amounts of soft money on Internet activities to influence federal elections.

Third, the DeLay amendment could undermine the FEC's authority to require mandatory electronic filing of campaign reports. That is hardly in the spirit of full disclosure so strongly advocated by the majority whip.

Despite the claims of the DeLay proponents, Shays-Meehan specifically allows nonpartisan voter guides to be distributed on the Internet as well as other venues. Despite the claim of DeLay proponents, the Shays-Meehan reform bill does not impose restrictions on users of e-mail or Internet chat rooms. Political discussion there is as protected and cherished as it is in the corner barber shop or a neighbor's living room. Shays-Meehan does not require people to list their Web sites with the Federal Government.

Mr. Chairman, the Internet is growing at an exponential rate. Congress thus far has taken a hands-off policy to let the Internet grow and flourish. The DeLay amendment, however, could undermine the freedom of the Internet by making it the favored conduit for special interests to fund soft money and stealth issue ads into federal campaigns.

Let us not poison the Internet and poison our democracy with this poison pill.

□ 1845

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

Mr. Chairman, in introducing the chairman of the Internet Caucus, the gentleman from Virginia (Mr. GOODLATTE), I would just say the Internet is pure free speech. That is what makes it a powerful force for freedom around the world and here in the United States.

Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Chairman, I thank the gentleman from Texas (Mr. DELAY) for yielding and for offering this amendment, which I urge my colleagues to support.

Mr. Chairman, the Internet has the potential to be a revolutionary force in the evolution of our system of democratic governance. The ability of citizens to share information at relatively

little cost enables all Americans to become active participants in the political process.

In response to the gentleman from California (Mr. CAMPBELL), there is no way to control what people outside the U.S. put on the Internet any more than the Chinese can control what U.S. citizens put on the Internet.

For the gentleman to attempt to regulate some poor soul who wants to have a web site promoting the gentleman from Missouri (Mr. GEPHARDT) or any other American citizen running for office is an outrage, and we should strongly support this amendment and protect free speech on the Internet.

Mr. DAVIS of Florida. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman is recognized for 1 minute.

Mr. DAVIS of Florida. Mr. Chairman, I think it is important to point out exactly what the bill does. The bill does not single out the Internet in any fashion. It is for exactly the reasons that were expressed by Mr. DELAY. He cited a commissioner that said that the Internet is going to bring about great change.

One of the arguments that is constantly made by the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from California (Mr. DREIER) is that we should not take a snapshot of the Internet in an attempt to decide exactly what is going on there. This is a very fluid situation. That is why it needs to be studied. That is exactly what the FEC is doing. They are studying how the Internet is going to affect politics, and it will be a positive force.

Meanwhile, we are here on the floor of the House today debating the proposition that if somebody is going to intend to influence the outcome of an election, whatever medium they should choose, they should have to stand up and attach their name to anything that they intend to say or do.

Those people that are ashamed of the political advertising that they are engaged in today, so ashamed that they do not want to put their names on it, will resort to any media to accomplish that dirty deed. We need to put it to a stop. We need to adopt the issue ad restrictions in this bill. We need to defeat this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. DELAY).

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

Mr. DAVIS of Florida. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 283, further proceedings on the amendment offered by the gentleman from Texas (Mr. DELAY) will be postponed.

It is now in order to consider amendment No. 10 printed in House Report 106–311.

AMENDMENT NO. 10 OFFERED BY MR. EWING

Mr. EWING. Mr. Chairman, I offer amendment No. 10.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. Ewing:

Strike section 1601 and insert the following (and conform the table of contents accordingly):

SEC. 1601. NONSEVERABILITY OF PROVISIONS.

If any provision of this Act or any amendment made by this Act, or the application thereof to any person or circumstance, is held invalid, the remaining provisions of this Act or any amendment made by this Act shall be treated as invalid.

In the heading for title XVI, strike ''**SEVERABILITY**'' and insert ''**NONSEVERABILITY**'' (and conform the table of contents accordingly).

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from Illinois (Mr. EWING) and the gentleman from Massachusetts (Mr. FRANK) each will control 5 minutes.

The Chair recognizes the gentleman from Illinois (Mr. EWING).

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

First and foremost, I support campaign finance reform. Leadership supports campaign finance reform. Both the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) support campaign finance reform. However, this debate should center around real campaign finance reform, reform that closes loopholes that have tainted the current system; reforms which treat both political parties fairly; and reforms that protect the First Amendment rights of all Americans.

My amendment is about preserving the First Amendment rights of all Americans by enacting constitutionally accepted campaign finance reform.

In a hearing before the Committee on House Administration, constitutional experts from the ACLU to the Cato Institute indicated that Shays-Meehan was very seriously constitutionally flawed. In fact, those witnesses believed that important elements of the Shays-Meehan bill would be unconstitutional.

The proponents have indicated that Shays-Meehan is constitutional in all its major provisions. Yet, if the Court rules that any key provision of this bill is unconstitutional, this would put an unprecedented monkey wrench into our current system and make a bad situation worse.

Congress went down this road in the 1970s when it enacted laws without nonseverability provisions. This created the soft money problem we are trying to address today.

My amendment says one simple thing. If any part of the Shays-Meehan bill is ruled unconstitutional, then the entire bill becomes invalid. All the Ewing amendment does is provide a constitutional check for the bill. Recently, supporters of Shays-Meehan have declared my amendment a poison pill to their legislation. It seems to me that the proponents believe that much of this bill is unconstitutional and that is why they are opposed to my amendment.

If the supporters of Shays-Meehan feel that their bill will stand the constitutional test, then why should they have any problem with supporting this amendment?

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

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. Mr. Chairman, I have a great degree of admiration for my good friend and colleague who proposes this amendment. And I have some sympathy for the concept of the amendment because, when the original bill was passed in 1974, it had expenditure limits and it had contribution limits. And I can understand how the two would march together or not at all. But that simply is not the case with Shays-Meehan.

In other words, there is in Shays-Meehan a prohibition on sham issue ads. That is a good prohibition whether the rest stands or falls. There is in Shays-Meehan a prohibition on contributions of a soft money nature. That is a good prohibition whether sham issue ads stand or fall. In other words, this bill is unlike the 1974 bill where, in order to get expenditure limits, one had to have contribution limits, and vice versa. Here, both are good. There is no quid pro quo. There is not, for example, a sacrifice that Democrats make in order to get a sacrifice for Republicans to make. Both provisions of this bill, the sham issue ad ban and the prohibition on soft money, are good.

Second, I think it is only fair that the authors of Shays-Meehan be allowed to offer their proposal and have it voted on as their proposal.

Third, I would just like to point out to all of our colleagues how frequently unanticipated provisions of bills are struck down. The clearest example of this is the one House veto, the legislative veto, struck down by the Supreme Court in INS versus Chadha. Nobody anticipated that. That same provision is in the laws about transfer of arms sales. It is in the war powers resolution. The war powers resolution, that allowed me to bring to the floor of the House the resolutions regarding Kosovo, had another provision saying that a single House could, by its order alone, withdraw the troops. We would have lost the entire bill, the entire value, the entire ability to bring the vote to the floor, simply because an unanticipated part was held to be unconstitutional.

Finally, I remain of the view that this bill is in all its parts quite constitutional, but I recognize people of goodwill can disagree. If one believes it is unconstitutional, which is the view of my good friend and colleague, then it seems to me just fairness would suggest that unless there is some overt quid pro quo in making this fabric into

one consistent whole, that he allow those parts which are constitutional to go ahead and work their beneficial effect.

With that, I conclude that the amendment though well intentioned is not the best way to proceed in this debate tonight.

Mr. EWING. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. THOMAS).

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

Mr. THOMAS. Mr. Chairman, although I appreciate the argument of my friend, the gentleman from California (Mr. CAMPBELL), the idea that a portion of a significant campaign reform bill ought to be allowed to stand, notwithstanding the fact that other provisions are declared unconstitutional, is exactly why we are where we are today because back in the 1970s they attempted to use the model, and we have heard this phrase repeatedly on the floor, that we want to stop corruption or the appearance of corruption.

The court, I think quite properly, looked at contribution limits and said if we limit the amount that someone was given it certainly could be plausible that the limit was there to stop corruption or the appearance of corruption but in no way should it extend to the expenditure of money. How does spending money corrupt?

The court then took that same logic and applied it to individuals who spent their own money and a key portion of Shays-Meehan that we have been concerned about is those individuals who make independent expenditures exercising their First Amendment freedom.

We heard the gentleman from Florida (Mr. DAVIS) in his opening statement say Shays-Meehan is constitutional. We heard the gentleman from California (Mr. CAMPBELL) say they believe it is constitutional. What we ought not to do is go down the same road we went down 25 years ago with campaign election reform.

Any structure is balanced. If we can come to an agreement now and the court throws out a portion, we ought to be able to come back and come to an agreement on a whole, not on a piece. For more than 25 years, we have operated on a piece. It seems that if we want to go down the reform road again, we ought to opt as a whole. It is either all constitutional or if a portion of it is not, it all falls and we do it again.

The only way to stop repeating exactly what we have done in the last 25 years is to say there should be no severability clause; that it all stands or it all falls. That is exactly what the Ewing amendment does. It ought to pass.

Mr. FRANK of Massachusetts. Mr. Chairman, how much time remains?

The CHAIRMAN. The gentleman from Massachusetts (Mr. FRANK) has 3 minutes remaining. The gentleman from Illinois (Mr. EWING) has 45 seconds.

Mr. FRANK of Massachusetts. Might I make a parliamentary inquiry. Do I correctly assume the gentleman from Illinois (Mr. EWING) plans to close with his 45 seconds and not divide it?

Mr. EWING. The gentleman is correct.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we have just seen a demonstration that while proximity may breed contempt, it can also breed familiarity because my ally on this issue, the gentleman from California (Mr. CAMPBELL), anticipated the argument we just heard and refuted it before it was made; a very impressive feat. As he pointed out, this is not at all analogous to the 1974 act because it is not meant to be interlocking, and that is why this is a sham amendment.

The gentleman says well, if we think it is all constitutional what are we worried about? Well, I do not know what the Supreme Court will do and no one else does. It is entirely possible they will find some parts constitutional. It is clear that other parts will not be found constitutional.

The gentleman from California (Mr. THOMAS), who just spoke, said they have different standards for contribution limits and expenditure limits. When we are talking about soft money, we are talking about contributions and that would clearly be constitutional.

This is an effort to try to kill the whole thing, if any part of it fails, by people who are against it.

By the way, if we adopted this principle that we do not have severability clauses, guess what we would not have? The Telecommunications Act of 1996. We passed the Telecommunications Act. Maybe some people who voted for it wish we did not have it, but we have it. Part of it was found unconstitutional, the Communications Decency Act.

We would not have a Brady bill. Now, that may make some people happy, although probably fewer than would have said they were happy a couple of months ago, but the Brady bill was found partly unconstitutional, the part that mandated that local officials go ahead with it. It was only because there was a severability clause that we still have handgun checks, because if we followed this notion that it all has to be balanced and of a piece and it is either all constitutional or all unconstitutional there would be no handgun checks now.

We would not have a privacy right for children because when my colleague, the gentleman from Massachusetts (Mr. MARKEY), offered a privacy right to children, which was just done last year, it was merged with another obscenity bill, which has already been found unconstitutional at the district court level by a Reagan appointee.

So this notion that it all hangs or falls together is simply a way to try to hang this whole bill by people who are against it. The gentleman from California (Mr. THOMAS), who just spoke, said we all have to come to an agreement. Let us be honest. We are not coming to an agreement. The gentleman happens to be in disagreement with the majority on this bill. He is entitled to that, but he is not entitled to twist our normal constitutional doctrines around so that if the Supreme Court found any one piece of this unconstitutional, maybe the Supreme Court will find that there is a constitutional right of noncitizens to contribute, so maybe the majority that voted for the amendment will have then succeeded in killing the whole thing.

That is a nice way to go; there is a nonseverability clause, put through an amendment of dubious constitutionality, and then kill the whole bill. The fact is that we are not sure what will happen, but the key point was made by the gentleman from California. This is not an interlocking piece of jigsaw. It is a bill with several distinct provisions. If some part of the independent expenditure is held unconstitutional, that in no way makes it wrong to try to ban soft money, in no way. It in no way undercuts it. So, please, reject this silly notion that it is all constitutional or not and save Shays-Meehan.

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

Mr. Chairman, let me try to clear away some of this smoky rhetoric that has been put out here to mask the problem here.

This bill is an intricate interlocked bill that affects the Democratic Party and the Republican Party, and the part that affects the Republican Party is soft money and that will be constitutional; and the part that affects the Democratic Party is the issue advocacy and that will be unconstitutional. When we are done, we will have an unfair bill that does not treat both parties fairly and the gentleman knows it and I know it and that is why we should adopt this amendment.

Mr. ENGLISH. Mr. Speaker, I rise in strong support of the Ewing Amendment to H.R. 417. This amendment is a vital component to any meaningful campaign finance reform passed by the House today.

True advocates of campaign finance reform favor legislation that can survive legal challenge and remain balanced, that is, without unduly favoring one party or ideolgical grouping over another.

Many provisions of the Shays-Meehan bill that are most susceptible to unfavorable legal review are those most critical to the maintenance of this balance.

The Ewing Amendment fixes this by subjecting the entire Shays-Meehan bill to a rigorous test of Constitutionality. Non-severability is the true test of sincere reform. If my colleagues who support the Shays-Meehan bill really believe in the campaign finance reform package they are touting as the one real reform being debated today, I urge them to vote for this amendment.

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

□ 1900

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Illinois (Mr. EWING).

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

RECORDED VOTE

Mr. FRANK of Massachusetts. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 283, further proceedings on the amendment offered by the gentleman from Illinois (Mr. EWING) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 283, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment No. 7 offered by Mr. CALVERT of California; Amendment No. 8 offered by Mr. SWEENEY of New York; Amendment No. 9 offered by Mr. DELAY of Texas; Amendment No. 10 offered by Mr. EWING of Illinois.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 7 OFFERED BY MR. CALVERT

The CHAIRMAN. The pending business is the demand for a recorded vote on Amendment No. 7 offered by the gentleman from California (Mr. CALVERT) on which further proceedings were postponed and on which the noes prevailed by voice note.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 179, noes 248, not voting 6, as follows:

[Roll No. 415]

AYES—179

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barrett (NE)
Bartlett
Barton
Bereuter
Bilbray
Bilirakis
Blunt
Boehner
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cramer
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Foley
Fowler
Gallegly
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayworth
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kelly
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
McCollum
McCrery
McHugh
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Moran (VA)
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Pease
Peterson (MN)
Peterson (PA)
Petri
Pitts
Pombo
Portman
Radanovich
Regula
Riley
Rogan
Rohrabacher
Royce
Ryan (WI)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Weldon (FL)
Weller
Wicker
Wolf
Young (FL)

NOES—248

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barr
Barrett (WI)
Bass
Bateman
Becerra
Bentsen
Berkley
Berman
Berry
Biggert
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Coble
Conyers
Cox
Coyne
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fletcher
Forbes
Ford
Fossella
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Ganske
Gejdenson
Gephardt
Gilchrest
Gilman
Gonzalez
Gordon
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hayes
Hefley
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hyde
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kasich
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McInnis
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Packard
Pallone
Pascrell
Pastor
Paul
Pelosi
Phelps
Pickering
Pickett
Pomeroy
Porter
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers
Rothman
Roukema
Roybal-Allard
Rush
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Shays
Sherman
Shows
Simpson
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spence
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Sununu
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (PA)
Wexler
Weygand
Whitfield
Wilson
Wise
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—6

Hastings (FL)
Kingston
Payne
Pryce (OH)
Ros-Lehtinen
Shaw

□ 1922

Ms. KILPATRICK and Messrs. WEYGAND, FLETCHER, PICKERING, and ACKERMAN changed their vote from ''aye'' to ''no.''

Messrs. SAXTON, ISAKSON, CANNON, WAMP, CRAMER, LUTHER, WICKER, TAYLOR of Mississippi, PITTS, and MORAN of Virginia changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 283, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 8 OFFERED BY MR. SWEENEY

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 8 offered by the gentleman from New York (Mr. Sweeney) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 261, noes 167, not voting 5, as follows:

[Roll No. 416]

AYES—261

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Brady (TX)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox

Cramer
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dixon
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kaptur
Kasich
Kelly
Kildee
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Luther
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Metcalf
Mica
Miller (FL)
Miller, Gary
Miller, George
Minge
Moore
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Roemer
Rogan
Rogers
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Wu
Young (AK)
Young (FL)

NOES—167

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boyd
Brady (PA)
Brown (FL)
Campbell
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Frank (MA)
Frost
Gejdenson
Gephardt
Green (TX)
Gutierrez
Hall (OH)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Jones (OH)
Kanjorski
Kennedy
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Mink
Moakley
Mollohan
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pickett
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Scott
Serrano
Sherman
Slaughter
Snyder
Spratt
Stabenow
Stark
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wynn

NOT VOTING—5

Hastings (FL)
Kingston
Pryce (OH)
Ros-Lehtinen
Shaw

□ 1931

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 9 OFFERED BY MR. DELAY

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 9 offered by the gentleman from Texas (Mr. DELAY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 160, noes 268, not voting 5, as follows:

[Roll No. 417]

AYES—160

Aderholt
Archer
Armey
Baker
Ballenger
Barr
Bartlett
Barton
Bateman
Biggert
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cooksey
Crane
Cubin
Cunningham
Davis (VA)
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Dunn
Ehlers
Ehrlich
English
Everett
Ewing
Fletcher
Fossella
Fowler
Gibbons
Goode
Goodlatte
Goodling
Goss
Granger
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hutchinson
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kasich
King (NY)
Knollenberg
Kolbe
Largent
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
Manzullo
McCrery
McInnis
McIntosh
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Nethercutt
Ney
Northup
Norwood
Nussle
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Pombo
Radanovich
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Salmon
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Toomey
Traficant
Vitter
Walden
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Whitfield
Wicker
Wilson
Wu
Young (AK)
Young (FL)

NOES—268

Abercrombie
Ackerman
Allen
Andrews
Bachus
Baird
Baldacci
Baldwin
Barcia
Barrett (NE)
Barrett (WI)
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Castle
Chabot
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cook
Costello
Cox
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Edwards
Emerson
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Graham
Green (TX)
Green (WI)
Greenwood
Gutierrez
Hall (OH)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hunter
Hyde
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Petri
Phelps
Pickett
Pomeroy
Porter
Portman
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes

Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shays
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watt (NC)
Waxman
Weiner
Weller
Wexler
Weygand
Wise
Wolf
Woolsey
Wynn

NOT VOTING—5

Hastings (FL)
Kingston
Pryce (OH)
Ros-Lehtinen
Shaw

□ 1941

Mr. MCCOLLUM changed his vote from ''aye'' to ''no''.

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 10 OFFERED BY MR. EWING

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment No. 10 offered by the gentleman from Illinois (Mr. EWING) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 167, noes 259, not voting 7, as follows:

[Roll No. 418]

AYES—167

Aderholt
Archer
Armey
Ballenger
Barcia
Barr
Bartlett
Barton
Bateman
Biggert
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chambliss
Chenoweth
Coburn
Collins
Combest
Cooksey
Cox
Crane
Cunningham
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Fossella
Fowler
Frost
Gekas
Gibbons
Gillmor
Goodlatte
Goss
Granger
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kasich
King (NY)
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
Manzullo
McCollum
McCrery
McInnis
McIntosh
Mica
Miller (FL)
Miller, Gary
Mollohan
Nethercutt
Ney
Northup
Norwood
Obey
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Radanovich
Reynolds
Riley
Rogers
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Vitter
Walden
Walsh
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Young (AK)
Young (FL)

NOES—259

Abercrombie
Ackerman
Allen
Andrews
Bachus
Baird
Baker
Baldacci
Baldwin
Barrett (NE)
Barrett (WI)
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Castle
Chabot
Clay
Clayton
Clement
Clyburn
Coble
Condit
Conyers
Cook
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gephardt
Gilchrest
Gilman
Gonzalez
Goode
Goodling
Gordon
Graham
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hefley
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
Lampson
Lantos
Larson
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nussle
Oberstar
Olver
Ortiz
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pickett
Pomeroy
Porter
Portman
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Rivers
Rodriguez
Roemer
Rogan
Rothman
Roukema
Roybal-Allard
Rush
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shays
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (MI)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Wamp
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Wolf
Woolsey
Wu
Wynn

NOT VOTING—7

Cubin
Hastings (FL)
Kingston
McKeon
Pryce (OH)
Ros-Lehtinen
Shaw

□ 1948

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider Amendment No. 11 in the nature of a substitute printed in House Report 106–311.

AMENDMENT NO. 11 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. DOOLITTLE

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

The CHAIRMAN. 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. 11 in the nature of a substitute offered by Mr. DOOLITTLE:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Citizen Legislature and Political Freedom Act''.

SEC. 2. REMOVAL OF LIMITATIONS ON FEDERAL ELECTION CAMPAIGN CONTRIBUTIONS.

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

''(9) The limitations established under this subsection shall not apply to contributions made during calendar years beginning after 2000.'.'

SEC. 3. TERMINATION OF TAXPAYER FINANCING OF PRESIDENTIAL ELECTION CAMPAIGNS.

(a) TERMINATION OF DESIGNATION OF INCOME TAX PAYMENTS.—Section 6096 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(d) TERMINATION.—This section shall not apply to taxable years beginning after December 31, 1999.''

(b) TERMINATION OF FUND AND ACCOUNT.—

(1) TERMINATION OF PRESIDENTIAL ELECTION CAMPAIGN FUND.—

(A) IN GENERAL.—Chapter 95 of subtitle H of such Code is amended by adding at the end the following new section:

''SEC. 9014. TERMINATION.

The provisions of this chapter shall not apply with respect to any presidential election (or any presidential nominating convention) after December 31, 2000, or to any candidate in such an election.''

(B) TRANSFER OF EXCESS FUNDS TO GENERAL FUND.—Section 9006 of such Code is amended by adding at the end the following new subsection:

''(d) TRANSFER OF FUNDS REMAINING AFTER 1998.—The Secretary shall transfer all amounts in the fund after December 31, 2000, to the general fund of the Treasury.''

(2) TERMINATION OF ACCOUNT.—Chapter 96 of subtitle H of such Code is amended by adding at the end the following new section:

''SEC. 9043. TERMINATION.

The provisions of this chapter shall not apply to any candidate with respect to any presidential election after December 31, 2000.''

(c) CLERICAL AMENDMENTS.—

(1) The table of sections for chapter 95 of subtitle H of such Code is amended by adding at the end the following new item:

''Sec. 9014. Termination.''

(2) The table of sections for chapter 96 of subtitle H of such Code is amended by adding at the end the following new item:

''Sec. 9043. Termination.''

SEC. 4. DISCLOSURE REQUIREMENTS FOR CERTAIN SOFT MONEY EXPENDITURES OF POLITICAL PARTIES.

(a) TRANSFERS OF FUNDS BY NATIONAL POLITICAL PARTIES.—Section 304(b)(4) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(b)(4)) is amended—

(1) by striking ''and'' at the end of subparagraph (H);

(2) by adding ''and'' at the end of subparagraph (I); and

(3) by adding at the end the following new subparagraph:

''(J) in the case of a political committee of a national political party, all funds transferred to any political committee of a State or local political party, without regard to whether or not the funds are otherwise treated as contributions or expenditures under this title;''.

(b) DISCLOSURE BY STATE AND LOCAL POLITICAL PARTIES OF INFORMATION REPORTED UNDER STATE LAW.—Section 304 of such Act (2 U.S.C. 434) is amended by adding at the end the following new subsection:

''(d) If a political committee of a State or local political party is required under a State or local law, rule, or regulation to submit a report on its disbursements to an entity of the State or local government, the committee shall file a copy of the report with the Commission at the time it submits the report to such an entity.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to elections occurring after January 2001.

SEC. 5. PROMOTING EXPEDITED AVAILABILITY OF FEC REPORTS.

(a) MANDATORY ELECTRONIC FILING.—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 ''permit reports required by'' and inserting ''require reports under''.

(b) REQUIRING REPORTS FOR ALL CONTRIBUTIONS MADE TO ANY POLITICAL COMMITTEE WITHIN 90 DAYS OF ELECTION; REQUIRING REPORTS TO BE MADE WITHIN 24 HOURS.—Section 304(a)(6) of such Act (2 U.S.C. 434(a)(6)) is amended to read as follows:

''(6)(A) Each political committee shall notify the Secretary or the Commission, and the Secretary of State, as appropriate, in writing, of any contribution received by the committee during the period which begins on the 90th day before an election and ends at the time the polls close for such election. This notification shall be made within 24 hours (or, if earlier, by midnight of the day on which the contribution is deposited) after the receipt of such contribution and shall include the name of the candidate involved (as appropriate) and the office sought by the candidate, the indentification of the contributor, and the date of receipt and amount of the contribution.

''(B) The notification required under this paragraph shall be in addition to all other reporting requirements under this Act.''.

(c) INCREASING ELECTRONIC DISCLOSURE.—Section 304 of such Act (2 U.S.C. 434(a)), as amended by section 4(b), is further amended by adding at the end the following new subsection:

''(e)(1) The Commission shall make the information contained in the reports submitted under this section available on the Internet and publicly available at the offices of the Commission as soon as practicable (but in no case later than 24 hours) after the information is received by the Commission.

''(2) In this subsection, the term 'Internet' means the international computer network of both Federal and non-Federal interoperable packet-switched data networks.''.

(d) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to reports for periods beginning on or after January 1, 2001.

SEC. 6. WAIVER OF "BEST EFFORTS" EXCEPTION FOR INFORMATION ON IDENTIFICATION OF CONTRIBUTORS.

(a) IN GENERAL.—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 identification of any person who makes a contribution or contributions aggregating more than $200 during a calendar year (as required to be provided under subsection (c)(3)).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to persons making contributions for elections occurring after January 2001.

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from California (Mr. DOOLITTLE) and the gentleman from Maryland (Mr. HOYER) each will control 20 minutes.

Mr. HOYER. Mr. Chairman, I ask unanimous consent to yield 7 minutes to the gentleman from Tennessee (Mr. WAMP) and 7 minutes to the gentleman from Massachusetts (Mr. MEEHAN) and they will control that time, leaving myself with 6 minutes.

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

There was no objection.

The CHAIRMAN. The gentleman from California (Mr. DOOLITTLE) is recognized for 20 minutes.

Mr. DOOLITTLE. Mr. Chairman, do I have the right to close on this amendment?

The CHAIRMAN. No. The gentleman from Maryland (Mr. HOYER), as a member of the committee does.

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

Mr. Chairman, we have heard an awful lot about the problems of the present system. I would like to present what I believe are the problems with the system. I think it has tremendous problems. They are intolerable and they cry out for reform. It is just that the nature of the reform that I would favor is much different than the advocates of Shays-Meehan would favor.

I believe that today's campaign finance system requires current and prospective office-holders to spend too much time raising money and not enough time governing and debating issues. Today's system has failed to make elections more competitive. And indeed, since the 1974 amendments, the disastrous system we have that was created by those amendments, voter participation has actually declined.

Today's system allows millionaires to purchase congressional seats and inhibits the ability of challengers to raise the funds necessary to compete. Today's system hurts taxpayers by taking nearly $900 million collected in federal taxes and subsidizing the presidential campaigns of all sorts of characters, including convicted felons and billionaires.

Today the system hurts voters in our Republic by forcing more contributors and political activists to operate outside of the system where they are unaccountable and consequently more irresponsible. That latter fact is what causes the advocates of Shays-Meehan to focus upon soft money because that is one of those areas. But they fail to understand that what is driving soft money is the unadjusted limits on hard money, never changed in 25 years.

Justice Thurgood Marshall in Buckley v. Valeo observed that one of the points on which all members of the court agree is that money is essential for effective communication in a political campaign.

David Broder, not known I do not think as a Republican, this is not a conservative, but he wrote in the Washingtonian 3 years ago and said the following:

''Raise the current $1,000 limit on personal campaign contributions to $50,000. Maybe even go to $100,000.''

I note parenthetically, we could not even go to $3,000 tonight let alone 50 or 100 like Mr. Broder has recommended.

''Today's limits are ridiculous given television and campaigning costs. Raising that limit with full disclosure would enable some people to make really significant contributions to help a candidate.''

My campaign finance reform goals are the following: we should encourage political speech rather than limit it, like the supporters of Shays-Meehan want to do. We should promote competition, freedom, and a more informed electorate, not limit their information at the time when people are coming awake and paying attention to politics, namely, 60 days before an election. We should enable any American citizen to run for office, not just of the wealthy, not just the well connected. And that tends to be the trend if we continue down this road of regulation, like Shays-Meehan. We should increase the amount of time candidates spend with constituents in debating issues rather than raising money.

Just last week we lost a couple of candidates for the Senate because of this very thing. They could not put themselves through the absurd race to raise money that the present law requires.

And lastly, we should make candidates accountable to their constituents for the money they accept.

I propose to achieve those goals with the Citizen Legislature and Political Freedom Act embodied in H.R. 1922, which is the substitute I bring before my colleagues now.

This legislation repeals limits on how much individual and political action committees may contribute to candidates or parties. It repeals limits on how much parties can contribute to candidates. We think political speech is good, and we think those limits have got to go.

This bill also terminates the horrid taxpayer financing of presidential election campaigns that we have in place today. This legislation requires political parties to distinguish between federal and nonfederal funds and requires that each State party file with the FEC a copy of the same disclosure form as filed with the State. That way we do not add any bureaucratic requirements to what the States have to do, but we make the information available for people to see.

We require electronic filing of campaign reports, and we require those reports to be filed every 24 hours within 3 months of an election. With the advent of the Internet, any person with a computer and access to the Internet will be able to access this information. The media, of course, will do that and it will be available for all to see.

That is why we call ours the full disclosure act because we get right to the heart of it, and we make this information available to the electorate rather than empowering a new government information czar.

We require the FEC to post all campaign reports on the Internet. They do not have to go down to the government office and get the Xeroxed copy of the report somebody mailed in months after the election. They will have it right there on the Internet.

By the way, we also bar acceptance of campaign contributions unless specific disclosure requirements are met. We repeal, if you will, the best-effort rule. That is what the legislation does.

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

Mr. WAMP. Mr. Chairman, I yield 1½ minutes to the gentleman from California (Mr. BILBRAY), who has been very active on this issue for many months and years now.

Mr. BILBRAY. Mr. Chairman, I regretfully have to stand in opposition to the substitute.

I think the gentleman from California (Mr. DOOLITTLE), my dear colleague that I have worked so closely with for so long, has come up with a lot of hard work and a total reform of the approach to campaign finance reform, and I have got to give him credit for that. He has shifted the whole perspective to a whole new view.

We may be there some day, but the fact is today we have Shays-Meehan in front of us. We have a bill that tries to correct the problems of campaign finance reform that was passed in the 1970s.

The proposal of the gentleman from California would totally approach the issue totally different than we have in the last 30 years. I would ask us to consider, let us see if we can fix the existing system before we try to replace the entire system with a whole new approach.

Now, I happen to have had the privilege of serving as a county supervisor in California in a county of 2.8 million people with districts as large as congressional districts; and our campaign limits were $250 a person, no PACs, no corporate checks, no union participation.

Let me tell my colleagues something: it works. I just ask, do not fear campaign finance limitations. It is an equal ground. Everybody plays by the rules, and we move forward.

So I have to say, in all fairness, I think the gentleman from California (Mr. DOOLITTLE) may have a great argument, but my question is, before we try to scrap the old system and move on, let us try to fix the one we have in Shays-Meehan.

Mr. MEEHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. TIERNEY), a cosponsor and an author of the clean elections bill himself.

Mr. TIERNEY. Mr. Chairman, I thank my colleague from Massachusetts for yielding me the time, and I congratulate him on once again having the tenacity to stay with the Shays-Meehan bill and bring it back to this House.

With all due respect, I suggest that the proposal by our colleague from California is a step backwards, certainly not a step forward. I would say that we should support the Shays-Meehan bill and note that that is in fact only a partial reform.

The bill that I propose pending before this body and some day, hopefully, we will get it as part of a rule and be able to debate it is the clean money, clean elections bill and in fact calls for public financing of campaigns.

I understand all of the arguments that the gentleman from California (Mr. DOOLITTLE) has made and just suggested. There is nobody that I hear in the district, no average citizen, that thinks that it is going to be easier on elections if in fact they can raise money or thinks that people are going to stop raising money at some point in time. In fact, if we raise the limits, they are going to spend more, raise more, have more TV ads and go on.

□ 2000

The clean money, clean elections bill will in fact be the one process by which we can lower the cost of campaigns. It requires broadcasters to give time for campaign ads at low or reduced cost, because in fact we have given them a public value, we have given them the spectrum, and they ought to in return give some public benefit back on that and that would reduce the cost of campaigns by some 40 or 50 percent.

The clean money, clean elections bill would limit the amounts of money spent. It would make campaign season shorter by virtue of the distribution schedule. It would make the money chase end. People would not have to spend virtually all their time raising money. And, in fact, it would allow people that are not personally wealthy and do not know people with $50,000 or $75,000 or $3,000 able to run for office and have a reasonable prospect of campaigning and winning. It is, in fact, the kind of campaign reform that most of America wants. State after State are passing referenda and certifying that they want to have a campaign system where they get their elective process back in their hands. They have heard all the arguments. All of those referenda has been put to them in a way of, ''Do you want public money buying bumper stickers for candidates?'' The resounding answer is ''Yes, rather than special interests paying that money, we want to have our election process back.''

Let us pass Shays-Meehan and get beyond that someday to real campaign finance reform.

Mr. DOOLITTLE. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. DELAY), the distinguished House majority whip.

Mr. DELAY. Mr. Chairman, I think we just heard what this is all about. This is about more regulation of free speech and, at the end of the last speaker's remarks, taxpayer-funded elections. That is where we are headed when you regulate free speech and regulate the people's right to participate in the political system.

Mr. Chairman, I rise today in support of this substitute legislation. We simply cannot allow the participation of Americans in our democracy to be limited. We have an important choice today, a choice to either encourage participation in our political system or a choice to limit it. We can either choose to uphold the first amendment which guarantees our citizens the right to free speech, or we can choose to infringe upon this right.

Now, some of the rhetoric on the other side might sound good, but we must not allow those who support Shays-Meehan to fool us. In short, the Shays-Meehan bill restricts the democratic process by placing unfair regulations on those willing and able to compete as candidates and as their supporters. While accountability in fundraising is necessary, we must be sure that we do not limit the ability of those who want to compete through fair and worthy avenues to do so. The Doolittle substitute will instill this accountability. Among other things, the Doolittle substitute institutes new filing requirements and mandates that the Federal Election Commission post all campaign reports on the Internet. After all, what reform can restore accountability more than an open book? Simply put, freedom works.

Only those supporting Shays-Meehan would think that freedom is a step

backwards. The important responsibility of this body is to protect freedom, not take it away.

Mr. Chairman, Congress must work to reform, not restrict, the political process. We must encourage, not limit, our citizens' ability to participate in the political system. I urge my colleagues to vote for fairness, vote for freedom in our political system by supporting this substitute.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. HOEFFEL), one of our most distinguished new Members.

Mr. HOEFFEL. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in opposition to the Doolittle substitute amendment. A vote for the Doolittle substitute is a vote to kill Shays-Meehan. I urge opposition to all of the poison pill substitutes and urge support of Shays-Meehan.

The Doolittle substitute would eliminate all Federal contribution limits, end public financing of presidential campaigns, which has worked well, and would weaken the disclosure requirements contained in Shays-Meehan.

Instead, we should adopt Shays-Meehan, which prohibits soft money contributions, stops the sham issue ads and strengthens FEC disclosure and enforcement.

The House should also pass comprehensive reform to implement voluntary spending limits for campaigns in exchange for partial public financing and free and discounted air time. These reforms also deserve a floor debate and the attention of this House.

Again, I urge my colleagues to oppose Doolittle, support Shays-Meehan, and move on to Tierney.

Mr. WAMP. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in opposition to the Doolittle substitute. The Doolittle substitute repeals all existing limits on contributions, ends the presidential public financing system, and requires disclosure of funds transferred to a State or local political party. But let us be honest. This amendment would virtually turn over the campaign finance system to the wealthy and the special interests.

Mr. Chairman, in a recent survey, over 50 percent of Americans said they believe that Abraham Lincoln's revered formulation that our democracy is a government of, by and for the people no longer applies. Passing the Doolittle substitute will regrettably confirm this very cynical perception of public service and public servants.

It will take the passage of meaningful, comprehensive campaign finance reform, which is the Shays-Meehan bill, H.R. 417, to change the prevailing attitude.

Mr. Chairman, the key word here is comprehensive campaign finance reform. The Doolittle substitute, although it may be well-intended, is window dressing. It requires only limited disclosure rather than making the necessary changes to clean up the current system, namely, ending soft money and reining in sham issue ads.

Mr. Chairman, I urge my colleagues to vote ''no'' on the Doolittle substitute and support final passage of the Shays-Meehan bill.

Mr. MEEHAN. Mr. Chairman, I yield 1 minute to the gentlewoman from Ohio (Mrs. JONES), again, one of the leaders on campaign finance reform.

Mrs. JONES of Ohio. Mr. Chairman, I rise in opposition to the Doolittle substitute amendment, eliminating all Federal campaign contributions and public financing of presidential campaigns. In effect, the Doolittle amendment would be the kiss of death for H.R. 417, the Bipartisan Campaign Reform Act, because it guts the essence of the Shays-Meehan bill. Eliminating public financing of presidential campaigns in effect eliminates the ability of the little people to impact a presidential election at a time when voter apathy and participation is at an all-time low. Eliminating limits on contributions allows the haves to speak louder and places a gag on the have-nots. Eliminating campaign contribution limits will cause the House of Representatives to represent only the wealthy and leave the poor un- and underrepresented.

I urge my colleagues to vote ''no'' on this amendment. All the proposed reporting is only a smoke screen to cover this attempt to turn public office and public officeholders over to the wealthy.

Mr. DOOLITTLE. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. Mr. Chairman, I rise to support the Doolittle substitute. Thirteen States do not have limits, and I do not think you can name them because they do not stand out as States loaded with public corruption. Thirteen States do not limit campaign financing. We should be here debating increasing disclosure, immediate reporting and enforcement.

I have heard speaker after speaker talking about laws not being enforced. What about more laws without enforcement? Yet folks in this city have worked themselves into a state of hysteria over what they call campaign finance reform. This in spite of the fact that survey after survey show that most Americans rate campaign finance reform near the bottom of their concerns, if they rate it at all. Then why the hysteria?

The liberals' idea of reform rests primarily on restricting the free flow of moneys and ideas to the public through any channels except those they control and they regulate.

The refreshing motto of Fox Cable News network is ''We report and you decide.'' That is how elections ought to be. We report who helped us and you decide. By contrast, the motto of liberals and their media allies embodied in the Shays-Meehan bill seems to be, ''We report, we decide, and everyone else be quiet.''

It is a bedrock principle of American political heritage that money is speech. When the supporters of Shays-Meehan want to restrict and regulate the amount of money in campaigns, they want to restrict and regulate the amount of speech. They decide, not the voters. Even the American Civil Liberties Union has stated that the Shays-Meehan bill is patently unconstitutional and makes it harder for ethnic and racial minorities, women and non-mainstream voices to be heard prior to an election. It will be an incumbent protection bill.

I will give my colleagues an example from Pennsylvania when you do not have money to get the message out. In 1998, Governor Ridge was running for reelection, the senior Senator from Pennsylvania was running for reelection, and they both had strong bipartisan support. They both had three, four or five Democrat opponents in the primary but none of them could raise any money because of the strength of the incumbents. So when it came to the primary election in my district, Clarion and Elk County, because the message did not get out because the candidates did not have any money, 19 percent of the Democrats voted. In McKean County, 9 percent. In Jefferson County, 6 percent. Why? They did not know the candidates, they did not know about them, they did not know who to vote for, so they stayed home. If you want people to come out and vote, they have to understand what the candidates stand for and that is about free speech.

Mr. Chairman, I support the Doolittle reforms because they are in the American tradition. They truly ''do little'' when it comes to restricting first amendment rights. They remove the restrictions of most campaign giving and spending, and thus remove the restrictions to free speech. At the same time, they require immediate and full reporting of all contributions. Immediate and full reporting of all contributions. Shays-Meehan does not do that. The message that money buys then can reach more voters and the voters can judge for themselves the message and who is supporting it.

Like Fox News, the Doolittle approach says to voters, ''We report, you decide.'' If the liberal media is so concerned about how much campaigns cost today, then why do they not turn themselves into electronic Wal-Marts and charge the lowest prices for campaign ads? No, the highest. They are like an airline carrier charging hostage-level prices for tickets and complaining that people are spending too much money on transportation.

To add a little more perspective, during the Super Bowl the networks charge more for a single 30-second commercial than I have spent in two congressional elections, $1.6 million. Is anybody crying about that?

Liberals cry that too much money buys elections and corrupts the process. People need to understand the candidates and what they stand for. Thirty million Americans listen to network news regularly. One hundred million Americans elect our Presidents. In 1996, 76 million Americans voted for Congress. Only 30 million of those people watch the news regularly. Somehow, the message of our candidates has to get out to the people. It takes money. It takes a message. The people will buy when money is behind a message, because if the other were the case, we would have elected Huffington for the Senate because he certainly had the money, we would have elected Forbes and Perot for President because they had the money. It is the message that has to be driven by the money.

Certainly Eugene McCarthy would not have had a shot to run against Lyndon Johnson if Stuart Motts had not come to his aid because Lyndon Johnson had shut down his ability to raise money.

Yes, Mr. Chairman, when it comes to really eliminating corruption and creating a fairer, freer and more constitutional environment in American political life, I support Doolittle. We need to simplify the process, not turn it over to another government bureaucracy.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Minnesota (Mr. LUTHER).

□ 2015

Mr. LUTHER. Mr. Chairman, I rise in opposition to the Doolittle amendment. This amendment which allows unrestricted contributions in our federal political process shows just how out of touch Congress can become.

I challenge all Members of this body to go to any meeting in their district and ask their constituents how many can afford a $1,000 contribution. They will get virtually no one in that room, and they will get a lot of snickers from the people in that room.

Mr. Chairman, if Congress truly wants to reduce the influence of money in politics today, we should work to set up a system where more people can participate and give small amounts in the political process. We have done some of that at our State level in Minnesota, and other States have taken similar steps.

The absolute last thing we should do to get money out of politics is to allow a few interests to give even more money than they are giving today. The Doolittle amendment moves us in exactly the wrong direction. It gives us less democracy rather than more. Mr. Chairman, I urge its defeat.

Mr. WAMP. Mr. Chairman, I yield 1½ minutes to the gentleman from New York (Mr. BOEHLERT) who represents Cooperstown and the baseball Hall of Fame.

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

Mr. BOEHLERT. Mr. Chairman, I rise in strong opposition to the Doolittle substitute, which is quite simply an effort to kill the Shays-Meehan bill. The Doolittle substitute not only would block any new efforts to reform campaign finance, it would actually repeal the few successful reforms that we passed in the 1970s.

The fundamentals of our democratic system are at risk, and this Congress must not be so complacent as to ignore the evidence that is all around us. Turn-out in elections is at an all time low. Polls show public confidence in government at record lows as well. As the Supreme Court has noted many times, democracy can thrive only if there is a marketplace of ideas, but it is not supposed to be a marketplace that belongs to the highest bidder.

By a marketplace of ideas our forefathers meant a place of fair, free, and open exchange. But in our time we have perverted that concept so that the marketplace of ideas has become commercial, a place where ideas triumph when they are backed by large sums of money.

The very way we talk about campaigns shows how far we have drifted from our Founding Fathers' ideas. Opponents of Shays-Meehan say that the system is not out of kilter because soft money amounts to only about 50 cents per voter. But that is an advertising concept, not a civic concept.

Mr. Chairman, I urge my colleagues to beware of sunshine patriots who come to the defense of the first amendment only when the free speech being defended comes with a price tag.

Mr. MEEHAN. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Wisconsin (Ms. BALDWIN), a truly outstanding member of the freshman class and a member of the Committee on the Judiciary.

Ms. BALDWIN. Mr. Chairman, we are living in a day and age when there is a tremendous amount of cynicism about electoral politics and involvement in democracy. The perception that candidates are being bought, that elections are more like auctions, has resulted in a widely held sentiment that a person's vote does not count any more. I believe that the Shays-Meehan bill is an important step in the right direction to regain the trust of the American people and to reclaim our democracy.

Mr. Chairman, the Shays-Meehan bill is the only comprehensive campaign finance reform package before us today. It bans all contributions of soft money and shines a spotlight on the way special interest groups have been able to influence the outcomes of elections.

The Doolittle substitute by contrast does nothing to limit contributions or to reign in sham issue advocacy ads.

By removing all contribution limits, the Doolittle substitute would allow individuals and PACs to make unlimited contributions to candidates and parties. I fear that alone would further erode the public confidence in our democratic process. But the substitute does more harm by failing to require disclosure of special interest money used in certain campaign ads. These ads have avoided disclosure requirements by posing as issue advocacy.

I believe that Americans have the right to know who is influencing the outcome of our elections.

Mr. DOOLITTLE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Michigan (Mr. KNOLLENBERG).

Mr. KNOLLENBERG. Mr. Chairman, I am a cosponsor of the Doolittle bill and am proud to stand here in front of my colleagues in full support of that bill. I congratulate the gentleman from California (Mr. DOOLITTLE) for bringing forward this bill, and I thank him for yielding me time.

Campaign finance is like so many other issues. There are two basic philosophies. Free speech and free market is one philosophy; increasing the size of the Federal Government with more restrictive regulations is the other philosophy. Mr. Chairman, I stand before our colleagues in favor of free speech. Over time, a big-government approach has choked our campaigns. Regulation without provision for inflation has dwindled the real value of contributions to just 30 percent of what it was when enacted. Indeed, Mr. Chairman, these strangling limits may be what led the Democrats into all of their campaign finance irregularities.

Let us pass the Doolittle substitute. Let us free up political speech as America's founders intended, in the tradition of Thomas Payne, the publisher of free political speech in that famous document, Common Sense, that enabled the creation of this great Nation.

Mr. Chairman, I urge support of the Doolittle substitute.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. PRICE), a distinguished political scientist who has probably studied elections as much as any of us on the floor.

Mr. PRICE of North Carolina. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, we have an opportunity today to take a serious step toward cleaning up elections financially and otherwise. The Shays-Meehan bill closes the soft money loophole that has made a mockery of the existing contribution limits. It holds advocacy groups accountable for the money they raise and spend in campaigns. It strengthens enforcement. And it includes a variant of my stand-by-your-ad bill to make candidates and committees more accountable for the ads they run.

Stand-by-your-ad was first introduced by the gentleman from California (Mr. HORN) and myself 2 years ago. It is a good North Carolina idea originated by Lieutenant Governor Dennis Wicker, recently passed by our General Assembly and signed into law. It will make candidates think twice before running mud-slinging or distorted

ads, for the sponsoring candidate will have to appear in that ad and take responsibility for it.

Shays-Meehan is legislation we should have passed months ago, but I am pleased that this bill is finally on the House floor. Many of us wish the bill did more, but it is a compromise worthy of our support.

I urge defeat of all substitutes and passage of the Bipartisan Campaign Reform Act.

Mr. WAMP. Mr. Chairman, I yield 1½ minutes to the gentleman from Connecticut (Mr. SHAYS) who has shown exemplary demeanor all day today.

Mr. SHAYS. Mr. Chairman, I thank the gentleman for yielding this time to me, and as the gentleman from Pennsylvania (Mr. PETERSON) was speaking, I, for one, thought how good it was to have him come back after his surgery but how I disagreed with him on his basic point. The bottom line is this bill eliminates soft money, the unregulated money from individuals, corporations, labor unions, and other interest groups. It calls the sham issue ads what they are, campaign ads, which means to run them free speech, but have to have disclosure, and that is something that is not in the substitute offered by the gentleman from California (Mr. DOOLITTLE). He does not want the sham issue ads to be disclosed even though he says he is for disclosure.

Mr. Chairman, the third thing it does is we require immediate disclosure on the Internet of expenditures, and we provide for stronger FEC enforcement; and then anything we have not dealt with in our bill, we deal with in the commission bill.

It has been against the law since 1907 for corporations to contribute to campaigns. It has been against the law since 1947 for union dues money to be used in campaigns. It has been against the law since 1974 for foreign countries to contribute to our campaigns. But all three take place, and they take place through the absurdity of soft money and these sham issue ads.

Mr. Chairman, I believe that dirty disclosed money beats no money any day, and what we do is we provide for disclosure, and we provide for an even field for all who wish to participate in the political process.

Mr. MEEHAN. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota (Mr. MINGE).

Mr. MINGE. Mr. Chairman, I would like to thank the gentleman from Massachusetts for yielding this time to me.

This legislation that is considered in the House of Representatives on September 14, 1999, in my opinion is the most important legislation that we take up in this session. It goes to the heart of the political process in America, the integrity of our electoral process.

All of us know the level of cynicism that exists in our communities regarding politics in America. I believe that all of us have a commitment to try to clean this up. Unfortunately, strong differences of opinion have frustrated these efforts over the last 10 years. Numerous bills have come up. They have been subject to filibusters, to vetoes, to deadlocks, and the inability that we have had between Congress and the White House to agree on how to proceed.

This fall we have an opportunity to agree. We have an opportunity to pass legislation in the House, the Senate, send it to the White House for signature. We cannot let amendments like the one that is under consideration undermine this effort.

Mr. WAMP. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Tennessee has 1 minute remaining.

Mr. WAMP. Mr. Chairman, I just would like to say that this substitute is an honest effort, frankly, to address this issue because it is intellectually pure and ideologically doable, and I applaud the gentleman from California (Mr. DOOLITTLE). Unlike the third substitute amendment which we will consider tonight, the Thomas substitute, which is really not about campaign finance reform, it is about campaign reform and FEC reform and technical corrections, and we tried to make an amendment to the underlying bill instead of a freestanding substitute. This substitute and the Hutchinson substitute are good efforts to look at the alternatives that we have before us.

But this is not an ideologically perfect situation because I do not think the American people would allow us to go back to the way things were a long, long time ago with unlimited contributions. I understand full disclosure would be there and the American people could go out and elect folks, but in this day of money and power and influence and the entertainment industry really having such an impact on people and television being such a powerful medium, I think the people expect us to try our best to fix the current system.

Mr. Chairman, that is what Shays-Meehan does, and I support it and not the substitute.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Tennessee (Mr. CLEMENT).

Mr. CLEMENT. Mr. Chairman, I rise today in opposition to the substitute amendment, in strong support for the Shays-Meehan bipartisan campaign finance reform act.

An editorial in one of today's newspapers in my home State of Tennessee says it is hard to overestimate the importance of this vote for rebuilding public trust in the American electoral system. Congress has debated campaign finance reform since 1985, and in the meantime the public has only grown more disenchanted with our political process. Americans want their elected representatives to act in their best interests, not in the interest of the privileged few.

□ 2030

Americans want their representatives to be chosen not based on the richness of their pocketbook but the richness of their character and message. In short, they want a government of the people, by the people, for the people. Let us have the courage to give them what they want, not because it will benefit their fund-raising coffers but because they deserve nothing less. Vote no on the substitute amendment and support real campaign finance reform.

Mr. MEEHAN. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Massachusetts (Mr. MEEHAN) is recognized for 1½ minutes.

Mr. MEEHAN. Mr. Chairman, in many ways, the debate on this substitute is a debate that I think crystallizes the differences of opinion of what we are doing. Many of the substitutes and many of the amendments are really designed to cloud the issue, are really designed to fool the public. That is not the case with this substitute. This is a case of a difference of opinion.

The gentleman from California (Mr. DOOLITTLE), and I respect his honesty, would like to repeal all contribution limits. He wants to end the presidential system of public financing, which is an incentive to get the presidential candidates to limit how much money they spend. Yes, in fact, I think this amendment crystallizes the difference between those who think we should have more money in the election process in this country and those of us who believe we should try to lessen the influence of money in American politics.

I have to say, I think the American people are with those of us who want to lessen the influence. Two out of three Americans think that money has an excessive influence on elections and government policy. According to the Committee of Economic Development, a group of CEOs, two-thirds of the public think that their own representative in Congress would listen to the views of outsiders who made large political contributions before a constituent's views, and 92 percent of the people think that too much money is being spent on political campaigns in our country.

So this is a clear choice. Whether one wants to have more money spent, more wealthy individuals spending unlimited amounts of money so that somehow elections become we are going to compete with soap suds or Coca Cola or Pepsi, or whether or not we are going to reform this system, let us defeat this substitute and pass Shays-Meehan tonight.

Mr. DOOLITTLE. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentlemen from California (Mr. DOOLITTLE) is recognized for 5½ minutes.

Mr. DOOLITTLE. Mr. Chairman, I hate to talk about myself as an example but I think I will, just to illustrate

the point of view that I have about this. I could talk about Eugene McCarthy, the Senator who was able to run for President, was not subject to this because this law did not exist in those days. I think he said he raised a million dollars from ten people. It was enough money to basically successfully move out of the presidential race the incumbent President Lyndon Johnson. He definitely made a huge impact on the affairs of the Nation by the step that he took. I think many, looking back, would view what he did as a positive step for the Nation.

I could talk about Senator James Buckley who has authored an excellent article, and it is interesting because this is the plaintiff in the famous Buckley versus Valeo case, who is now a senior judge with the U.S. Circuit Court of Appeals for the District of Columbia. If I have time, I will quote from this article, but it is in the current issue of National Review. September 27 is the date; great article. It is an interesting perspective by the author.

Let me just talk about why I am so opposed to the other approach, the big government one, the increased regulatory approach, which I submit has never worked and cannot work and will not work, which I also submit is largely unconstitutional and would be struck down by the Supreme Court under the precedents that have been set, but even beyond that is highly undesirable because it is going to have the effect of curtailing political speech before elections, which is just when we want to have all the information and speech that we can get.

Yes, people are cynical, I acknowledge that as well, but unfortunately this sort of failed approach piling on more of the same old failing approaches is not going to relieve the cynicism.

The Washington Times correctly refers to this as a campaign finance charade; and unfortunately, I believe that is correct.

Let me just go to my own case. When I ran for office in 1980, no one had ever heard of me. I had never held any political office of any kind, but I cared about crime and education and taxes and I ran and I was able to get support from a relative handful of people that were willing to put in substantial amounts of money just like they did for Senator McCarthy.

Had I been forced to run under the present laws we have today, I would never have been successful; I could not have been because when one does not have any name ID or any notoriety, one cannot get lots of contributions from the general electorate just by sending out a mailing. Nobody has ever heard of his name. So one needs the ability, as a challenger, to be able to go and raise seed money. It is not because money buys elections. Money does not buy elections. That has been demonstrated time and time again. The gentleman from Pennsylvania (Mr. PETERSON) very accurately stated the realities there.

However, one can never win an election without money. Money is what gives one the opportunity to present their views to the electorate.

I just think the arguments are so circuitous; it is like black is white and white is black when I listen to this debate.

I am taking the position I am taking because I want the average person to be able to run for office. The wealthy can already run for office. In fact, they are the only ones in the whole country that have no spending limit under the present law. They can spend whatever they choose to get elected. It is only the rest of us that are limited in terms of the contributions that we can receive.

Existing government regulation of campaigns is poisoning our system, and yet despite that fact, despite the fact that soft money is a symptom of the problem, it is not the problem, it is being treated as the problem.

What happens with a patient? I am not a doctor but I have been sick and we all know people who have been. What happens when the doctors treat the symptom rather than the problem? The patient is not cured.

This problem has been misdiagnosed for 25 years. We have been piling on more and more and more regulations. It is like the doctor that gives a prescription and the patient is still sick so he doubles the dosage. The patient comes back sicker yet. He doubles it again.

Voter participation has continued to decline coincidentally, though not a coincidence in my view, with the enactment of the 1974 amendments to the Federal Election Campaign Act, the very law that we are faced with today.

The more we pile on regulation, the more we discourage people from participating; the more we reward the wealthy and those who have notoriety. What is the matter with a person of average means being able to run for office and going and getting some other people who have greater means to back him, or back her, and get those views out?

Money does not buy the elections but money is the means of communicating the views to the electorate and then the electorate can decide. I ask for an ''aye'' vote.

Mr. HOYER. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND) to close on our side.

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

Mr. KIND. I thank my friend, the gentleman from Maryland (Mr. HOYER) for yielding me this time.

Mr. Chairman, I rise in opposition to the Doolittle substitute and in strong support of the Shays-Meehan bill. I think there is just a fundamental difference between these two different bills. If my colleagues believe there is too much money in the political system, then support Shays-Meehan. If my colleagues believe there is too much influence of money in the political process, then support Shays-Meehan.

The difference between the two is very simple. Rather than take a step to contain the big dollar contributions to the political parties, Doolittle would blow the lid off current contribution limits. Instead of reducing the influence of special interest money, the Doolittle substitute would start a bidding war.

Shays-Meehan, on the other hand, would eliminate the biggest of the big money contributions to the political process, the unregulated soft money contributions.

This chart demonstrates the trend of soft money contributions during presidential election years. In 1988, it was roughly $45 million; but then it escalates every presidential year after this. In 1992, $86 million; 1996, $262 million; and if current projections of the first 6 months of this year hold true, we are looking at between $500 million to $750 million in soft money contributions in this next election cycle.

The people across the country see what is happening. They may not understand the nuances of current campaign finance rules, but they do understand that there is too much money in the political system and that money translates into access and influence.

What is funny about today's debate is some of the CEOs who are making these large soft money contributions are also saying that the system is broken and needs fixing. In fact, a business group called the Committee for Economic Development recently endorsed campaign finance reform. The chairman of that committee calls the current system a ''shakedown'' and business executives have no choice but to ''play by the rules of the game.''

It is time to rewrite the rules of that game and eliminate soft money contributions. So I urge my colleagues to reject this ''show-me-the-money'' substitute bill that is being offered and instead support true comprehensive campaign finance reform, the Shays-Meehan bill.

This vote is long overdue. For almost three years we have heard about the abuses in the campaign finance system. We have heard from our constituents that they feel their voice has been drowned out by the big money special interests who push their own agenda. We have heard a lot of rhetoric from leaders in Washington who say they want to clean up our elections yet have failed to allow a vote on changing the system until now, when it is too late to affect this year's elections.

There are many members of this body who are committed to reform of our broken campaign finance system. I applaud the efforts of my friends Congressmen SHAYS and MEEHAN for their courageous leadership on this issue. The Shays-Meehan bill will take the biggest money out of the political process and bring some control to the independent expenditures that have come to dominate our elections. It is a good first step to fix a problem that has no simple solution.

I had worked in the last session of Congress with a bipartisan coalition of freshman members of Congress to craft our own campaign finance reform bill. That bill is a substitute bill being considered today. I will not support that bill this year because it is more narrow in focus, although it still gets at the most common abuses in the campaign system without a constitutional threat. Since Shays-Meehan passed the last session of Congress, and because it is more comprehensive, I will continue my support for it.

Both the Shays-Meehan substitute and the Hutchinson substitute are honest, bipartisan attempts to fix our broken election process. I believe that this House works best when we work in a bipartisan manner, and that is how both these bills were created. However, because only one bill can advance today, given the current rules of debate, that bill should be Shays-Meehan.

Ultimately this debate boils down to the belief that there is too much money in campaigns. If you support that idea, as I do and most constituents I talk to in western Wisconsin do, then you support campaign finance reform. If you believe that we need more money in the system then you will oppose Shays-Meehan.

The majority of the public doesn't believe that Congress has the courage to change a system that appears to benefit our own interests. Today we have the opportunity to show the public that we can take the big money out of this system and put elections back into the hands of the people we are sworn to represent. It's time to reduce the cynicism in our political process and increase the credibility of this democratic institution. Support the Shays-Meehan campaign reform bill.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from California (Mr. DOOLITTLE).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 117, noes 306, not voting 10, as follows:

[Roll No. 419]

AYES—117

Armey
Ballenger
Barr
Barton
Bateman
Biggert
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cooksey
Cox
Crane
Cubin
Cunningham
DeLay
Dickey
Doolittle
Dreier
Dunn
Ehrlich
Everett
Fossella
Fowler
Gekas
Gibbons
Goodlatte
Goss
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hobson
Hoekstra
Hostettler
Hunter
Jenkins
Johnson, Sam
Jones (NC)
Kasich
King (NY)
Knollenberg
Kolbe
Largent
Latham
Lewis (KY)
Linder
Lucas (OK)
McCrery
McInnis
McIntosh
McKeon
Miller (FL)
Miller, Gary
Nethercutt
Norwood
Oxley
Packard
Paul
Pease
Peterson (PA)
Pickering
Pitts
Pombo
Radanovich
Riley
Rogan
Rogers
Rohrabacher
Ryun (KS)
Salmon
Scarborough
Schaffer
Sessions
Shadegg
Shimkus
Shuster
Simpson
Skeen
Smith (TX)
Spence
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Toomey
Traficant
Watkins
Weldon (FL)
Whitfield
Wicker
Young (AK)

NOES—306

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Bachus
Baird
Baker
Baldacci
Baldwin
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Bilbray
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Canady
Capps
Capuano
Cardin
Carson
Castle
Chabot
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cook
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodling
Gordon
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Hall (OH)
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Petri
Phelps
Pickett
Pomeroy
Porter
Portman
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schakowsky
Scott
Sensenbrenner
Serrano
Shays
Sherman
Sherwood
Shows
Sisisky
Skelton
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stupak
Talent
Tanner
Tauscher
Taylor (MS)
Terry
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Vitter
Walden
Walsh
Wamp
Waters
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Weygand
Wilson
Wise
Wolf
Woolsey
Wu
Wynn

NOT VOTING—10

Hastings (FL)
Kingston
Lewis (CA)
Martinez
Pryce (OH)
Ros-Lehtinen
Shaw
Slaughter
Visclosky
Young (FL)

□ 2104

Mr. GRAHAM changed his vote from ''aye'' to ''no.''

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

The result of the vote was announced as above recorded.

Stated against:

Ms. SLAUGHTER. Mr. Chairman, on rollcall No. 419, I was unavoidably detained on official business. Had I been present, I would have voted ''no.''

The CHAIRMAN. It is now in order to consider amendment No. 12 printed in House Report 106–311.

AMENDMENT NO. 12 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. HUTCHINSON

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

The CHAIRMAN. 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. 12 in the nature of a substitute offered by Mr. HUTCHINSON:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Campaign Integrity Act of 1999''.

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 or is a candidate for election for Federal office at a fundraising event for a State or local committee of a political party of the State which the individual represents or seeks to represent 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''.

SEC. 104. INCREASE IN LIMIT ON CONTRIBUTIONS BY MULTICANDIDATE POLITICAL COMMITTEES TO NATIONAL POLITICAL PARTIES.

Section 315(a)(2)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(2)(B)) is amended by striking ''$15,000'' and inserting ''$20,000''.

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 2001, 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 1999 through 2000.

''(ii) For calendar year 2005 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 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 2001.

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from Arkansas (Mr. HUTCHINSON) and a Member opposed each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas (Mr. HUTCHINSON).

Mr. DAVIS of Florida. Mr. Chairman, I rise to ask to control the time in opposition to the amendment.

The CHAIRMAN. The gentleman from Florida (Mr. DAVIS) is recognized for 20 minutes.

Mr. DAVIS of Florida. Mr. Chairman, I ask unanimous consent that the gentleman from Connecticut (Mr. SHAYS) be allowed to control 7 minutes of my time, and the gentleman from Massachusetts (Mr. MEEHAN) be allowed to control an additional 7 minutes of my time.

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

There was no objection.

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

I want to extend to my colleagues, Mr. Chairman, congratulations on the manner in which this debate is being conducted. I see people engaged in this debate who are extremely passionate about their views, about their philosophy. I believe there is a great deal of sincerity in this Chamber, and there are a lot of different viewpoints that are expressed. I believe my colleagues on both sides of the aisle have engaged in this debate in a good-faith fashion, caring about this issue.

We have been here before. We look back in the last Congress, and we all engaged in this debate. Some of us look around and say, it is not as exciting this time. There is some truth to that, because some of us have looked ahead and we sort of anticipate as to where this is going.

I want to call this Chamber back to a moment of seriousness and reflection on the importance of what we are doing. Looking back to when I first came to Congress, I came with some of the most exciting group of freshmen that I have ever been associated with. It was during those early days when we were meeting as a freshman class, the Democrats and Republicans, and we said, what can we work together on?

I look over to my good friend, the gentleman from Florida (Mr. DAVIS), and we all said, there are some things we can do. We looked at campaign finance reform. The Democrats said, let us get six Democrats, let us get six Republican freshmen together, and let us go to work as a task force and see what good we can do. It has been the most exciting and rewarding endeavor that I have been engaged in.

I look back on that with great fondness, because we heard from the constitutional experts, we heard from people who are affected by it, the candidates, the political leaders. We said, we have got to do some things that have not been done before. The problem in this Congress is that we have always looked to the extremes. We have always gone directions in which we could not go to the common ground, and nothing passed. Let us do something different.

So we adopted a couple of principles. One of them is that we should avoid the extremes when we deal with this issue. Secondly, we should be realistic, what can really get passed; not what is ideal, what is perfect, not what we can do, but what we can do together, and to be realistic? The third principle is, let us follow the Constitution.

So taking those three simple principles, we drafted a bill. It is not something that the gentleman from Florida (Mr. DAVIS) wanted, it is not something I wanted, it is not something my good friend, the gentleman from Maine (Mr. ALLEN) wanted. It is something that we wanted together, because we wanted it to pass and become a reality.

So we came up with a simple bill, and simple bills are always dangerous. When we presented this, immediately we were greeted with, well, you all just got here and you do not understand how this system works. That will never work. Both the Democrat leadership and the Republican leadership were concerned about it. The Senate was concerned about it, because they saw our bill as something that was unique, that had never been tried before, that was common ground, something that could actually pass.

So we adopted a simple bill. There are three key elements to this substitute that is being considered today. One is stopping the soft money game. It bans the soft money to the Federal parties. Secondly, it strengthens the role of the individuals and the parties by indexing the contribution limits to inflation, so we empower individuals more, and we make their contribution more meaningful in the political process.

Thirdly, we increase information to the public, so they will know more information more timely about who contributes to the political process. Three key elements: It meets the constitutional standard, it is realistic, it avoids the extremes.

This year we came back for it. Some of my Democrat colleagues, who I still appreciate the way they engaged in this enterprise with us, but they said that they would prefer the Shays-Meehan. In my judgment, they just simply drifted back a little bit to what was the extreme, that which has been tried before and which could not pass before.

I admire them for their commitment to that philosophy, but the fact is, we are still here, we are still debating the same subject, and we still have the same needs to be realistic, to avoid the extremes, and to be constitutional.

So as I met with the gentleman from Missouri (Mr. HULSHOF), the gentleman from Montana (Mr. HILL), the gentleman from Texas (Mr. BRADY), the gentleman from Kansas (Mr. MORAN). We said, what shall we introduce this year? We all looked at it and said, we cannot get a better product. We worked at it, and we cannot get a better product. We said, we can tinker with it here, we can make it something more to our liking. We said, no, we cannot get a better product.

We introduced this year the exact same bill that my freshmen colleagues on the Democrat side supported in the last Congress. So here we are again, and we are presenting it. We are asking for the Members' support for this substitute. We believe it is a good reform, constitutional, and realistic.

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

Mr. MEEHAN. Mr. Chairman, I yield 2½ minutes to the gentleman from New Jersey (Mr. PASCRELL), one of the outstanding leaders of the freshman class of the last Congress.

Mr. PASCRELL. Mr. Chairman, as a freshman lawmaker in the 105th Congress, I joined a bipartisan coalition of fellow freshmen in crafting legislation that would reform our fatally flawed campaign finance system. I am proud to say that we were able to bridge the partisan gap that too often pervades our debate over legitimate public policy. We crafted a bill that Members on both sides of the aisle could support.

Our freshmen task force, remember what it was called, literally drove the debate when it seemed dead, and later joined the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) to defeat a number of poison pill amendments that would have killed any chance of comprehensive reform.

My friends, the gentleman from Arkansas (Mr. HUTCHINSON) and the gentleman from Virginia (Mr. ALLEN), were effective voices during the debate last year. The bill our coalition supported is and was a good bill. It drove the debate.

As I voted against my own bill last year, I plan to vote against the Hutchinson substitute today, not because it is not an improvement over our current system, but because we are offered an opportunity for what I believe is a better bill, a bill that would not be voted on this evening if it were not for the courage of both the gentleman from Arkansas (Mr. HUTCHINSON) and the gentleman from Maine (Mr. ALLEN), and those who believe in productive change.

Mr. Chairman, we must again pass Shays-Meehan and send a message to the American people that a bipartisan coalition in this body shares the same view of 90 percent of Americans. Ninety percent of Americans believe in this view. Our current campaign finance system needs real reform. It is time to stop making money the deciding factor in American politics and to restore power to where it belongs, with the American voter.

We have all of us here helped to disenfranchise the average voter, making him or her feel helpless to have an impact on the American governmental system.

□ 2115

Mr. HUTCHINSON. Mr. Chairman, I yield 3 minutes to the gentleman from Kansas (Mr. MORAN) who has been extraordinarily instrumental in pushing this bill forward in support of campaign finance reform.

Mr. MORAN of Kansas. Mr. Chairman, I just finished hosting 66 town hall meetings across the 66 counties of the First District of Kansas during the August recess; and my constituents, like the rest of the country, feel alienated from government and from politics.

The conventional wisdom that the ordinary citizen no longer has a say in our government is growing and that their voices are drowned out by a sea of special interests and campaign contributors is prevalent. Unfortunately, their concerns are often justified.

I rise this evening in support of the Campaign Integrity Act and want to thank the gentleman from Arkansas (Mr. HUTCHINSON) for his hard work in bringing this legislation before this session of Congress. Ever since we were elected in 1996, the gentleman from Arkansas (Mr. HUTCHINSON) has worked to achieve a bipartisan solution to improve our campaign finance laws. I support this legislation because it represents real reform, it is constitutional, and it is our best chance in passing legislation this year to help restore public faith in our system of campaigns and elections.

By banning so-called soft money at the Federal level this bill closes the biggest loophole in our current finance system. Soft money contributions effectively shred the contribution limits in our current campaign finance law. As long as we allow special interests to contribute millions from soft money outside the regulated campaign finance system, the public will remain skeptical about the integrity of our system.

This legislation also improves the disclosure requirements for candidates running for federal office. It would provide more detailed information regarding the origin of campaign contributions and the time in which they need to be reported. It also calls for electronic disclosure to allow voters more timely access to campaign information.

Finally, this bill improves disclosure requirements for third party groups and lobbying organizations which run television and radio advertisements. Unlike other campaign reform proposals, this bill does not seek to restrict or regulate free speech of outside groups. It only seeks to inform the public about who is running the ads. Organizations that stand by their messages and by their missions have nothing to fear from this legislation.

As students return to the classroom this fall in high schools and colleges across the country, they will be taught the virtues of political democracy. Those students cannot help but be skeptical of a system that is perceived and perhaps in reality is driven by dollars rather than people. They need to know that their voice matters. They need to know that this still is their government. This legislation provides a common-sense evenhanded approach to help restore the faith in our American political process.

Mr. Chairman, I urge the adoption of the Hutchinson substitute.

Mr. SHAYS. Mr. Chairman, I yield 1½ minutes to the gentleman from Iowa (Mr. GANSKE).

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

Mr. GANSKE. Mr. Chairman, I stand in admiration of the gentleman from Kansas (Mr. MORAN), who just spoke, for doing 66 town hall meetings. I think he deserves the iron man award. But I must disagree with him.

I rise in support of truth in advertising, in support of Shays-Meehan and in opposition to this amendment in the nature of a substitute. This substitute does not address a fundamental problem, and that is sham issue ads.

The Hutchinson substitute requires disclosure of expenditures that exceed $25,000 per candidate or $100,000 per multiple candidates. The Shays-Meehan bill strengthens the definition of express advocacy to include any communication that contains unambiguous and unmistakable support for or opposition to a clearly identified Federal candidate and requires disclosure of the expenditure that exceeds $1,000 within 20 days of election or those aggregating $10,000 at any time leading up to 20 days before the election.

I fully support organizations to make their positions known and to report on the voting record of elected officials, but I do not support organizations that hide behind this right to advocate the election or defeat of particular candidates.

Shays-Meehan does not take away the rights of organizations to express their views. It does require them, when advocating the election or defeat of a specific candidate, to play by the same rules as official campaigns. The Hutchinson substitute does not do this.

I urge my colleagues to vote against the substitute and for real campaign finance reform. Vote ''no'' on the Hutchinson substitute and vote ''yes'' for Shays-Meehan.

Mr. DAVIS of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Maryland (Mr. CARDIN).

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

Mr. CARDIN. Mr. Chairman, let me thank the gentleman from Florida (Mr. DAVIS) for yielding me this time.

Mr. Chairman, I have listened to the debate. I have listened to each of my colleagues address the various amendments and now the substitutes. I think there is broad consensus that we need to reform our current campaign finance system.

Let me just give my colleagues my short list of the problems. We spend too much time raising money. We spend too much money in campaigns. We spend too much unreported money in campaigns. There are too many loopholes in the system. It is corrupting the system, and we are losing more and more public confidence that our system is truly objective.

Now, each one of us could craft what we think is the perfect bill. Each one of us could develop what we think would be the answer. But if we are going to be able to accomplish campaign finance reform, I agree with the author of this substitute.

We need to support the campaign finance reform that has the only chance of being enacted this year and that is the Shays-Meehan bill. This is the bill that the public understands and supports. I believe each of us understands that if we had any chance to pass campaign finance reform this year, we need to support the Shays-Meehan bill. It is a comprehensive bill that deals with the under-regulated soft money. Each of us understands why we need to deal with that.

In a letter written to our Speaker just recently by business leaders, they

indicated that soft money distorts the process. It is more than doubling every 2 years the amount of money being spent on soft money. We need to do something about it. It is out of control. We need to close the loophole on so-called issue advocacy expenditures. We know that is wrong. We need to improve the Federal disclosure laws.

So if my colleagues are for comprehensive campaign finance reform, they really have only one choice, and that choice is to defeat the substitutes and support Shays-Meehan. If we do that, we have our best chance this year of listening to our constituents and doing something about the system to make it work for public confidence.

Mr. HUTCHINSON. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Montana (Mr. HILL) who has been an extraordinary leader in this effort, but most important, he has been a former State party chairman and has a great deal of expertise.

Mr. HILL of Montana. Mr. Chairman, I thank the gentleman from Arkansas for yielding me this time.

Mr. Chairman, the American people do not believe that Congress can reform the campaign finance laws. The reason they believe that is that they believe that politicians will not reform a system that they depend upon for their survival. I am fearful tonight that we are going to confirm that belief.

In the past, reforms or so-called reforms have acted to protect incumbents to keep them getting reelected. That has worked. Ninety percent of incumbents get reelected to this body. One of the reasons for that is that challengers cannot raise the resources they need to challenge the incumbents.

Everyone knows the basic rule we learn around here when we come to orientation, and that is we go out and we raise enough money to keep a challenger out of our race. And it works. Many people do not have a challenger.

There are parts of the Shays-Meehan bill that I support energetically, enthusiastically: the ban on soft money going to our national parties, for example. There are parts that I have concerns about: the limits on the speech of outside groups that will surely, in my judgment, be struck down by the court.

But the part that I object most to is the fact that it is an incumbent protection plan, and here is why: By banning the soft money to parties, it makes the parties dependent on hard money. Hard money is limited individual contributions, and those are limited in total, how much a person can give in total to all parties and all candidates in a year.

So it puts the parties in competition with their own candidates. It is even now going to put parties in competition with outside groups who want to express their views.

The result is that parties are going to get that money, and incumbents are going to get that money, and probably those outside groups are going to get that money. But who is going to get left out? Challengers are going to get left out. Incumbents already have huge advantages in frank mail and media attention and fund-raising, and Shays-Meehan adds to those advantages.

Now, in my view, Shays will virtually guarantee the reelection of incumbents. That is why I call it an incumbent protection act. There is another choice, and that is the Hutchinson substitute tonight.

If my colleagues support, as I do, a ban on soft money, support the Hutchinson substitute. If my colleagues support, as I do, protecting free speech, then they would want to support the Hutchinson substitute. If my colleagues believe, as I do, that if we really wanted to reform campaigns, we need to promote competitive campaigns, the only choice is the Hutchinson substitute.

It solves those problems, and it does it this way: It creates a separate limit for parties and a separate limit for candidates. So there is no competition between candidates and their parties. It bans soft money. It deals with issue ads by saying, if they are truly issue ads, then they have to be managed like issue ads, and that is to report it as a lobbying activity which appropriately it is.

Now, there is another reason to support this substitute as well, and that is because it could actually become law. The Senate has repeatedly rejected the Shays-Meehan bill. If my colleagues really believe in reform and if they want common sense reform, and they want it actually to become law, then this is the way to make that happen.

If my colleagues vote no on the Hutchinson substitute, they are going to confirm the suspicions of the American people that my colleagues do not really believe in campaign reform.

My colleagues have an opportunity tonight to vote for real reform. I urge my colleagues to support the Campaign Integrity Act, the Hutchinson substitute.

Mr. HUTCHINSON. Mr. Chairman, may I inquire as to the balance of my time.

The CHAIRMAN. The gentleman from Arkansas (Mr. HUTCHINSON) has 9 minutes remaining. The gentleman from Florida (Mr. DAVIS) has 4 minutes remaining. The gentleman from Connecticut (Mr. SHAYS) has 5½ minutes remaining. The gentleman from Massachusetts (Mr. MEEHAN) has 4½ minutes remaining.

Mr. SHAYS. Mr. Chairman, I yield 1½ minutes to the gentleman from Pennsylvania (Mr. GREENWOOD).

Mr. GREENWOOD. Mr. Chairman, I thank the gentleman from Connecticut for yielding me this time.

Mr. Chairman, let me begin by saying that the Hutchinson bill is a noble effort by the author and his cosponsors. As far as I am concerned, on the substance, the Hutchinson bill passes all the right tests. It passes all the tests of good policy. Every component of the Hutchinson bill is good legislation.

Unfortunately, it fails the one most crucial test, and that is its ability to garner a bipartisan large overwhelming passing number in this House. In fact, in the last session, the Hutchinson bill received 147 votes, 105 votes fewer than the Shays-Meehan bill. The HUTCHINSON bill was only able to garner 26 Democrats to support it.

This is the most partisan place on earth, and everything we do is constantly geared to one party gaining advantage over the other, and there is nothing wrong with that. The two-party system works.

But campaign finance reform is like nuclear disarmament. Even if we can find within ourselves the nobility to put our own personal interests aside and not protecting incumbencies, we have to achieve campaign finance reform in a way that lets both sides across the aisle look each other in the eye and say ''This does not give my party advantage over yours. This does not give your party advantage over mine. And that is the only way that we will ever succeed in this effort.''

Only Shays-Meehan meets that test. Unfortunately, sadly, the work of the gentleman from Arkansas (Mr. HUTCHINSON), as good as it is, does not meet that test. For that reason, I urge Shays-Meehan support.

□ 2130

Mr. MEEHAN. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, this has been a very constructive debate, and I appreciate the various ideas that my colleagues have offered. But the American people are asking us to do our job tonight, finally, once and for all.

Seventy-eight percent of them are believing that the current set of laws that control congressional campaign funding need reform. Eighty-five percent believe that campaign finance reform is necessary to reduce the influence of special interests. Seventy-four percent believe that they have nothing to do with political life, it is only the big interests.

So I think because we have struck a bipartisan collaborative effort in the Shays-Meehan legislation on campaign finance reform, let us do our job tonight.

The Shays-Meehan legislation specifically makes it very clear when we see ads on television that they are unambiguous, they are unmistakably for or against an opponent. They do not confuse them. They know who they do not want to vote for because it says what this is about.

In the shadow of this, the beginning of the election of 2000, when presidential campaigns are raising a whopping $50 million before federal campaign funds are matching, the American people want us tonight, Mr. Chairman, to do something.

Vote for the Shays-Meehan, real campaign finance reform.

Mr. DAVIS of Florida. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I have listened to the debate, and I am impressed with all of the words that I hear. But I am concerned about the Hutchinson substitute because it does gut some of the reforms of Shays-Meehan.

First, it indexes individual contribution limits, allowing them to automatically increase over time. Increasing individual contribution limits tells the American public that we think federal offices are for sale. Raising contribution limits marginalizes the participation of the poorest Americans and even minorities.

If we raise the limits, we are telling the American people and the American public that the richer we are, the better we are and we have to be rich to be heard.

This substitute really is a vote in favor of continuing to let money run our political system. A vote for the Hutchinson substitute tells the world that federal offices really are for sale. And most glaringly, the Hutchinson substitute tells America that to be protected they must be rich, it will cost them.

So I would ask that everyone support the Shays-Meehan and vote against the Hutchinson.

Mr. HUTCHINSON. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. BRADY), who has really been a team player, who has been very outspoken on the issue of campaign finance reform.

Mr. BRADY of Texas. Mr. Chairman, the American dream is unique to our Nation. It means that no matter where we were born or of what means, if we work hard enough, if we want it bad enough, we can be anything, anything we want to be in this life, including a Member of Congress.

These days I am not so sure that American dream is going to be around for our young people. Today the average cost of winning an open seat in Congress is just about a million dollars. It is a million dollars, and it is doubling every 4 years.

That means a lots of good people in my community and a lot of good people in years to come are not going to be able to raise their hands to run for Congress because they do not have a million dollars; they do not even know where they would find it.

Well, it is not that perhaps the very wealthy cannot make good decisions. The point is, in a representative democracy like ours, I do not want to wake up some day and see that people from all walks of life cannot serve in this great body. I am convinced they can.

The Hutchinson bill takes a big step in restoring us to a citizen Congress from all walks of life. It is balanced. It does not give an edge to either political party, and it is constitutionally sound.

Today let me make a prediction. Shays-Meehan will pass this House and Shays-Meehan will die yet another death in the Senate, as it did last year.

Now, for some that is not a problem, but for me it is. I am convinced the reason people do not raise campaign finance in the polls as often is that they have given up hope it will actually do something. And every year it fails, every year it fails to pass into law, we discourage more people.

So my message is to the Senate, after Shays-Meehan dies, as it inevitably will, if they are serious about real reform that is constitutionally very sound, can actually become the law of the land, take a look at Hutchinson.

We are a little like the girl next door. When we get tired of chasing the prom queen and we are looking for real substance, the Hutchinson reform bill is here. It closes the soft money loophole. It preserves free speech and returns us to a citizen Congress. And more importantly, Hutchinson offers hope for those Americans who have lost hope that Congress will do the right thing to restore a citizen Congress to make it harder for incumbents to push us back in our districts to listen to our people. Hutchinson offers hope.

Mr. SHAYS. Mr. Chairman, I yield myself 2 minutes to refute, especially since my wife is in the gallery, that I am chasing the prom queen.

First off let me say that whenever the gentleman from Arkansas (Mr. HUTCHINSON) is involved in starting the flow of the debate, it always starts in a tone that to me is what makes me proud to be in this chamber, Republicans and Democrats talking about what we agree and disagree on. I just appreciate what he and his fellow freshmen have done. They have had an important role in helping us.

They could have an even more important role instead of giving the Senate an excuse to vote against campaign finance reform if their amendment fails, their substitute, that they then vote for our bill to enable it to have more support in the House and more impact in the Senate.

The bottom line is that we have two loopholes in our campaign law. One is soft money, the unlimited sums contributed by individuals, corporations, labor unions, and other interest groups. The gentleman from Arkansas (Mr. HUTCHINSON) and his colleagues deal with part of that. They ban soft money on the federal level. But they do not ban soft money on the State level for federal elections, and that will still allow corporations and labor unions to provide unlimited sums through corporate treasury money and union dues money. We shut that off.

The other thing they do not deal with are the sham issue ads. We do not outlaw them. We just simply call them what they are, campaign ads. Something interesting happens when we call them a campaign ad. We cannot use corporate money, and we cannot use union dues money. So we really believe that we need to deal with those issues.

We did not reach for the stars. This is not public funding. We did not reach for the stars. This is not half-price radio and TV. This is a middle-ground bill. And I really believe we can pass it in the Senate.

But even if we pass it in the Senate, do my colleagues really believe the Senate is going to vote for any bill exactly the way we send it to them? They are going to vote for their bill.

So I encourage my colleagues to vote against the Hutchinson bill and send this bill to the Senate.

Mr. DAVIS of Florida. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New Jersey (Mr. HOLT).

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

Mr. HOLT. Mr. Chairman, I rise in opposition to the Hutchinson substitute.

The first legislative act I took when I came to Congress in January was to cosponsor the Shays-Meehan bill. I did that because I believe that there is a crisis of confidence among voters in our political process. They know it is broken.

If we are ever going to restore the full trust of the American people in their Government, we must reform the campaign fiance system. The trust is vital if we are ever going to meet challenges like guaranteeing Social Security, improving our schools, increasing access to health care.

The public will not accept any solutions crafted here if they believe the solutions exist just for the special interests.

The Shays-Meehan bill would bar soft money; it would expose deceptive ads for what they really are, campaign ads. It would require new disclosure rules. These are partial, but essential, reforms.

By contrast, the Hutchinson substitute would simply redirect these funds to State political parties and allow the parties to continue to raise unlimited soft money. With double-existing hard money amounts, it is not reform; it is a step backwards.

Pass the Shays-Meehan bill, not a substitute.

Mr. HUTCHINSON. Mr. Chairman, I yield 4 minutes to the gentleman from Missouri (Mr. HULSHOF) who is the president of the freshmen class that initiated campaign finance reform and has done an outstanding job.

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

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

To my good friend from Connecticut and to the gentleman from Massachusetts, we have been laboring today

under the old adage that ''If at first you don't succeed, try, try again.'' Yet, those of us who support the Hutchinson substitute, we believe we are engaged in an exercise of futility.

The definition of ''insanity'' is taking exactly the same action and expecting a different result. The fact is that the Shays-Meehan bill is not going to pass in the Senate. The stage is set. The lights are up. The actors are ready. And they have handed us the same script. And guess what? The ending is the same.

Now, I want to respond to two consistent themes that have been heard throughout the day. I heard one colleague that suggested that in order to accomplish reform we are going to have to navigate a mine field of poison pills, as if every legitimate substitute not named ''Shays-Meehan'' somehow deserved a scarlet letter.

Well, Mr. Chairman, there are some of us who are really sincere reformers who choose not to kneel at the altar of every bill that has been anointed by some in this House or some in the Beltway. I think that the refusal to budge or compromise on the underlying bill has poisoned the well of campaign reform.

The gentleman from Pennsylvania spoke earlier about the bipartisan majority in the last debate. Yes, there were 250 new votes. I was one of them. I reluctantly supported Shays-Meehan last time because it was the only train leaving the station.

Quite frankly, if we were honest with ourselves in this body, I would think that we would agree that there were probably some jail-house converts last time who knew they were going to get a free vote on reform because the bill was going to fail in the Senate.

Regarding the merits of the Hutchinson alternative, it does ban soft money at the federal level. It prohibits States from transferring soft money. First, it allows States to decide for themselves and their own State legislatures whether or not to ban soft money at the State level for party building or get-out-the-vote efforts. But there is a firewall that is built between the State campaigns and the federal campaigns. Some have declared this some sort of a loophole. I respectfully disagree.

In Missouri, if they run for Statewide office, they can accept business contributions or corporate donations; and yet that money cannot be transferred to a federal candidate running for office. In the same way, the Hutchinson bill sets up an impenetrable firewall. And so we ban soft money at the federal level.

To the gentlewoman who spoke earlier about indexing the caps for inflation, if we ban some money at the federal level, I believe we have to index and raise the amount of money available in hard dollars.

I submit, Mr. Chairman, it is easy for newspaper editors or broadcast journalists across this country to wrap their arms around an extreme type of campaign reform because to them speech is free. And yet, if we want to refute or rebut a poisonous editorial, it costs us precious campaign dollars.

Without indexing limits for inflation, two things happen: either wealthy candidates will fund their own extravagant campaigns for office, or incumbents get the benefits of the present campaign zone. Because, as the gentleman from Montana pointed out, we have the ability to have name recognition or we have the ability of franked mail and the advantages of the incumbency.

For those of us who first ran unsuccessfully for Congress as a challenger, we need to keep the playing field level for challengers and incumbents alike. I think the Hutchinson bill is the best effort regarding that alternative.

☐ 2145

Finally, I believe it is time that we send a new piece of legislation to the Senate. This act takes a realistic and practical approach to reforming our Nation's campaign laws. I urge its support.

Mr. Chairman, I rise today in support of H.R. 1867, The Campaign Integrity Act of 1999, introduced by my colleague Representative HUTCHINSON. It is important to remember this legislation is the product of a bipartisan group of newly-elected Members last Congress. Through hearings and testimony, this legislation is a compromise approach to reforming our federal campaign finance structure. This core group of reformers stand before this chamber with an important alternative to the Shays-Meehan legislation.

In discussions with many of my colleagues and after reading the bills handicaps in several news articles, one item stands as a striking difference with this years debate on campaign finance reform. This debate lacks the drama presented by last year's discussion. The radical and rarely used tool of the discharge petition has been rendered ineffective and the outcome of this debate on campaign finance reform seems all too certain. With the lights dimmed and the pre-debate rhetoric toned down, the House plans to run the same play with the confidence of the American people hanging in the balance.

During last year's debate I challenged my colleagues to support the ''freshmen bill'' because it cut a swath down the middle of the campaign finance reform debate. Members could receive the same accolades from editorial boards across the country and their constituents for banning soft money, improving disclosure, and dealing with issue advertisements without harming the Constitution's provision for free speech. These three key elements continue to be the mantel of most campaign finance reform supporters.

However, it is incumbent upon us today to determine how these fundamental provisions of reform can make their way past the Senate and to the President's desk. Passing campaign finance reform measures out of the House, which we know will fall upon the same fate as it did last Congress in the Senate, does very little toward reforming the current inadequacies of how federal campaigns are financed. Mr. Chairman, we risk permanent damage to the faith of our individual constituents who feel their voices go unrecognized in the current political process. Passing Shays-Meehan and voting down the incremental but substantive strategy the Hutchinson bill provides will do little more than feed the flames of cynicism that Congress will never enact legislation to address the shortcomings of funding federal campaigns.

My fellow colleagues, it is interesting that on the day we consider campaign finance reform that we are in the thick of the annual appropriations process. I know that when I consider my vote on any one of the 13 appropriations' bills I begin by asking myself if I can support the compromise reached in the legislation before the House. Are there provisions within the bill that I find objectional enough to withhold my support of the overall legislation? No one gets everything they would like in each appropriations bill and the appropriations process clearly becomes a work of compromise. I ask my colleagues to use this same strategy in this campaign finance reform debate. Put aside your pride of ownership so that we may get substantive campaign finance reform that can pass the Senate and become law. Congress has been sold a bill of goods that there is only one way you can be for reform of the current financing systems supporters of the underlying bill have placed the scarlet letter of a ''poison pill'' on every other alternative. The only thing being poisoned is the well of effective campaign finance reform that is the end result of passing the Shays-Meehan bill and making it increasingly unlikely that Congress will enact meaningful reform. Adopting a strategy that simply tries the same thing twice is something Congress rarely does because it often doesn't work. I hope every constituent and newspaper editors ask the question; ''Who are the real reformers?'' when we continue to try a failed strategy. A martyr's death does nothing to help restore confidence in our political system.

It's time to send a new piece of legislation to the United States Senate. The Campaign Integrity Act takes a realistic and practical approach to reforming our country's campaign finance laws. By taking a step in the right direction the House can pass legislation that both focuses on reforming the most egregious campaign finance abuses, while standing the best chance of passing the Senate and being signed into law by the President. Let's restore the faith of the American people and pass legislation that moves towards meaningful campaign finance reform. I urge support of the Campaign Integrity Act of 1999.

Mr. MEEHAN. Mr. Chairman, I yield 90 seconds to the gentleman from Washington (Mr. INSLEE), a leader in campaign finance reform.

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

Mr. INSLEE. Mr. Chairman, I rise in favor of Shays-Meehan and against the substitute. In doing so, I would like to make a freshman observation. The observation I would like to make is that those of us in this Chamber have a unique opportunity in the world tonight. I say in the world tonight, because while there are other legislators elected by their constituents in other places in the world, some even older than our democracy, like Iceland, none

of them represent the Taj Mahal of democracy which is the American democratic system. And so when we act tonight to try to refine our system, let me suggest that we must act with assertion, we must act in a stalwart manner, and we have got to act aggressively.

Right now, the substitute acts with benign neglect of the biggest virus on the body politic in our country right now, which are bogus issue ads, bogus issue ads, which both parties and all special interests are taking out a political hammer and trying to beat their opponent over the head with it and seeking immunity in doing so by saying, ''It wasn't a hammer, it was only a blunt instrument.''

The damage to the health of democracy is the same whether we call them hammers or blunt instruments. We have got to make sure we address issue advocacy. The substitute has an abject failure to do so. Shays-Meehan recognizes that the special interests have found a giant loophole. They are taking those hammers and they are walking through. We have got to shut that down.

We have got the Taj Mahal of democracy. We have got real democracy. Let us have real reform and end issue ads.

The CHAIRMAN. The Chair would advise that the gentleman from Arkansas (Mr. HUTCHINSON) has 2½ minutes remaining, the gentleman from Connecticut (Mr. SHAYS) has 2 minutes, the gentleman from Massachusetts (Mr. MEEHAN) has 2 minutes, and the gentleman from Florida (Mr. DAVIS) has 2 minutes.

Mr. HUTCHINSON. Mr. Chairman, who has the right to close?

The CHAIRMAN. The gentleman from Florida (Mr. DAVIS), a member of the committee, has the right to close.

Mr. SHAYS. Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. Mr. Chairman, how many times did the civil rights bill come up on the floor of this Chamber? Do we not owe a debt to those who in the face of having been defeated kept trying? How many times did the Brady bill come up, and those of us who were concerned about handgun violence kept bringing it up, and finally it did pass. To be told that we cannot try Shays-Meehan one more time after one failure is a rebuke to the previous experience of those two particular examples, and hundreds of others.

We are told that the Shays-Meehan bill does not admit amendments or compromise. That is not true. Twenty-three amendments were passed last year and of those, 20 were incorporated in the bill this year. This bill has borne the benefit of the compromise process.

Why is it important to try? Because as the gentleman from Washington (Mr. INSLEE) who just spoke pointed out, there is a critical part of Shays-Meehan that is not in the Hutchinson bill. It deals with the sham ads. Why not try? Then if the bill gets over to the Senate and it turns out they do not like that provision, they can work their will over there. A motion can be made to strike the sham issue ads provision, and then we will go to conference and the result will be much like just the Hutchinson bill, in other words, a bill that just bans soft money. But if we do not try, we will never get there. We will never get the chance to ban sham issue ads.

How serious are sham issue ads? Oh, they are serious. Think about it just for a minute. If you run a campaign ad saying, ''Vote for me,'' you can only use donations that are $1,000 maximum. But if instead your party says, you're a splendid candidate, a great individual and deserve to be in Congress, they can use any amount of money, unregulated, because they did not say, ''Vote for me.''

We have seen this at the Presidential level. An actual ad from the last Presidential campaign points out, ''Medicare slashed . . . then Dole resigns, leaving behind gridlock he and Gingrich created.'' That was with soft money. Here is the one with hard money: ''The President stands firm. A balanced budget protects Medicare; disabled children; no again. Now Dole resigns, leaves the gridlock he and Gingrich created.'' They are the same thing.

Let us try to close that loophole.

How about the soft money loophole? It also is closed in the Shays-Meehan, but not in Hutchinson.

Mr. MEEHAN. Mr. Chairman, I yield 30 seconds to the gentlewoman from Ohio (Ms. KAPTUR).

Mr. DAVIS of Florida. Mr. Chairman, I yield 30 seconds to the gentlewoman from Ohio (Ms. KAPTUR).

The CHAIRMAN. The gentlewoman from Ohio is recognized for 1 minute.

Ms. KAPTUR. Mr. Chairman, there is a simple reason for voting against the Hutchinson substitute. A vote for it destroys the first and only bipartisan piece of campaign finance reform ever to be passed in this Chamber. It destroys the only bill that will close the soft money loophole. Should this bill pass, it will pull the rug out from under Shays-Meehan. We cannot let that happen. The Hutchinson substitute does not stop soft money from influencing our Federal elections. It only does half the job. While this amendment calls for a ban on Federal soft money, it does not stop State parties from spending soft money on Federal elections.

That is like bolting the front door to protect yourself from burglars while hanging a neon sign on the back door that says, ''Come on in.'' It is a shell game. You are only moving the soft money from the Federal parties to the State parties.

The American people deserve better. The substitute leaves in place the current loophole through which unlimited dollars are funneled into Federal elections through sham issue ads as well.

Please vote against the Hutchinson substitute. America must do better. Vote against the substitute.

Mr. HUTCHINSON. Mr. Chairman, I yield myself the balance of my time.

Again I want to thank my colleagues for their gracious spirit and the way they engaged in this debate, but I want to come back to some of the things that have been said. First of all I appreciate the kudos, that this is a noble effort, a great job. We need votes in this, votes that will change the dynamics in this body. I appreciate the compliments.

The gentleman from California (Mr. CAMPBELL) is an extraordinary legal scholar, but he wants to challenge the Supreme Court, and he has got guts there, but I do not think when you are dealing with campaign finance reform, you ought to go right in the face of the Supreme Court. I think they make these decisions for a reason, and it is the loophole of the sham ads that you talk about, that loophole is called the first amendment. I think it is something to be cherished, something that is to be regarded, something that should not be discarded lightly. So I have problems with that approach, that we are just going to go up to the Supreme Court, we are going to cost citizens millions of dollars and we are not going to worry about it and hope they change their mind. I think that is the wrong approach.

The gentlewoman from Ohio just talked about that this is not a bipartisan bill. I would remind my colleagues that this is inherently bipartisan. It is inherently bipartisan because my friends worked together with this. Now, they switched gears on us. In fact in the last vote there were 60 Democrats that voted ''present.'' I would urge my friends to reconsider that vote and vote positive for this, the bill that you supported.

If you look at where we are right now, this bill is going to go to the Senate. I hope we have a great vote. I hope we win. I hope people change their mind, but I am realistic. Shays-Meehan will most likely pass. It is going to go to the Senate for the third time. The first time it could not get the votes. The second time it could not get the votes. What will happen this time? I have talked to some of you privately, you say, ''We know it doesn't have the votes in the Senate,'' but we are going to send it over there for the third time.

I want to look to the future in a positive sense. I hope that the Senate will take some of these ideas and forge a bill that will pass. But what happens if they reject Shays-Meehan the third time? Next spring, are we going to give up? Are we going to tell the American voters, ''We can't do it''? Please, I plead with my colleagues, when it comes back next year, let us reconsider our position, let us be flexible, let us work together and get something, what we originally said we were going to do, which is common ground, common ground that we can send over there and be passed. Then we can look back on

this Congress and say, We did something. We worked together. We accomplished something. It passed, for the first time in 25 years.

Do you believe in your heart Shays-Meehan will be the one to do that? I urge support for the Hutchinson substitute.

Mr. MEEHAN. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, we enact campaign finance reform once in a generation. The last time we enacted meaningful, comprehensive campaign finance reform was in the post-Watergate era. For a while that system worked pretty well. But over a period of the last 20 to 25 years, loopholes have developed in the law, loopholes being that incredible amounts of soft money, over and above the legal limits, are being spent to influence elections in our country. An incredible amount, millions of dollars in sham issue ads are being spent to influence elections in our country. So we now have a unique opportunity to pass comprehensive campaign finance reform. We have to make sure that when we pass this bill, we do not pass a bill that already has loopholes in it.

The Hutchinson amendment fails to close the soft money loophole because it enables the insurance companies and the tobacco companies and all of these special interests to circumvent the Federal parties and influence Federal campaigns by going to the States. Many of these States do not even have disclosure requirements of this money. It is too big of a loophole. It does not do anything about reining in sham issue ads. It is too big of a loophole. We have to deal with both of these problems. That is why we have to pass this bill.

Finally, a majority of the Members of the Senate have supported this legislation. The only reason it has not passed is we have not gotten the 60 votes over there to break a filibuster. We are going to be able to do it because eventually the public will win this argument. Vote for Shays-Meehan.

Mr. DAVIS of Florida. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Florida (Mr. DAVIS) is recognized for 1½ minutes.

Mr. DAVIS of Florida. Mr. Chairman, the Hutchinson bill on balance is a good bill. I want to commend the gentleman from Arkansas (Mr. HUTCHINSON), the gentleman from Missouri (Mr. HULSHOF), the gentleman from Maine (Mr. ALLEN) and all of us who worked very hard to put it together. It was the best we could do under some very rough circumstances, over opposition from Democrats and Republicans here. But I disagree with the gentleman from Arkansas (Mr. HUTCHINSON) when he says we cannot do better. We have to do better. Look how far we have come just in the last year.

Last year, we as freshmen had to fight like dogs just to get the bill heard on the floor of the House. We encountered numerous forms of subterfuge just to be heard on the merits. Tonight we have been much more successful in having an open and honest debate on campaign finance reform. We have had some very strong votes here tonight, Democrats and Republicans. We are making progress. We are starting to make it clear that we have found a way to close two of the most gaping loopholes in the system.

Shays-Meehan has been to the Senate only once, not twice. It will go over there again tonight. Last year 52 Senators, Democrats and Republicans, voted in favor of the McCain-Feingold companion to our bill. Can they do better? They have to do better. Our system of democracy depends upon it.

Let us not sell ourselves short tonight. Let us instead be ambitious. Let us pass the strongest campaign finance reform bill that we can. Let us send it to the Senate. We will negotiate and try to produce something that is meaningful to close two of these most gaping loopholes, because the money continues to pour in at record rates. We have got to do something and we can help put the Senate in the right direction. I would urge defeat of the Hutchinson amendment.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Arkansas (Mr. HUTCHINSON).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. HILL of Montana. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 99, noes 327, not voting 7, as follows:

[Roll No. 420]

AYES—99

Aderholt
Archer
Bachus
Baker
Ballenger
Barcia
Barton
Bateman
Blunt
Bono
Brady (TX)
Burr
Burton
Buyer
Callahan
Chabot
Coble
Coburn
Collins
Combest
Cook
Cunningham
Davis (VA)
Diaz-Balart
Dickey
Duncan
Ehlers
Emerson
English
Everett
Ewing
Fowler
Gekas
Gibbons
Goode
Goodlatte
Goss
Granger
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hill (MT)
Hobson
Hoekstra
Hulshof
Hutchinson
Jenkins
John
Jones (NC)
Kolbe
LaHood
Largent
Linder
McCollum
McCrery
McKeon
Miller (FL)
Moran (KS)
Myrick
Ney
Nussle
Oxley
Paul
Peterson (MN)
Petri
Pickering
Radanovich
Riley
Rohrabacher
Royce
Ryan (WI)
Salmon
Scarborough
Scott
Sensenbrenner
Shimkus
Shuster
Smith (NJ)
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Vitter
Walden
Watkins
Weldon (FL)
Whitfield
Wicker
Wilson
Wolf
Young (AK)

NOES—327

Abercrombie
Ackerman
Allen
Andrews
Armey
Baird
Baldacci
Baldwin
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Bryant
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Danner
Davis (FL)
Davis (IL)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehrlich
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goodling
Gordon
Graham
Green (TX)
Greenwood
Hall (OH)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hilleary
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kucinich
Kuykendall
LaFalce
Lampson
Lantos
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Northup
Norwood
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Phelps
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rothman
Roukema
Roybal-Allard
Rush
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaffer
Schakowsky
Serrano
Sessions
Shadegg
Shays
Sherman
Sherwood
Shows
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tancredo
Tanner
Tauscher
Taylor (MS)
Terry
Thompson (CA)
Thompson (MS)
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant

Turner	Wamp	Wexler
Udall (CO)	Waters	Weygand
Udall (NM)	Watt (NC)	Wise
Upton	Watts (OK)	Woolsey
Velazquez	Waxman	Wu
Vento	Weiner	Wynn
Visclosky	Weldon (PA)	Young (FL)
Walsh	Weller	

NOT VOTING—7

Gutierrez	Peterson (PA)	Shaw
Hastings (FL)	Pryce (OH)	
Kingston	Ros-Lehtinen	

□ 2219

Mr. WELDON of Pennsylvania changed his vote from ''aye'' to ''no.''

Mr. ROHRABACHER changed his vote from ''no'' to ''aye.''

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

The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider amendment No. 13 printed in House Report 106–311.

AMENDMENT NO. 13 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. THOMAS

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

The CHAIRMAN. 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. 13 in the nature of a substitute offered by Mr. THOMAS:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Campaign Reform and Election Integrity Act of 1999''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. References in act.

TITLE I—BAN ON FOREIGN CONTRIBUTIONS

Sec. 101. Extension of ban on foreign contributions to all campaign-related disbursements; protecting equal participation of eligible voters.

TITLE II—IMPROVING REPORTING OF INFORMATION

Sec. 201. Mandatory electronic filing for certain reports; expediting reporting of information.
Sec. 202. Reporting of secondary payments; expansion of other types of information reported.
Sec. 203. Disclosure requirements for certain soft money expenditures of political parties.

TITLE III—STRENGTHENING ENFORCEMENT AND ADMINISTRATION OF FEDERAL ELECTION COMMISSION

Sec. 301. Standards for initiation of actions and written responses by Federal Election Commission.
Sec. 302. Banning acceptance of cash contributions greater than $100.
Sec. 303. Deposit of certain contributions and donations to be returned to donors in Treasury account.
Sec. 304. Alternative procedures for imposition of penalties for reporting violations.
Sec. 305. Abolition of ex officio membership of Clerk of House of Representatives and Secretary of Senate on Commission.
Sec. 306. Broader prohibition against force and reprisals.
Sec. 307. Signature authority of members of Commission for subpoenas and notification of intent to seek additional information.

TITLE IV—SIMPLIFYING AND CLARIFYING FEDERAL ELECTION LAW

Sec. 401. Application of aggregate contribution limit on calendar year basis during non-election years.
Sec. 402. Treatment of lines of credit obtained by candidates as commercially reasonable loans.
Sec. 403. Repeal Secretary of Commerce reports on district-specific population.
Sec. 404. Technical correction regarding treatment of honoraria.

TITLE V—EFFECTIVE DATE

Sec. 501. Effective date.

SEC. 2. REFERENCES IN ACT.

Except as otherwise specifically provided, whenever in this Act an amendment is expressed in terms of an amendment to or repeal of a section or other provision, the reference shall be considered to be made to that section or other provision of the Federal Election Campaign Act of 1971 .

TITLE I—BAN ON FOREIGN CONTRIBUTIONS

SEC. 101. EXTENSION OF BAN ON FOREIGN CONTRIBUTIONS TO ALL CAMPAIGN-RELATED DISBURSEMENTS; PROTECTING EQUAL PARTICIPATION OF ELIGIBLE VOTERS.

(a) PROHIBITION ON DISBURSEMENTS BY FOREIGN NATIONALS.—Section 319 (2 U.S.C. 441e) is amended—

(1) in the heading, by striking ''contributions'' and inserting ''donations and other disbursements'';

(2) in subsection (a), by striking ''contribution'' each place it appears and inserting ''donation or other disbursement''; and

(3) in subsection (a), by striking the semicolon and inserting the following: '', including any donation or other disbursement to a political committee of a political party and any donation or other disbursement for an independent expenditure;''.

(b) CODIFICATION OF REGULATIONS PROHIBITING USE OF FOREIGN FUNDS BY MULTICANDIDATE POLITICAL COMMITTEES; PROTECTING EQUAL PARTICIPATION OF ELIGIBLE VOTERS IN CAMPAIGNS AND ELECTIONS.—Section 319 (2 U.S.C. 441e) is amended—

(1) by redesignating subsection (b) as subsection (d); and

(2) by inserting after subsection (a) the following new subsections:

''(b) It shall be unlawful for any person organized under or created by the laws of the United States or of any State or other place subject to the jurisdiction of the United States to make any donation or other disbursement to any candidate for political office in connection with an election for any political office, or to make any donation or other disbursement to any political committee or to any organization or account created or controlled by any United States political party, unless such donation or disbursement is derived solely from funds generated from such person's own business activities in the United States.

''(c) Nothing in this Act may be construed to prohibit any individual eligible to vote in an election for Federal office from making contributions or expenditures in support of a candidate for such an election (including voluntary contributions or expenditures made through a separate segregated fund established by the individual's employer or labor organization) or otherwise participating in any campaign for such an election in the same manner and to the same extent as any other individual eligible to vote in an election for such office.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to contributions, donations, and other disbursements made on or after the date of the enactment of this Act.

TITLE II—IMPROVING REPORTING OF INFORMATION

SEC. 201. MANDATORY ELECTRONIC FILING FOR CERTAIN REPORTS; EXPEDITING REPORTING OF INFORMATION.

(a) REQUIRING ELECTRONIC FILING WITHIN 24 HOURS OF CERTAIN CONTRIBUTIONS AND INDEPENDENT EXPENDITURES MADE WITHIN 90 DAYS OF ELECTION.—

(1) IN GENERAL.—Section 304(a) (2 U.S.C. 434(a)) is amended by adding at the end the following new paragraph:

''(12)(A) Notwithstanding any other provision of this Act, each political committee described in subparagraph (B)(i) that receives a contribution in an amount equal to or greater than $200, and any person described in subparagraph (B)(ii) who makes an independent expenditure, during the period which begins on the 90th day before an election and ends at the time the polls close for such election shall, with respect to any information required to be filed with the Commission under this section with respect to such contribution or independent expenditure, file and preserve the information using electronic mail, the Internet, or such other method of instantaneous transmission as the Commission may permit, and shall file the information within 24 hours after the receipt of the contribution or the making of the independent expenditure.

''(B) For purposes of subparagraph (A)—

''(i) a political committee described in this clause is a political committee that has received an aggregate amount of contributions equal to or greater than $50,000 with respect to the election cycle involved; and

''(ii) a person described in this clause is a person who makes an aggregate amount of independent expenditures during the election cycle involved or during any of the 2 previous 2-year general election cycles in an amount equal to or greater than $10,000.

''(C) The Commission shall make the information filed under this paragraph available on the Internet immediately upon receipt.''.

(2) INTERNET DEFINED.—Section 301(19) (2 U.S.C. 431(19)) is amended to read as follows:

''(19) The term 'Internet' means the international computer network of both Federal and non-Federal interoperable packet-switched data networks.''.

(b) REQUIRING REPORTS OF CERTAIN FILERS TO BE TRANSMITTED ELECTRONICALLY; CERTIFICATION OF PRIVATE SECTOR SOFTWARE.—Section 304(a)(11)(A) (2 U.S.C. 434(a)(11)(A)) is amended by striking the period at the end and inserting the following: '', except that in the case of a report submitted by a person who reports an aggregate amount of contributions or expenditures (as the case may be) in all reports filed with respect to the election cycle involved (taking into account the period covered by the report) in an amount equal to or greater than $50,000, the Commission shall require the report to be filed and preserved by electronic mail, the Internet, or such other method of instantaneous transmission as the Commission may permit. The Commission shall certify (on an ongoing basis) private sector computer software which may be used for filing reports by such methods.''.

(c) REQUIRING REPORTS FOR ALL CONTRIBUTIONS MADE WITHIN 20 DAYS OF ELECTION; REQUIRING REPORTS TO BE MADE WITHIN 24 HOURS.—Section 304(a)(6)(A) (2 U.S.C. 434(a)(6)(A)) is amended—

(1) by striking ''after the 20th day, but more than 48 hours before any election'' and inserting ''during the period which begins on the 20th day before an election and ends at the time the polls close for such election''; and

(2) by striking ''48 hours'' the second place it appears and inserting the following: ''24 hours (or, if earlier, by midnight of the day on which the contribution is deposited)''.

(d) REQUIRING ACTUAL RECEIPT OF CERTAIN INDEPENDENT EXPENDITURE REPORTS WITHIN 24 HOURS.—

(1) IN GENERAL.—Section 304(c)(2) (2 U.S.C. 434(c)(2)) is amended in the matter following subparagraph (C)—

(A) by striking ''shall be reported'' and inserting ''shall be filed''; and

(B) by adding at the end the following new sentence: ''Notwithstanding subsection (a)(5), the time at which the statement under this subsection is received by the Secretary, the Commission, or any other recipient to whom the notification is required to be sent shall be considered the time of filing of the statement with the recipient.''.

(2) CONFORMING AMENDMENT.—Section 304(a)(5) (2 U.S.C. 434(a)(5)) is amended by striking ''or (4)(A)(ii)'' and inserting ''or (4)(A)(ii), or the second sentence of subsection (c)(2)''.

(e) CHANGE IN CERTAIN REPORTING FROM A CALENDAR YEAR BASIS TO AN ELECTION CYCLE BASIS.—

(1) IN GENERAL.—Section 304(b) (2 U.S.C. 434(b)) is amended—

(A) by inserting ''(or election cycle, in the case of an authorized committee of a candidate for Federal office)'' after ''calendar year'' each place it appears in paragraphs (2), (3), (4), and (7); and

(B) in paragraph (6)(A), by striking ''calendar year'' and inserting ''election cycle''.

(2) ELECTION CYCLE DEFINED.—Section 301 (2 U.S.C. 431) is amended by adding at the end the following:

''(20) ELECTION CYCLE.—Except as the Commission may otherwise provide, the term 'election cycle' means, with respect to an election, the period beginning on the day after the date of the most recent general election for the office involved and ending on the date of the election.''.

(f) CLARIFICATION OF PERMISSIBLE USE OF FACSIMILE MACHINES AND ELECTRONIC MAIL TO FILE REPORTS.—Section 304(a)(11)(A) (2 U.S.C. 434(a)(11)(A)) is amended by striking ''method,'' and inserting the following: ''method (including by facsimile device or electronic mail in the case of any report required to be filed within 24 hours after the transaction reported has occurred),''.

SEC. 202. REPORTING OF SECONDARY PAYMENTS; EXPANSION OF OTHER TYPES OF INFORMATION REPORTED.

(a) REQUIRING RECORD KEEPING AND REPORT OF SECONDARY PAYMENTS BY CAMPAIGN COMMITTEES.—

(1) REPORTING.—Section 304(b)(5)(A) (2 U.S.C. 434(b)(5)(A)) is amended by striking the semicolon at the end and inserting the following: '', and, if such person in turn makes expenditures which aggregate $5,000 or more in an election cycle to other persons (not including employees) who provide goods or services to the candidate or the candidate's authorized committees, the name and address of such other persons, together with the date, amount, and purpose of such expenditures;''.

(2) RECORD KEEPING.—Section 302 (2 U.S.C. 432) is amended by adding at the end the following new subsection:

''(j) A person described in section 304(b)(5)(A) who makes expenditures which aggregate $5,000 or more in an election cycle to other persons (not including employees) who provide goods or services to a candidate or a candidate's authorized committees shall provide to a political committee the information necessary to enable the committee to report the information described in such section.''.

(3) NO EFFECT ON OTHER REPORTS.—Nothing in the amendments made by this subsection may be construed to affect the terms of any other recordkeeping or reporting requirements applicable to candidates or political committees under title III of the Federal Election Campaign Act of 1971.

(b) INCLUDING REPORT ON CUMULATIVE CONTRIBUTIONS AND EXPENDITURES IN POST ELECTION REPORTS.—Section 304(a)(7) (2 U.S.C. 434(a)(7)) is amended—

(1) by striking ''(7)'' and inserting ''(7)(A)''; and

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

''(B) In the case of any report required to be filed by this subsection which is the first report required to be filed after the date of an election, the report shall include a statement of the total contributions received and expenditures made as of the date of the election.''.

(c) INCLUDING INFORMATION ON AGGREGATE CONTRIBUTIONS IN REPORT ON ITEMIZED CONTRIBUTIONS.—Section 304(b)(3) (2 U.S.C. 434(b)(3)) is amended—

(1) in subparagraph (A), by inserting after ''such contribution'' the following: ''and the total amount of all such contributions made by such person with respect to the election involved''; and

(2) in subparagraph (B), by inserting after ''such contribution'' the following: ''and the total amount of all such contributions made by such committee with respect to the election involved''.

SEC. 203. DISCLOSURE REQUIREMENTS FOR CERTAIN SOFT MONEY EXPENDITURES OF POLITICAL PARTIES.

(a) TRANSFERS OF FUNDS BY NATIONAL POLITICAL PARTIES.—Section 304(b)(4) (2 U.S.C. 434(b)(4)) is amended—

(1) by striking ''and'' at the end of subparagraph (H);

(2) by adding ''and'' at the end of subparagraph (I); and

(3) by adding at the end the following new subparagraph:

''(J) in the case of a political committee of a national political party, all funds transferred to any political committee of a State or local political party, without regard to whether or not the funds are otherwise treated as contributions or expenditures under this title;''.

(b) DISCLOSURE BY STATE AND LOCAL POLITICAL PARTIES OF INFORMATION REPORTED UNDER STATE LAW.—Section 304 (2 U.S.C. 434) is amended by adding at the end the following new subsection:

''(d) If a political committee of a State or local political party is required under a State or local law, rule, or regulation to submit a report on its disbursements to an entity of the State or local government, the committee shall file a copy of the report with the Commission at the time it submits the report to such an entity.''.

TITLE III—STRENGTHENING ENFORCEMENT AND ADMINISTRATION OF FEDERAL ELECTION COMMISSION

SEC. 301. STANDARDS FOR INITIATION OF ACTIONS AND WRITTEN RESPONSES BY FEDERAL ELECTION COMMISSION.

(a) STANDARD FOR INITIATION OF ACTIONS BY FEC.—Section 309(a)(2) (2 U.S.C. 437g(a)(2)) is amended by striking ''it has reason to believe'' and all that follows through ''of 1954,'' and inserting the following: ''it has a reason to seek additional information regarding a possible violation of this Act or of chapter 95 or chapter 96 of the Internal Revenue Code of 1986 that has occurred or is about to occur (based on the same criteria applicable under this paragraph prior to the enactment of the Campaign Reform and Election Integrity Act of 1999),''.

(b) REQUIRING FEC TO PROVIDE WRITTEN RESPONSES TO QUESTIONS.—

(1) IN GENERAL.—Title III (2 U.S.C. 431 et seq.) is amended by inserting after section 308 the following new section:

''OTHER WRITTEN RESPONSES TO QUESTIONS

''SEC. 308A. (a) PERMITTING RESPONSES.—In addition to issuing advisory opinions under section 308, the Commission shall issue written responses pursuant to this section with respect to a written request concerning the application of this Act, chapter 95 or chapter 96 of the Internal Revenue Code of 1986, a rule or regulation prescribed by the Commission, or an advisory opinion issued by the Commission under section 308, with respect to a specific transaction or activity by the person, if the Commission finds the application of the Act, chapter, rule, regulation, or advisory opinion to the transaction or activity to be clear and unambiguous.

''(b) PROCEDURE FOR RESPONSE.—

''(1) ANALYSIS BY STAFF.—The staff of the Commission shall analyze each request submitted under this section. If the staff believes that the standard described in subsection (a) is met with respect to the request, the staff shall circulate a statement to that effect together with a draft response to the request to the members of the Commission.

''(2) ISSUANCE OF RESPONSE.—Upon the expiration of the 3-day period beginning on the date the statement and draft response is circulated (excluding weekends or holidays), the Commission shall issue the response, unless during such period any member of the Commission objects to issuing the response.

''(c) EFFECT OF RESPONSE.—

''(1) SAFE HARBOR.—Notwithstanding any other provisions of law, any person who relies upon any provision or finding of a written response issued under this section and who acts in good faith in accordance with the provisions and findings of such response shall not, as a result of any such act, be subject to any sanction provided by this Act or by chapter 95 or chapter 96 of the Internal Revenue Code of 1986.

''(2) NO RELIANCE BY OTHER PARTIES.—Any written response issued by the Commission under this section may only be relied upon by the person involved in the specific transaction or activity with respect to which such response is issued, and may not be applied by the Commission with respect to any other person or used by the Commission for enforcement or regulatory purposes.

''(d) PUBLICATION OF REQUESTS AND RESPONSES.—The Commission shall make public any request for a written response made, and the responses issued, under this section. In carrying out this subsection, the Commission may not make public the identity of any person submitting a request for a written response unless the person specifically authorizes to Commission to do so.

''(e) COMPILATION OF INDEX.—The Commission shall compile, publish, and regularly update a complete and detailed index of the responses issued under this section through which responses may be found on the basis of the subjects included in the responses.''.

(2) CONFORMING AMENDMENT.—Section 307(a)(7) (2 U.S.C. 437d(a)(7)) is amended by striking ''of this Act'' and inserting ''and other written responses under section 308A''.

(c) STANDARD FORM FOR COMPLAINTS; STRONGER DISCLAIMER LANGUAGE.—

(1) STANDARD FORM.—Section 309(a)(1) (2 U.S.C. 437g(a)(1)) is amended by inserting after ''shall be notarized,'' the following:

''shall be in a standard form prescribed by the Commission, shall not include (but may refer to) extraneous materials,''.

(2) DISCLAIMER LANGUAGE.—Section 309(a)(1) (2 U.S.C. 437g(a)(1)) is amended—

(A) by striking ''(a)(1)'' and inserting ''(a)(1)(A)''; and

(B) by adding at the end the following new subparagraph:

''(B) The written notice of a complaint provided by the Commission under subparagraph (A) to a person alleged to have committed a violation referred to in the complaint shall include a cover letter (in a form prescribed by the Commission) and the following statement: 'The enclosed complaint has been filed against you with the Federal Election Commission. The Commission has not verified or given official sanction to the complaint. The Commission will make no decision to pursue the complaint for a period of at least 15 days from your receipt of this complaint. You may, if you wish, submit a written statement to the Commission explaining why the Commission should take no action against you based on this complaint. If the Commission should decide to seek additional information, you will be notified and be given further opportunity to respond.'''.

SEC. 302. BANNING ACCEPTANCE OF CASH CONTRIBUTIONS GREATER THAN $100.

Section 315 (2 U.S.C. 441a) is amended by adding at the end the following new subsection:

''(i) No candidate or political committee may accept any contributions of currency of the United States or currency of any foreign country from any person which, in the aggregate, exceed $100.''.

SEC. 303. DEPOSIT OF CERTAIN CONTRIBUTIONS AND DONATIONS TO BE RETURNED TO DONORS IN TREASURY ACCOUNT.

(a) IN GENERAL.—Title III (2 U.S.C. 431 et seq.) is amended by adding at the end the following new section:

''TREATMENT OF CERTAIN CONTRIBUTIONS AND DONATIONS TO BE RETURNED TO DONORS

''SEC. 323. (a) TRANSFER TO COMMISSION.—

''(1) IN GENERAL.—Notwithstanding any other provision of this Act, if a political committee intends to return any contribution or donation given to the political committee, the committee shall transfer the contribution or donation to the Commission if—

''(A) the contribution or donation is in an amount equal to or greater than $500 (other than a contribution or donation returned within 90 days of receipt by the committee); or

''(B) the contribution or donation was made in violation of section 315, 316, 317, 319, or 320 (other than a contribution or donation returned within 90 days of receipt by the committee).

''(2) INFORMATION INCLUDED WITH TRANSFERRED CONTRIBUTION OR DONATION.—A political committee shall include with any contribution or donation transferred under paragraph (1)—

''(A) a request that the Commission return the contribution or donation to the person making the contribution or donation; and

''(B) information regarding the circumstances surrounding the making of the contribution or donation and any opinion of the political committee concerning whether the contribution or donation may have been made in violation of this Act.

''(3) ESTABLISHMENT OF ESCROW ACCOUNT.—

''(A) IN GENERAL.—The Commission shall establish a single interest-bearing escrow account for deposit of amounts transferred under paragraph (1).

''(B) DISPOSITION OF AMOUNTS RECEIVED.—On receiving an amount from a political committee under paragraph (1), the Commission shall—

''(i) deposit the amount in the escrow account established under subparagraph (A); and

''(ii) notify the Attorney General and the Commissioner of the Internal Revenue Service of the receipt of the amount from the political committee.

''(C) USE OF INTEREST.—Interest earned on amounts in the escrow account established under subparagraph (A) shall be applied or used for the same purposes as the donation or contribution on which it is earned.

''(4) TREATMENT OF RETURNED CONTRIBUTION OR DONATION AS A COMPLAINT.—The transfer of any contribution or donation to the Commission under this section shall be treated as the filing of a complaint under section 309(a).

''(b) USE OF AMOUNTS PLACED IN ESCROW TO COVER FINES AND PENALTIES.—The Commission or the Attorney General may require any amount deposited in the escrow account under subsection (a)(3) to be applied toward the payment of any fine or penalty imposed under this Act or title 18, United States Code, against the person making the contribution or donation.

''(c) RETURN OF CONTRIBUTION OR DONATION AFTER DEPOSIT IN ESCROW.—

''(1) IN GENERAL.—The Commission shall return a contribution or donation deposited in the escrow account under subsection (a)(3) to the person making the contribution or donation if—

''(A) within 180 days after the date the contribution or donation is transferred, the Commission has not made a determination under section 309(a)(2) to seek additional information regarding whether or not the contribution or donation was made in violation of this Act; or

''(B)(i) the contribution or donation will not be used to cover fines, penalties, or costs pursuant to subsection (b); or

''(ii) if the contribution or donation will be used for those purposes, that the amounts required for those purposes have been withdrawn from the escrow account and subtracted from the returnable contribution or donation.

''(2) NO EFFECT ON STATUS OF INVESTIGATION.—The return of a contribution or donation by the Commission under this subsection shall not be construed as having an effect on the status of an investigation by the Commission or the Attorney General of the contribution or donation or the circumstances surrounding the contribution or donation, or on the ability of the Commission or the Attorney General to take future actions with respect to the contribution or donation.''.

(b) AMOUNTS USED TO DETERMINE AMOUNT OF PENALTY FOR VIOLATION.—Section 309(a) (2 U.S.C. 437g(a)) is amended by inserting after paragraph (9) the following new paragraph:

''(10) For purposes of determining the amount of a civil penalty imposed under this subsection for violations of section 323, the amount of the donation involved shall be treated as the amount of the contribution involved.''.

(c) DONATION DEFINED.—Section 323, as added by subsection (a), is amended by adding at the end the following:

''(d) DONATION DEFINED.—In this section, the term 'donation' means a gift, subscription, loan, advance, or deposit of money or anything else of value made by any person to a national committee of a political party or a Senatorial or Congressional Campaign Committee of a national political party for any purpose, but does not include a contribution (as defined in section 301(8)).''.

(d) DISGORGEMENT AUTHORITY.—Section 309 (2 U.S.C. 437g) is amended by adding at the end the following new subsection:

''(e) Any conciliation agreement, civil action, or criminal action entered into or instituted under this section may require a person to forfeit to the Treasury any contribution, donation, or expenditure that is the subject of the agreement or action for transfer to the Commission for deposit in accordance with section 323.''.

(e) EFFECTIVE DATE.—The amendments made by subsections (a), (b), and (c) shall apply to contributions or donations refunded on or after the date of the enactment of this Act, without regard to whether the Federal Election Commission or Attorney General has issued regulations to carry out section 323 of the Federal Election Campaign Act of 1971 (as added by subsection (a)) by such date.

SEC. 304. ALTERNATIVE PROCEDURES FOR IMPOSITION OF PENALTIES FOR REPORTING VIOLATIONS.

(a) IN GENERAL.—Section 309(a)(4) (2 U.S.C. 437g(a)(4)) is amended—

(1) in subparagraph (A)(i), by striking ''clause (ii)'' and inserting ''clauses (ii) and subparagraph (C)''; and

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

''(C)(i) Notwithstanding subparagraph (A), in the case of a violation of any requirement under this Act relating to the reporting of receipts or disbursements, the Commission may—

''(I) find that a person committed such a violation on the basis of information obtained pursuant to the procedures described in paragraphs (1) and (2); and

''(II) based on such finding, require the person to pay a civil money penalty in an amount determined under a schedule of penalties which is established and published by the Commission and which takes into account the amount of the violation involved, the existence of previous violations by the person, and such other factors as the Commission considers appropriate (but which in no event exceeds $20,000).

''(ii) The Commission may not make any determination adverse to a person under clause (i) until the person has been given written notice and an opportunity to be heard before the Commission.

''(iii) Any person against whom an adverse determination is made under this subparagraph may obtain a review of such determination by filing in the United States District Court for the District of Columbia or for the district in which the person resides or transacts business (prior to the expiration of the 30-day period which begins on the date the person receives notification of the determination) a written petition requesting that the determination be modified or set aside.''.

(b) CONFORMING AMENDMENT.—Section 309(a)(6)(A) (2 U.S.C. 437g(a)(6)(A)) is amended by striking ''paragraph (4)(A)'' and inserting ''paragraph (4)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations occurring on or after January 1, 2001.

SEC. 305. ABOLITION OF EX OFFICIO MEMBERSHIP OF CLERK OF HOUSE OF REPRESENTATIVES AND SECRETARY OF SENATE ON COMMISSION.

Section 306(a) (2 U.S.C. 437c(a)) is amended—

(1) in paragraph (1), by striking ''the Secretary of the Senate and the Clerk'' and all that follows through ''right to vote, and''; and

(2) in paragraphs (3), (4), and (5), by striking ''(other than the Secretary of the Senate and the Clerk of the House of Representatives)'' each place it appears.

SEC. 306. BROADER PROHIBITION AGAINST FORCE AND REPRISALS.

Section 316(b)(3) (2 U.S.C. 441b(b)(3)) is amended—

(1) by redesignating subparagraphs (A) through (C) as subparagraphs (B) through (D); and

(2) by inserting before subparagraph (B) (as so redesignated) the following new subparagraph:

''(A) for such a fund to cause another person to make a contribution or expenditure by physical force, job discrimination, financial reprisals, or the threat of force, job discrimination, or financial reprisal;''.

SEC. 307. SIGNATURE AUTHORITY OF MEMBERS OF COMMISSION FOR SUBPOENAS AND NOTIFICATION OF INTENT TO SEEK ADDITIONAL INFORMATION.

(a) ISSUANCE OF SUBPOENAS.—Section 307(a)(3) (2 U.S.C. 437d(a)(3)) is amended by striking ''signed by the chairman or the vice chairman'' and inserting ''signed by any member of the Commission''.

(b) NOTIFICATIONS OF INTENT TO SEEK ADDITIONAL INFORMATION.—Section 309(a)(2) (2 U.S.C. 437g(a)(2)) is amended by striking ''through its chairman or vice chairman'' and inserting ''through any of its members''.

TITLE IV—SIMPLIFYING AND CLARIFYING FEDERAL ELECTION LAW

SEC. 401. APPLICATION OF AGGREGATE CONTRIBUTION LIMIT ON CALENDAR YEAR BASIS DURING NON-ELECTION YEARS.

Section 315(a)(3) (2 U.S.C. 441a(a)(3)) is amended by striking the second sentence.

SEC. 402. TREATMENT OF LINES OF CREDIT OBTAINED BY CANDIDATES AS COMMERCIALLY REASONABLE LOANS.

Section 301(8)(B) (2 U.S.C. 431(8)(B)) is amended—

(1) by striking ''and'' at the end of clause (xiii);

(2) by striking the period at the end of clause (xiv) and inserting ''; and''; and

(3) by adding at the end the following new clause:

''(xv) any loan of money derived from an advance on a candidate's brokerage account, credit card, home equity line of credit, or other line of credit available to the candidate, if such loan is made in accordance with applicable law and under commercially reasonable terms and if the person making such loan makes loans in the normal course of the person's business.''.

SEC. 403. REPEAL SECRETARY OF COMMERCE REPORTS ON DISTRICT-SPECIFIC POPULATION.

(a) REPEAL REPORT BY SECRETARY OF COMMERCE ON DISTRICT-SPECIFIC VOTING AGE POPULATION.—Section 315(e) (2 U.S.C. 441a(e)) is amended by striking ''States, of each State, and of each congressional district'' and inserting ''States and of each State''.

(b) DEADLINE FOR REPORTING OF CERTAIN ANNUAL ESTIMATES TO COMMISSION.—

(1) PRICE INDEX.—Section 315(c)(1) (2 U.S.C. 441a(c)(1)) is amended—

(A) by striking ''At the beginning'' and inserting ''Not later than February 15''; and

(B) by striking ''as there become available necessary data from the Bureau of Labor Statistics of the Department of Labor,''.

(2) VOTING AGE POPULATION.—Section 315(e) (2 U.S.C. 441a(e)) is amended by striking ''During the first week of January 1975, and every subsequent year,'' and inserting ''Not later than February 15 of 1975 and each subsequent year,''.

SEC. 404. TECHNICAL CORRECTION REGARDING TREATMENT OF HONORARIA.

Section 301(8)(B) (2 U.S.C. 431(8)(B)), as amended by section 402, is further amended—

(1) by adding ''and'' at the end of clause (xiii);

(2) by striking clause (xiv); and

(3) by redesignating clause (xv) as clause (xiv).

TITLE V—EFFECTIVE DATE

SEC. 501. EFFECTIVE DATE.

Except as otherwise specifically provided, this Act and the amendments made by this Act shall apply with respect to elections occurring after January 2001.

The CHAIRMAN. Pursuant to House Resolution 283, the gentleman from California (Mr. THOMAS) and the gentleman from Maryland (Mr. HOYER) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. THOMAS).

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

Mr. Chairman, the gentleman from Maryland (Mr. HOYER) framed this debate earlier in the day, I do not think he fully appreciates it but he certainly did, when he said we ought to support the Thomas substitute tomorrow.

We will recall the song, tomorrow, tomorrow, tomorrow is always a day away.

Some of the provisions in my substitute have stretched that day to more than a quarter of a century. Of the more than two dozen provisions in the Thomas substitute, 13 of them have not been addressed since 1976.

Why? The cry has always been for real, for substantive change, change that could become law, let us do it tomorrow.

We are in the middle of this debate in which people who are supporting Shays-Meehan have the latest cracker jack approach. Of course, earlier it was PACs. Before that it was other bogeymen in terms of the system, all of them fundamental threats to the republic, notwithstanding the Supreme Court saying that the First Amendment has to be upheld.

We see another assault on the First Amendment.

What I decided to do, Mr. Chairman, was to examine what the Democrats were offering, what the Republicans were offering, what was obviously in need of change, pull it together and in about two dozen provisions offer change; change that has been needed for more than a quarter of a century in some instances but has never, ever, for some reason, been able to move.

Some of my colleagues might find it ironic, but one of the provisions in my substitute bans foreign soft money in U.S. elections. Another one guarantees the rights of U.S. citizens to contribute to campaigns through Political Action Committees. Whether the PAC is a domestic or a foreign-owned corporation it has to be in the United States. Many of them deal with the current antiquated timing of information. Many of them extend from 1976.

Forty-eight hours in 1976 may have been a relatively long time. Mobile phones were not invented. E-mail was not invented. To a very great extent, the Internet did not exist. There were 200 sites linked through the Advanced Research Project Agency's net, but it certainly was not the Internet. C–SPAN did not exist; neither did CNN or ESPN.

The world has changed in that quarter century, but one thing has not changed: Federal election law. Why? Because whenever anyone offered reasonable and appropriate change, the plea was always tomorrow.

If anybody in this Chamber wants to make law tonight, they ought to take a look at the Thomas substitute because it is, as it will be described, an amalgam of a bunch of good stuff that should have been passed a long time ago; but it was always the latest issue that got in front of it and the latest issue never made it.

This issue will not make it. Shays-Meehan will not become law. If someone wants to make a political statement, then vote for Shays-Meehan. If they want to make law, if they want to change current law, if they want to shorten 48 hours to 24, if they want to take all those people who currently run their financing of their campaigns on their computers and then, because of our current laws run a contest in the campaign office to find a person with the worst handwriting and have them personally fill out the report so that when it gets to the FEC it has to be translated and then put on the electronic medium, what we say is do it electronically if a campaign raises more than $50,000.

Everybody is doing it on computers anyway. These are the kind of changes that we ought to make first. Let us get it right, and then we can discuss how we want to change the world.

It just seems to me that at some time after the invention of compact disk players, after the invention of VCRs, after Larry Bird was elected NBA rookie of the year in 1980, some of these provisions ought to be changed. This is the opportunity.

If my colleagues want to make a statement, vote for Shays-Meehan; if they want to make law, vote for the Thomas substitute.

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

Mr. HOYER. Mr. Chairman, we want to make sense today. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Tennessee (Mr. WAMP).

Mr. WAMP. Mr. Chairman, I thank the gentleman from Maryland (Mr. HOYER) for yielding me this time.

Mr. Chairman, first I want to applaud the truly bipartisan team so ably lead by the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) who have brought us yet again this year to the success that we have seen today on sticking together and doing the right thing.

I want to thank the Speaker of the House for honoring his commitment to allow this legislation to come to the floor with a full and fair debate in September of this year, and we will complete this business in a few moments.

I also want to point out, though, that when my party, the Republican Party, in which I am proud to be an active member, was in the minority here, our

party supported most of these same reforms in the minority. The truth is, any minority party is going to support reform and any majority party is going to oppose reform because it is basically essential, they believe, to preserve the current system for their benefit, and therein lies the problem.

This bill is the best effort in 25 years to make major strides towards cleaning up the current system. The American people expect us to do that.

I believe that this is a decision for the ages that we will make in a few minutes. We do have to beat back the Thomas substitute. It is obviously full of things that need to be done, but it is really not campaign finance reform itself, in and of itself. It is campaign reform. It is corrections. It cleans up the current system, but it does not address soft money and the major issues that affect the system today that need to be addressed. So it should be an amendment and not a substitute.

So we will have to beat it back and then bring this to final passage. The vote, though, again Thomas and then for final passage, is a vote really about putting country above party, and that is difficult because the pressures within one's party are to support the leadership, to support the majority. Clearly, it takes courage, I think, for some of us to step out and say this needs to be done.

Countless former Members of this House and the Senate have come out in support of this. It is amazing how many more people support this when they are no longer here, when they no longer face the pressures of reelection or holding the majority. Then they reflect and say, that really needs to be done. Virtually every President that can speak on this issue has said this needs to be done. They are serving really as the conscience of the American electorate and the leadership of our country by saying, yes, I am no longer standing for reelection. I have been there. I know the influences of money on critical policy decisions that affect our great Nation; and, yes, this needs to be done. So we need to listen closely to them as well.

This bill cuts both ways. I believe it is equally harsh on the Republican Party and the Democratic Party.

The Good Book says, the love of money is the root of all evil.

□ 2230

There are too many influential decisions made by money in this institution. Let us pass Shays-Meehan tonight.

Mr. THOMAS. Mr. Chairman, it is my privilege to yield 3 minutes to the gentleman from Illinois (Mr. EWING), a member of the committee.

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

Mr. EWING. Mr. Chairman, I rise in support of the Thomas substitute, and I urge my colleagues to vote for this substitute. The legislation makes a series of much-needed changes. For instance, there are over 20 provisions in this legislation that will simplify and strengthen laws for FEC reporting and enforcement. In addition, the Thomas substitute places a strict ban on foreign soft money. Finally, one of the problems with the current campaign finance system is not what we know, but what we do not know. This legislation will ensure that more rapid filing requirements, electronic filings, will make it easier for the public to know who is contributing to which federal candidate.

This is why I commend Texas Governor George W. Bush who posted all of his campaign contributors on his Web site for public view. The most important aspect of this debate is information, and we should support legislation that gives us more information, not less.

Once again, it seems that politics will rule the day, though, for supporters of Shays-Meehan, a major portion of the Thomas substitute was taken from the ranking member of the Committee on House Administration, yet politics prevail and he has chosen to oppose the bill with the provisions in it that he himself used to support. It is pretty clear to me that the proponents of this legislation are more concerned about politicizing the issue, rather than actually passing legislation which will improve our current situation.

The Thomas substitute is the only legislation that has a chance to be signed into law. If we do not pass this bill out of this House, that has a chance to be signed into law, the current abuses will go untouched.

I say to my fellow Members that if they really care about going back to their districts and telling their constituents that they supported real campaign finance reform, then support the Thomas substitute. This legislation places a strict ban on foreign soft money contributions to federal candidates. This was the major abuse in the last presidential election, and unless we support this legislation, these abuses can continue.

Mr. Chairman, I urge my colleagues to vote for the Thomas substitute which is the only legislation we will consider here tonight that will be signed into law.

Mr. HOYER. Mr. Chairman, I yield 1½ minutes to the gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Chairman, this amendment is the only obstacle standing between us and passage of the Shays-Meehan bill. Unfortunately, this is not a debate on the merits of this amendment, because the gentleman from Tennessee (Mr. WAMP) and I attempted to offer the substance of this amendment as a separate amendment to Shays-Meehan so that the Members would have an opportunity to vote for this Good Housekeeping measure and for Shays-Meehan, and we were deprived of that opportunity, and so was the body.

This amendment is so innocuous that it comprises mostly recommendations that were unanimously supported by the FEC commissioners. If there is a single Member in this chamber tonight that intends to vote against this amendment, raise their hands. Not a single Member. This is an amendment that should be taken up on the consent calendar that is reserved for technical bills. That is where we should be debating the merits of this. We should not be debating it as a way to submarine Shays-Meehan.

The fight has always been about the right to be heard about the merits of Shays-Meehan on the floor of the House, and we have almost concluded that debate, but let me conclude by citing once again the facts, because the facts speak for themselves. In the 1991/1992 election cycle, $86 million by both political parties was spent in soft money; in 1996, $260 million; in 1970 and 1978, $193 million, more than twice the previous presidential campaign cycle. And in the 2000 election cycle, it is estimated between $500 million and $750 million in soft money. These are unlimited contributions that are not being made for good government.

The facts speak for themselves. Let us defeat this amendment, let us pass it on the consent calendar, and let us pass Shays-Meehan.

Mr. THOMAS. Mr. Chairman, I yield myself 1 minute to give an example of the kinds of things that we propose in the Thomas substitute that simply have been overlooked for more than a quarter of a century. When one makes reports, there is no requirement to show secondary payments. In many campaign reports, they simply list their key campaign support committee, $50,000. We have no idea where that money has been spent, and there is no requirement under federal law to break it down.

What we say we ought to do is to require record keeping and disclosure by political committees in terms of who got the actual payment: the secondary payers, the subcontractors. This is absolutely essential to have an understanding of the flow of money. They say they want to follow the money. They say they want to make sure everyone knows who pays whom. It simply is not done in Shays-Meehan. This is a long overdue change.

It also requires post-election reports to include cumulative information on contributions and expenditures. Those are the kinds of things that will give people a true picture of who contributes and who spends. It is not in theirs; it is in ours.

Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. ENGLISH).

Mr. ENGLISH. Mr. Chairman, I rise in strong support of the Thomas substitute to H.R. 417.

This substitute amendment makes meaningful reforms to the current system that are balanced, constitutional and have an actual chance of being

signed into law. The banning of foreign soft money improved enforcement ability of the FEC and increased candidate and party disclosure by means of electronic filing and public Internet posting are all much-needed reforms that both parties agree are necessary.

I urge my colleagues to vote for the Thomas substitute, because although it is limited in scope, it provides a fair and balanced reform to the current system and has the potential to pass the Senate this year and become law. By contrast with the Shays-Meehan placebo, the Thomas substitute would make changes that would not unduly favor one party or one philosophy over another after facing judicial scrutiny. Unlike Shays-Meehan, the Thomas substitute will not add to the overwhelming advantage that incumbents have over challengers.

Shays-Meehan is ultimately an incumbent protection bill. It will reduce competition in congressional elections and further sap the vitality of our political process.

Although proponents of Shays-Meehan claim it is the only reform package that has a chance of being enacted, the reality is that the Senate is likely to block the Shays-Meehan bill much as it did last year when a nearly identical measure was reported out of the House.

Mr. Chairman, I urge my colleagues to send something to the Senate that we have a chance of putting into law this year and deserves to be put into law and deals with real abuses in a very balanced and constitutional way. I urge a vote for the Thomas substitute for all of those who are true supporters of campaign finance reform.

Mr. HOYER. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Chairman, of this amendment it can be said, seldom have so few worked so hard to do so little. Who could be against the little that this substitute proposes? Only those of us who are committed to doing more, who realize that the modest changes proposed by the Shays-Meehan approach are the minimum necessary to bring any real change to this Congress.

Those intent on blocking reform have carefully crafted the rule governing the procedure for this debate so that the approval of any alternative, even one as meager as that advanced by the gentleman from California (Mr. THOMAS), will serve to nullify real reform. The sole purpose of this substitute is not some newly discovered interest in correcting some minor provisions in the Federal Election Code, but it is to defeat true reform, an objective its author has made clear by his repeated votes against cleaning up this mess.

Without a vote for genuine campaign finance reform tonight, special interests will continue to have a strangle hold on this body. The pharmaceutical companies will decide whether seniors get access to prescription drugs. The tobacco companies will decide whether we do anything about nicotine addiction among our young people. The special interests will continue to write a tax code that is replete with loopholes that burden the rest of the American people.

We need a clean sweep of this campaign finance system, not some modest housekeeping touch-up; not mere toothless tinkering with a clearly very broken system. Reject this amendment and adopt true reform.

The CHAIRMAN. The gentleman from Maryland (Mr. HOYER) has 14 minutes remaining; the gentleman from California (Mr. THOMAS) has 9 minutes remaining.

Mr. HOYER. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. Mr. Chairman, let me remind the House that oftentimes when people talk about tomorrow, the other day that they refer to is yesterday. And in this particular case, there was a yesterday not too long ago when the substance of the Thomas legislation was offered as an amendment to Shays-Meehan in committee and the majority decided that they did not want to have it be a part of the Shays-Meehan package.

The plain English of where we are tonight is embodied in the rule that the majority created to govern this debate, that is that this is not an amendment to Shays-Meehan, this is a substitute. All too often some are eager to take a substitute over the real McCoy or, in this case, the real Shays-Meehan.

A substitute just will not do, because what we have come to understand even here in this House is that the time has come to reform our campaign finance laws. It is embodied in this bipartisan approach, and the only way that we can get to the Shays-Meehan approach, which a majority of us agree on, is that we have to move the substitutes aside and focus on the real reform that is embodied in the base bill that we will have a chance to vote on once we dispose of the Thomas amendment.

Now, I have a great deal of respect for the chairman of my committee, and I think that the suggestions that are offered are something that all of us can work towards, and that is why I offered it as an amendment to Shays-Meehan. Maybe now, after we dispose of it tonight, we will find another way on another day when we can get to it, but those who want to point at tomorrow as some far off day have to look at their own actions when they had the opportunity to take these suggestions and embody them in the vehicle that this House passed last year and will pass again tonight.

When we want to clean up the creek, we have to get the hogs out of the water first. We, in order to get to Shays-Meehan, have to remove these substitutes out of our way. We have to keep our eyes on the prize. I would ask my colleagues to say no to the Thomas substitute so that we can focus in on real campaign reform.

Mr. THOMAS. Tomorrow, tomorrow.

Mr. Chairman, it is my pleasure to yield 4 minutes to the gentlewoman from Kentucky (Mrs. NORTHUP).

□ 2245

Mrs. NORTHUP. Mr. Chairman, since I was elected to Congress, I have been so surprised at so much that has gone on in our campaign finance regulation or reform debates. All over we hear people talk about the influence of money. That surprises me. First of all, we all know that it is already illegal to trade campaign promises for money that would come into our campaigns. Even after we are elected, it is illegal to vote because somebody gave us money in the campaign.

I am probably one of the most expensive campaigns year in and year out that are run in this House, $1.8 million in my last election. I almost cannot cast a vote on the House floor without looking a good number of my supporters in the eye and saying, I am sorry, I do not agree with you on this issue. I cannot support you. I am going to vote against you. They knew I would do that when they supported me. They supported me because they believed that I would know the issue, that we shared a common perspective about public policy, and that I would always do my best.

If I ever got into specifics, there would always be groups on both side of every issue. I find it very comfortable to look people in the eye and say, this is an area where I do not agree with you. So I always have to wonder, people who talk about influence peddling, about being compromised by the contributions that are received, do they have trouble voting their conscience because of the people that give to them? Do they find that they cannot exercise what they really believe is in the best interests of their constituents because they get campaign contributions?

I believe if Members have that problem, that nothing we do on the floor of the House tonight will change that and give these Members a backbone, because the fact is that if the Republican party comes in and does soft money ads for me and I feel that I would be compromised, a human being that would write me a check for $1,000 would intimidate me even more.

So the fact is that we can shut off all the soft money, we can shut off what my party does. But if we have people on this floor in the vote in the next hour that feel intimidated by campaign contributions, contributions of $200 of $500 or of $1,000 are going to make them shake when they have to vote against the people who gave them that.

So whether or not Members are influenced by money is a matter of their conscience. It is a matter of their backbone. It is a matter of their courage. It is a matter of believing that Members are here always to rise above any one person's best interests and do what is right for this country.

I believe that this bill, the Shays-Meehan bill, would profoundly increase

the corruption of money in politics because right now the majority of campaigns are run with hard money, money that we go from person to person and ask for, money that every voter knows where I got the money from and knows every way I spent it.

We all know why Shays-Meehan refused to tie the constitutionality of soft money from parties and special interest groups, but what we will do is we will have the millions of people that seek to influence elections, care about who is elected, care that somebody that represents their perspective is elected instead of giving it to the parties, they are going to find some independent group.

Next year if China decides that they care about who is elected, if China decides that they care about influencing the election, they will not be able to give it to the Democratic National Committee. Instead, they are going to have to find Mainstream America or some other special interest group that never has to say where one penny comes from, never says where one penny goes, and we will not know that that is who influenced the election.

Mr. HOYER. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Delaware (Mr. CASTLE), the formor Governor and a Member of the House.

Mr. CASTLE. Mr. Chairman, I thank the gentleman very much for yielding time to me.

I would like to thank other people, including the chairman, the gentleman from Ohio (Mr. HOBSON) for the wonderful job he has done throughout this day and evening in dealing with this legislation.

I would like to thank the Speaker of the House. Some of us may not have liked the rule originally, but without what he did in allowing it to come to the floor, we would not be here.

I would like to congratulate the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN), not necessarily because they may pass this bill tonight, and I hope they will, I support the legislation, but because of the manner in which they have prepared for this and handled this debate.

I also thank the gentleman from California (Mr. THOMAS), who I think actually has a good piece of legislation here, although maybe not in the right process in terms of how we should do it; and the gentleman from Arkansas (Mr. HUTCHINSON), obviously, and the gentleman from California (Mr. DOOLITTLE), and everyone else who sponsored the amendments.

Every once in a while there is an enlightening debate. This is one that has been bipartisan. All of us have learned a lot. We have had a chance to listen in on it. For that, I think we should all be thankful.

We really have to know what we are doing here. We have to be very careful. There is nothing in my mind that is objectionable at all in the Thomas substitute, but it is just that, it is a substitute. It means that it is the end of Shays-Meehan.

We have been voting all night to protect Shays-Meehan, because it is important that we get it passed. We have to remember that when we cast this vote. We could easily go back and pick up the Thomas substitute. We could have done it as an amendment, as a matter of fact, if the Committee on Rules had allowed it, and certainly could do it in the future.

We have heard a lot of different presentations here tonight. I do not know what the influence of money really is, but I do get frankly quite concerned when I read that large corporations and large labor unions and people of various interests with legislation before this body are all of a sudden giving to the parties amounts of money that are in excess of $100,000, $200,000, even in some cases $300,000. It has to make everybody stop and think, they are giving it for some reason. It is not because they are necessarily interested in charity, they are interested in their own bottom line.

I think this body is made up of people of full ethics, people who are good people, but I think we have to make this change. I would encourage each and every one of us to support Shays-Meehan. I think it will pass the Senate and will become the law of this country.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New York (Mr. CROWLEY), president of the freshman class on our side.

Mr. CROWLEY. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in opposition to the Thomas substitute, as it does not represent real reform. Mr. Chairman, our campaign system is broken and needs urgent reforms and not nip and tuck around-the-edge solutions offered by the honorable chairman, the gentleman from California (Mr. THOMAS).

Although the Thomas substitute contains some important reforms of the Federal Elections Commission, it does nothing to reform our political system, nothing to rein in those deceptive issue ads, nothing to eliminate the old powerful role of soft money in our political campaigns, and nothing to restore the faith of Americans in our political system.

We are here today to debate the campaign finance reform, real campaign finance reform. the Thomas substitute is not campaign finance reform. There was only one bill on the floor this evening which will accomplish these tasks, the Shays-Meehan reform bill.

Reform is demanded by our constituents. Let us vote for real reform today. Oppose the Thomas substitute and support the Shays-Meehan reform bill.

Mr. HOYER. Mr. Chairman, the gentleman from Maryland is very proud to yield 3 minutes to the gentleman from Massachusetts (Mr. MEEHAN), who is back in the Chamber and who has done such an extraordinary job on this piece of legislation through the years.

Mr. MEEHAN. Mr. Chairman, I thank the gentleman for yielding time to me.

It has been a long evening. In fact, it has been a long battle going back over the last few years. We have been able to work, Democrats and Republicans, to form a bipartisan coalition, and I would like to take this opportunity to thank so many of the Members of this House who have made it possible.

I think back to the debate last year, when many of the Members had the Commission bill, and how cooperative they were to join with the sponsors of Shays-Meehan to unite our effort to add the Commission bill to the Shays-Meehan bill.

I think of how critical it was when the Democratic leadership, the gentleman from Missouri (Mr. GEPHARDT), the gentleman from Michigan (Mr. BONIOR), the gentleman from Maryland (Mr. HOYER), and others, joined with this effort and have whipped so effectively the Democratic Members of this House. I want to thank them for their efforts.

I want to thank the gentleman from Connecticut (Mr. SHAYS), the gentleman from Tennessee (Mr. WAMP), the gentlewoman from New Jersey (Mrs. ROUKEMA), and all of the Members of the Republican party who have worked so diligently. I thank all of them, as well.

The hour is late. I think it is clear from the way the votes have been going that the Members of this House are ready to take the extraordinary step to pass bipartisan, bicameral campaign finance reform. As I said earlier, it only happens once in a generation. It is an extremely difficult issue to get Members of both sides of the aisle to work together on, but we have done it.

The gentleman from California (Mr. THOMAS) has a substitute that, frankly, we could pass in a suspension on Monday or Tuesday of next week. It is not real campaign finance reform, but under the rule, if Members vote for this, it will kill our opportunity, our golden opportunity, this evening.

So I think it is clear to the membership that they have to vote no on the Thomas substitute, and if the gentleman from California (Mr. THOMAS) and others are willing, we should take it up at a later date, pass it under a suspension. I am sure it would get 350 to 420 votes.

But now is the time, the hour is late, to pass campaign finance reform. I thank all of the Members who have been involved in this debate. I thank the gentleman from Maryland (Mr. HOYER) for his leadership on the committee. I again thank the Members for their extraordinary effort on this historic vote for real, comprehensive campaign finance reform.

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

I would tell the chairman, it is amazing how many people are willing to do something that could become law tomorrow.

Mr. Chairman, it is my pleasure to yield 2 minutes to the gentleman from

Michigan (Mr. EHLERS) from the committee.

Mr. EHLERS. Mr. Chairman, I thank the gentleman from California, the sponsor of the substitute, for yielding time to me. My only regret is he did such a masterful job of introducing his substitute that he has left very little to say. It is clearly a very good substitute. It is a very good piece of legislation and something we should pass.

Mr. Chairman, let me add just a few comments about that. First of all, let us be pragmatic. As Members have heard a number of Members say, we passed this bill, the Shays-Meehan bill, last year. The Senate did not. We may pass it tonight. The Senate is unlikely to pass it. Let us pass something that will make a difference. Let us be pragmatic and vote for the Thomas substitute, and get something passed that will in fact make a difference.

Furthermore, it is badly needed. I was just chatting with a member of my staff tonight. Less than 10 years ago he was working for a Member of Congress and they were answering all their mail with Selectric typewriters. My comment was, no wonder that Member lost his election. The times passed him by.

The times have passed our current election law by and we have not corrected it. The gentleman from California (Mr. THOMAS) gave a list of all things that should be changed. I was astounded when I was elected to this House and found a totally antiquated computer system, and Speaker Gingrich asked me to work with the gentleman from California (Mr. THOMAS) in updating it.

We have done that. Today all the Members of the House enjoy a marvelous computer system. They are on the Internet, they have websites. Yet, they are not willing to vote for a bill that will make a difference, that will put the FEC online, put all our contributions online immediately, in a direct fashion, and bring the system up to date.

Let us be pragmatic. Let us vote for something that will work. Let us update current election law. Let us vote for the Thomas substitute and get this done.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, the problem with the Thomas substitute is not its wording, it is its motivation. It is a cynical ploy to kill substantive campaign finance reform.

We live in the greatest democracy in the history of western civilization, but it is not a true democracy as long as the wealthiest people and organizations in this country can have undue influence upon the elections and the votes of this body. We need substantive campaign finance reform, and we know it is what the people want. There is only one reason we do not do it, and it is the wrong reason.

□ 2300

Since we began debating campaign finance reform years ago, millions of people, for example, have died as a result of tobacco smoking. We would not address the targeting of teenage smokers. Why? Not because many Members had tobacco growers in their district. That was not the reason. It is because we have tobacco money in our pockets.

I could give any number of reasons, whether it be health care reform, insurance reform, tort reform, any number of issues. Do what the American people want. Restore a true democracy. Vote for Shays-Meehan and reject the Thomas substitute.

Mr. HOYER. Mr. Chairman, I yield 1½ minutes to the gentleman from Connecticut (Mr. SHAYS) who has worked so hard, so diligently, and so effectively on behalf of this legislation.

Mr. SHAYS. Mr. Chairman, when I woke up this morning, I tried to prepare myself for the fact that we might lose. There were seven amendments that would kill us, and there are three substitutes that would replace us.

I thought it is up to each and every one of us just to make our decisions, and we can live with the results. But we are so close. We have to defeat this substitute. It is a good amendment as a perfecting amendment. As a substitute, it kills us. So we have to kill it.

I just would want to say to all of my colleagues that this has been a bipartisan effort, and it has been a tremendous pleasure. I remember working with the gentleman from Maryland (Mr. HOYER) when we tried to pass congressional accountability. It took us 6 years. We did not say after the second year we were going to give up. We did it on a bipartisan basis. I was proud of how we passed it. We got Congress under all of the laws.

We are going to have campaign finance reform. I hope it is in the form we are suggesting, but we are going to see it happen. We are not going to give up on the Senate.

We have got to ban soft money. It is just a perversion that is distorting the whole system. It is allowing corporations and labor unions to give unlimited sums and work their will in a way that should not happen.

We have got to call those sham issue ads what they are, campaign ads, so we have disclosure and not have corporate money and union dues money flowing in.

We need FEC enforcement and disclosure which our bill does, and then we have a commission to look at some of the things that we do not do.

This is a sensible bill. It is not a radical bill. We have only passed it once. I hope we do it again and send it to the Senate. Then we have a year to work on the Senate to try to get them to do the right thing. Fifty-two have already agreed, and hopefully we will get that 60.

Mr. THOMAS. Mr. Chairman, I yield 1¾ minutes to the gentleman from Florida (Mr. MICA), a member of the committee.

Mr. MICA. Mr. Chairman, my favorite book is entitled the Miracle at Philadelphia. It is a story of the development of this book called the Constitution of the United States. I highly recommend it to my colleagues. It outlines the development of the structure of our government that gives us the ability to debate, to act, this wonderful framework under which this Congress operates.

This week, 212 years ago, our Founding Fathers finished this document. When they finished the structure, the next thing that they did was they immediately passed 10 rights, fundamental rights for the people of this country.

The first right, not the second, third, fourth or tenth, is the freedom of speech. There is only one thing wrong with Shays-Meehan. It shreds the Constitution and that first precious amendment. That is the basic flaw with Shays-Meehan.

So our committee brought together reforms recommended by everyone, by the FEC, and others, things that are doable, things that are within the law, within the Constitution, and within the framework of our government. That is what we presented.

Let me read what the ACLU says about this Thomas substitute:

> This substitute is far superior to Shays-Meehan in many respects because of the absence of provisions that offend the constitutional rights and that H.R. 417, Shays-Meehan, contains the harshest and most unconstitutional controls on issue advocacy groups.

Mr. THOMAS. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, the gentleman from Maryland (Mr. HOYER) congratulated the gentleman from Massachusetts (Mr. MEEHAN). The congratulations should have been listened to carefully. He said he has done a great job through the years. We can continue to do this. We can continue to make wonderful statements. We can continue to come up with a new idea, which is the most recent threat to the republic. It used to be PACs. Now it is soft money. It will be something else in the future. It will always be just beyond the horizon. It will always be an issue. That is fairly clear.

I tell the gentleman from Virginia, I did not offer this substitute for cynical reasons. I offered it in case anybody really wanted to change the law. That is our chance tonight.

The Democrats had a majority in the House, had a majority in the Senate, and had the Presidency from 1992 to 1994. What did they do? They did not change the law.

We have an opportunity tonight in fundamental and real ways to change the election laws of this country. My colleagues can do it by voting for the Thomas substitute. If my colleagues want to make a political statement, as we have done year after year after year, I am sure the gentleman from Massachusetts (Mr. MEEHAN) will take those congratulations of his efforts over the years. I would much rather

change the law. We can do it tonight. Vote ''yes'' on the Thomas substitute.

Mr. HOYER. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, so we come to this hour. There will be a subsequent vote on final passage of Shays-Meehan, but this is the critical vote. This vote will determine whether years of hard work and commitment will be realized through the effective passage of legislation to reform campaign finance.

Yes, there is another day for the Thomas substitute. It is a noncontroversial piece of legislation. But it is not campaign finance reform, although it has some aspects of that. It is, in fact, reform of the process of the FEC. That process needs reforming. I would even ask perhaps for unanimous consent that we place this on the consent calendar tomorrow. I will not do that, but I suggest that it could happen.

Now, at this late hour, before day's end, before the clock strikes 12, we can pass meaningful campaign finance reform. But in order to do that, we must reject the Thomas legislation, which, as the gentleman from Florida (Mr. DAVIS) clearly posited, was a device to defeat a bill that the Chairman does not like. I accept that. But no one ought to misunderstand what the Thomas substitute is, a device to defeat Shays-Meehan.

It ought, therefore, to be rejected, so that we can honestly fulfill the Speaker's pledge, which was a pledge to vote on Shays-Meehan, not merely to bring it to the floor so that opponents could, by some procedural device, dispose of it before we had a chance to vote on it. But let us, as we were elected to do, make a decision. Let us vote on Shays-Meehan, and say to the American people ''This is where we stand on preventing soft money, on precluding sham ads, and on providing for a system that is more open and more fair to the American public,'' so that the cynicism that now abounds can, to some degree at least, be diminished, and the American public can have more faith in their political system and, yes, in us.

I urge a ''no'' vote on the Thomas substitute and a ''yes'' vote on Shays-Meehan, which is meaningful, important, campaign finance reform.

□ 2310

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from California (Mr. THOMAS).

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 173, noes 256, not voting 5, as follows:

[Roll No. 421]

AYES—173

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bateman
Biggert
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Fossella
Fowler
Gallegly
Gekas
Gibbons
Goode
Goodlatte
Goss
Granger
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
John
Johnson, Sam
Jones (NC)
Kasich
Knollenberg
Kolbe
Largent
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
Manzullo
McCollum
McCrery
McInnis
McIntosh
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Radanovich
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Salmon
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shuster
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Vitter
Walden
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Young (AK)
Young (FL)

NOES—256

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (NE)
Barrett (WI)
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Bilbray
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Ganske
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goodling
Gordon
Graham
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pickett
Pomeroy
Porter
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shays
Sherman
Shows
Sisisky
Skeen
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Wolf
Woolsey
Wu
Wynn

NOT VOTING—5

Hastings (FL)
Kingston
Pryce (OH)
Ros-Lehtinen
Shaw

□ 2330

Mr. WYNN and Mr. GOODLING changed their vote from ''aye'' to ''no.''

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

The result of the vote was announced as above recorded.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. Hobson, Chairman 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. 417) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes, pursuant to House Resolution 283, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the passage of the bill.

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

Mr. HOYER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 252, nays 177, not voting 5, as follows:

[Roll No. 422]

YEAS—252

Abercrombie
Ackerman
Allen
Andrews
Bachus
Baird
Baldacci
Baldwin
Barrett (NE)
Barrett (WI)
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Bilbray
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Collins
Condit
Conyers
Cook
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Graham
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
Lampson
Lantos
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-McDonald
Miller, George
Minge
Moakley
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Petri
Phelps
Pickett
Pomeroy
Porter
Price (NC)
Quinn
Ramstad
Rangel
Regula
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schakowsky
Serrano
Shays
Sherman
Shimkus
Shows
Sisisky
Skelton
Slaughter
Smith (MI)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watt (NC)
Waxman
Weiner
Weldon (PA)
Wexler
Weygand
Wise
Wolf
Woolsey
Wu
Wynn

NAYS—177

Aderholt
Archer
Armey
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bateman
Biggert
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth
Coble
Coburn
Combest
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Fossella
Fowler
Gekas
Gibbons
Goode
Goodlatte
Goodling
Goss
Granger
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Hostettler
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Kasich
King (NY)
Knollenberg
Kolbe
LaHood
Largent
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
Manzullo
McCollum
McCrery
McInnis
McIntosh
McKeon
Mica
Miller (FL)
Miller, Gary
Mink
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Pombo
Portman
Radanovich
Rahall
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Salmon
Scarborough
Schaffer
Scott
Sensenbrenner
Sessions
Shadegg
Sherwood
Shuster
Simpson
Skeen
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Toomey
Traficant
Vitter
Walden
Watkins
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Young (AK)
Young (FL)

NOT VOTING—5

Hastings (FL)
Kingston
Pryce (OH)
Ros-Lehtinen
Shaw

□ 2347

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 417, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

CONSIDERING MEMBER AS PRIMARY SPONSOR OF H.R. 88

Mr. HOLT. Mr. Speaker, I ask unanimous consent that I may hereafter be considered as the primary sponsor of H.R. 88, a bill originally introduced by our esteemed former colleague, Representative Brown of California, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2490, TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2000

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 106–322) on the resolution (H. Res. 291) waiving points of order against the conference report to accompany the bill (H.R. 2490) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000, and for other purposes, which was referred to the House Calendar and ordered to be printed.

APPOINTMENT OF ADDITIONAL CONFEREES ON S. 900, FINANCIAL SERVICES MODERNIZATION ACT OF 1999

The SPEAKER pro tempore. Without objection, the Chair appoints the following additional conferees on S. 900, Financial Services Act of 1999:

From the Committee on Banking and Financial Services, for consideration of section 101 of the Senate bill and section 101 of the House amendment:

Mr. KING is appointed in lieu of Mr. BACHUS.

Mr. ROYCE is appointed in lieu of Mr. CASTLE.

From the Committee on Commerce, for consideration of section 101 of the Senate bill and section 101 of the House amendment:

Mrs. WILSON is appointed in lieu of Mr. LARGENT.

Mr. FOSSELLA is appointed in lieu of Mr. BILBRAY.

There was no objection.

The SPEAKER pro tempore. The Clerk will notify the Senate of the change in conferees.

□ 2350

RESIGNATION AS MEMBER AND APPOINTMENT AS MEMBERS OF COMMISSION ON SECURITY AND COOPERATION IN EUROPE

The SPEAKER pro tempore (Mr. LAHOOD) laid before the House the following resignation as a member of the

Commission on Security and Cooperation in Europe:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 7, 1999.

Hon. J. DENNIS HASTERT,
Speaker of the House,
U.S. House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: I hereby submit my resignation, effective immediately, from the Commission on Security and Cooperation in Europe. I very much appreciate the honor of serving on this important panel and look forward to supporting its vital work as a Member of Congress.

Sincerely,

EDWARD J. MARKEY,
Member of Congress.

The SPEAKER pro tempore. Without objection ,and pursuant to section 3 of Public Law 94–304 as amended by section 1 of Public Law 99–7, the Chair announces the Speaker's appointment of the following Members of the House to the Commission on Security and Cooperation in Europe to fill the existing vacancy thereon:

Mr. PITTS of Pennsylvania, and upon the recommendation of the minority leader Mr. FORBES of New York.

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. LAHOOD). Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE of Texas) is recognized for 5 minutes.

(Ms. JACKSON-LEE of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. RUSH) is recognized for 5 minutes.

(Mr. RUSH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FATTAH (at the request of Mr. GEPHARDT) for before 3 p.m. today on account of personal reasons.

Mr. HASTINGS of Florida (at the request of Mr. GEPHARDT) for today on account of official business.

Mr. SHAW (at the request of Mr. ARMEY) for today on account of official business.

Mr. PORTER (at the request of Mr. ARMEY) for September 13 and until 7 p.m. today on account of a family emergency.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. HOYER) to revise and extend their remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. RUSH, for 5 minutes, today.

(The following Members (at the request of Mr. SESSIONS) to revise and extend their remarks and include extraneous material:)

Mr. JONES of North Carolina, for 5 minutes, September 15.

Mr. HULSHOF, for 5 minutes, September 16.

BILL PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 457. To amend title 5, United States Code, to increase the amount of leave time available to a Federal employee in any year in connection with servicing as an organ donor, and for other purposes.

ADJOURNMENT

Mr. SWEENEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 52 minutes p.m.), the House adjourned until tomorrow, Wednesday, September 15, 1999, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4120. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Oranges and Grapefruit Grown in Lower Rio Grande Valley in Texas; Changes to Pack Requirements [Docket No. FV99–906–3 IFR] received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4121. A letter from the Congressional Review Coordinator, Department of Agriculture, Animal and Plant Health Inspection Service, transmitting the Department's final rule—Importation of Gypsy Moth Host Material From Canada [Docket No. 98–110–1] (RIN: 0579–AB11) received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4122. A letter from the the Director, the Office of Management and Budget, transmitting the cumulative report on rescissions and deferrals, pursuant to 2 U.S.C. 685(e); (H. Doc. No. 106–122); to the Committee on Appropriations and ordered to be printed.

4123. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Taxpayer Identification Numbers and Commercial and Government Entity Codes [DFARS Case 98–D027] received August 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4124. A letter from the Acting Director, Office of Standards, Regulations, and Variances, Department of Labor, Mine Safety and Health Administration, transmitting the Department's final rule—Improving and Eliminating Regulations; Calibration and Maintenance Procedures for Coal Mine Respirable Dust Samplers (RIN: 1219–AA98) received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4125. A letter from the Acting Director, Office of Standards, Regulations, and Variances, Department of Labor, Mine Safety and Health Administration, transmitting the Department's final rule—Improving and Eliminating Regulations; Lighting Equipment, Coal Dust/Rock Dust Analyzers, and Methane Detectors (RIN: 1219–AA98) received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4126. A letter from the Assistant General Counsel for Regulatory Law, Office of the Chief Information Officer, Department of Energy, transmitting the Department's final rule—Unclassified Cyber Security Program [DOE N 20 5.1] received August 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4127. A letter from the Assistant General Counsel for Regulatory Law, Office of Procurement and Assistance Management, Department of Energy, transmitting the Department's final rule—Use of Facility Contrator Employees for Services to DOE in the Washington, DC Area [DOE N 350.5] received August 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4128. A letter from the Assistant General Counsel for Regulatory Law, Assistant Secretary for Environment, Safety and Health, Department of Energy, transmitting the Department's final rule—External Dosimetry Program Guide [DOE G 441.1–4] received August 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4129. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—State Energy Program [Docket No. EE-RM–96–402] (RIN: 1904–AB01) received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4130. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Posting and Labeling for Radiological Control Guide; to the Committee on Commerce.

4131. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Occupational Radiation Protection Record-Keeping and Reporting Guide; to the Committee on Commerce.

4132. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting Safety of Accelerator Facilities; to the Committee on Commerce.

4133. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Evaluation and Control of Radiation Dose to the Embryo/

Fetus Guide; to the Committee on Commerce.

4134. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Radiation-Generating Devices Guide; to the Committee on Commerce.

4135. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Work Authorization System; to the Committee on Commerce.

4136. A letter from the Director, Office of Congressional Affairs, Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, transmitting the Commission's final rule—Certification Renewal and Amendment Processes (RIN: 3150–AF85) received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4137. A letter from the Director, Office of Congressional Affairs, Office of the Chief Information Officer, Nuclear Regulatory Commission, transmitting the Commission's final rule—Electronic Availability of NRC Public Records and Ending of NRC Local Public Document Room Program (RIN: 3150–AG07) received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4138. A letter from the Administrator, Food Safety and Inspection Service, Department of Agriculture, transmitting the Department's final rule—Electronic Freedom of Information Act [Docket No. 99–034F] received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

4139. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Indiana Regulatory Program [SPATS No. IN–129–FOR; State Program Amendment No. 98–2] received August 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4140. A letter from the Associate Chief Counsel, Federal Highway Administration, Department of Transporation, transmitting the Department's final rule—Parts and Accessories Necessary For Safe Operation; Rear Impact Guards and Rear Impact Protection [FHWA Docket No. FHWA–97–3201] (RIN: 2125–AE15) received August 30, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4141. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Standard Measurement System Exemption from Gross Tonnage [USGC–1999–5118] (RIN: 2115–AF76) received August 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4142. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Update of Standards from the American Society for Testing and Materials (ASTM) [USCG–1999–5151] (RIN: 2115–AF80) received August 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4143. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Chevron Oil Company Canal, LA [CGD08–99–055] (RIN: 2115–AE47) received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4144. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: City of Yonkers Fireworks, New York, Hudson River [CGD01–99–154] (RIN: 2115–AA97) received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4145. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Normal Category Rotorcraft Maximum Weight and Passenger Seat Limitation [Docket No. 29247; Amendment No. 27–37] (RIN: 2120–AF33) received August 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4146. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Periphonics Corp. 30th Anniversary Fireworks, New York Harbor, Upper Bay [CGD01–99–152] (RIN: 2115–AA97) received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4147. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Gulf of Alaska, Southeast of Narrow Cape, Kodiak Island, Alaska [COTP Western Alaska-99–012] (RIN: 2115–AA97) received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4148. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Fireworks, 100YR Anniversary For Architect Society, Boston Harbor, Boston, MA [CGD01–99–147] (RIN: 2115–AA97) received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4149. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Mystic River, CT [CGD01–99–159] received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4150. A letter from the Chief, Office of Regulations and Administrative, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Gowanus Canal, NY [CGD01–99–156] received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4151. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone and Anchorage Regulations; Delaware Bay and River [CGD 05–99–080] (RIN: 2115–AA98) received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4152. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–90–30 Series Airplanes [Docket No. 98–NM–69–AD; Amendment 39–11289; AD 99–18–23] (RIN: 2120–AA64) received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4153. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company CF6–50, -80A1/A3, and -80C2A Series Turbofan Engines [Docket No. 98–ANE–54–AD; Amendment 39–11286; AD 99–18–20] (RIN: 2120–AA64) received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4154. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives: General Electric Company CF6–80C2A Series Turbofan Engines, Installed on Airbus Industrie A300–600 and A310 Series Airplanes [Docket N0. 99–NE–41–AD; Amendment 39–11285; AD 99–18–19] (RIN: 2120–AA64) received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4155. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Airspace and Flight Operations Requirements for the Kodak Albuquerque International Balloon Fiesta; Albuquerque, NM [Docket No. 29279; SFAR No. 86] (RIN: 2120–AG79) received August 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4156. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Emmetsburg, IA [Airspace Docket No. 99–ACE–39] received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4157. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Name Change of Guam Island, Agnas NAS, GU Class D Airspace Area [Airspace Docket No. 99–AWP–9] received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4158. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Herrington, KS [Airspace Docket No. 99–ACE–41] received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4159. A letter from the Attorney Advisor, Research and Special Programs Administration, Department of Transportation, transmitting the Department's final rule—Hazardous Materials: Chemical Oxidizers and Compressed Oxygen Aboard Aircraft [Docket No. HM–224A] (RIN: 2137–AC92) received August 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4160. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Change Using Agency for Restricted Areas R–2510A and R–2510B; El Centro, CA [Airspace Docket No. 99–AWP–18] (RIN: 2120–AA66) received September 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GILMAN: Committee on International Relations. H.R. 1883. A bill to provide for the application of measures to foreign persons

who transfer to Iran certain goods, services, or technology, and for other purposes; with an amendment (Rept. 106–315, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mrs. MYRICK: Committee on Rules. House Resolution 288. Resolution waiving points of order against the conference report to accompany the bill (S. 1059) to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes (Rept. 106–316). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 289. Resolution providing for consideration of the bill (H.R. 1655) to authorize appropriations for fiscal years 2000 and 2001 for the civilian energy and scientific research, development, and demonstration and related commercial application of energy technology programs, projects, and activities of the Department of Energy, and for other purposes. (Rept. 106–317). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 290. Resolution providing for consideration of the bill (H.R. 1551) to authorize the Federal Aviation Administration's civil aviation research and development programs for fiscal years 2000 and 2001, and for other purposes (Rept. 106–318). Referred to the House Calendar.

Mr. KOLBE: Committee of Conference. Conference report on H.R. 2490. A bill making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000, and for other purposes (Rept. 106–319). Ordered to be printed.

Mr. HYDE: Committee on the Judiciary. H.R. 1875. A bill to amend title 28, United States Code, to allow the application of the principles of Federal diversity jurisdiction to interstate class actions; with an amendment (Rept. 106–320). Referred to the Committee of the Whole House on the State of the Union.

Mr. HYDE: Committee on the Judiciary. H.R. 1788. A bill to deny Federal public benefits to individuals who participated in Nazi persecution (Rept. 106–321 Pt. 1). Ordered to be printed.

Mr. SESSIONS: Committee on Rules. House Resolution 291. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2490) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2000, and for other purposes (Rept. 106–322). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X, the Committee on Science discharged. H.R. 1883 referred to the Committee of the Whole House on the State of the Union.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 1788. Referral to the Committee on Government Reform extended for a period ending not later than October 1, 1999.

H.R. 1883. Referral to the Committee on Science extended for a period ending not later than September 14, 1999.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BILBRAY:

H.R. 2849. A bill to authorize appropriations to reimburse States for costs of educating certain illegal alien students; to the Committee on Education and the Workforce.

By Mr. BARRETT of Nebraska (for himself and Mr. MCKEON):

H.R. 2850. A bill to amend the Older Americans Act of 1965 to authorize appropriations for fiscal years 2000, 2001, 2002, 2003, and 2004, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ANDREWS:

H.R. 2851. A bill to direct the United States Executive Directors at the International Bank for Reconstruction and Development and the International Monetary Fund to encourage their respective institutions to require countries receiving assistance from such institutions to use the portion of the assistance attributable to United States contributions to obtain goods and services produced in the United States; to the Committee on Banking and Financial Services.

By Mr. ANDREWS:

H.R. 2852. A bill to amend title XIX of the Social Security Act to require the prorating of Medicaid beneficiary contributions in the case of partial coverage of nursing facility services during a month; to the Committee on Commerce.

By Mr. ANDREWS:

H.R. 2853. A bill to amend title 28, United States Code, to provide for individuals serving as Federal jurors to continue to receive their normal average wage or salary during such service; to the Committee on the Judiciary.

By Mr. ANDREWS:

H.R. 2854. A bill to amend the Immigration and Nationality Act to provide for the admission to the United States for permanent residence without numerical limitation of spouses of permanent resident aliens; to the Committee on the Judiciary.

By Mr. ANDREWS:

H.R. 2855. A bill to amend the Social Security Act to require that anticipated child support be held in trust on the sale or refinancing of certain real property of an obligated parent; to the Committee on Ways and Means.

By Mr. CANNON:

H.R. 2856. A bill to amend the Fair Credit Reporting Act to require the disclosure of all information in a consumer's file, including credit scores, risk scores, and any other predictors; to the Committee on Banking and Financial Services.

By Mr. DOOLITTLE (for himself, Mr. HERGER, Mr. POMBO, and Mr. RADANOVICH):

H.R. 2857. A bill to amend the Wild and Scenic Rivers Act to ensure congressional involvement in the process by which rivers that are designated as wild, scenic, or recreational rivers by an act of the legislature of the State or States through which they flow may be included in the national wild and scenic rivers system, and for other purposes; to the Committee on Resources.

By Mr. EWING:

H.R. 2858. A bill to authorize the award of the Medal of Honor to Andrew J. SMITH for acts of valor during the Civil War; to the Committee on Armed Services.

By Mr. FRANK of Massachusetts (for himself, Mrs. LOWEY, and Mr. NADLER):

H.R. 2859. A bill to provide benefits to domestic partners of Federal employees; to the Committee on Government Reform, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GREEN of Wisconsin:

H.R. 2860. A bill to authorize the Secretary of Housing and Urban Development to carry out a pilot program to provide homeownership assistance to disabled families; to the Committee on Banking and Financial Services.

By Mr. GREEN of Wisconsin:

H.R. 2861. A bill to require the Secretary of the Interior to conduct a study on and develop recommendations to increase the safety of visitors to units of the National Park System; to the Committee on Resources.

By Mr. HANSEN:

H.R. 2862. A bill to direct the Secretary of the Interior to release reversionary interests held by the United States in certain parcels of land in Washington County, Utah, to facilitate an anticipated land exchange; to the Committee on Resources.

By Mr. HANSEN:

H.R. 2863. A bill to clarify the legal effect on the United States of the acquisition of a parcel of land in the Red Cliffs Desert Reserve in the State of Utah; to the Committee on Resources.

By Mr. LUTHER (for himself, Ms. PELOSI, Mrs. MALONEY of New York, Mr. MINGE, Mr. SABO, Ms. BALDWIN, Mrs. MCCARTHY of New York, Mr. MCDERMOTT, Mr. GEORGE MILLER of California, Mr. VENTO, Mr. LEWIS of Georgia, Mr. BARRETT of Wisconsin, Mr. KLECZKA, Ms. ESHOO, Mr. DOOLEY of California, Mr. RUSH, Mr. FRANK of Massachusetts, Mr. OWENS, Mr. TIERNEY, Ms. SCHAKOWSKY, Mrs. CHRISTENSEN, Mr. STARK, Ms. JACKSON-LEE of Texas, and Ms. LEE):

H.R. 2864. A bill to amend the National Voter Registration Act of 1993 to require States to permit individuals to register to vote in an election for Federal office on the date of the election; to the Committee on House Administration.

By Ms. NORTON:

H.R. 2865. A bill to amend the Elementary and Secondary Education Act of 1965 to encourage the implementation or expansion of pre-kindergarten programs to include students 4 years of age or younger; to the Committee on Education and the Workforce.

By Mr. SMITH of Michigan:

H.R. 2866. A bill to amend the Federal Election Campaign Act of 1971 to reduce the influence of political action committees in elections for Federal office, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOOMEY:

H.R. 2867. A bill to amend title XVIII of the Social Security Act to facilitate the use of private contracts under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BEREUTER (for himself, Mr. GILMAN, Mr. LANTOS, Mr. GEJDENSON, Mr. HASTINGS of Florida, Mr. CAPUANO, Mr. GOSS, Mr. FALEOMAVAEGA, Mr. GREENWOOD, Ms. DELAURO, Mr. CROWLEY, Mr. POMBO, Mr. UNDERWOOD, Mr. MORAN of Virginia, Mr. BILBRAY, Mr. HALL of Ohio, Mr. ACKERMAN, Mr. SMITH of New Jersey, and Mr. BROWN of Ohio):

H. Res. 292. A resolution expressing the sense of the House of Representatives regarding the referendum in East Timor, calling on the Government of Indonesia to assist in the termination of the current civil unrest and violence in East Timor, and supporting a United Nations Security Council-endorsed multinational force for East Timor; to the Committee on International Relations.

By Mr. CLYBURN (for himself, Mr. BISHOP, Ms. BROWN of Florida, Ms. CARSON, Mrs. CHRISTENSEN, Mr. CLAY, Mrs. CLAYTON, Mr. CONYERS, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. DIXON, Mr. FATTAH, Mr. FORD, Mr. HASTINGS of Florida, Mr. HILLIARD, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KILPATRICK, Ms. LEE, Mr. LEWIS of Georgia, Ms. MCKINNEY, Mrs. MEEK of Florida, Mr. MEEKS of New York, Ms. MILLENDER-MCDONALD, Ms. NORTON, Mr. OWENS, Mr. PAYNE, Mr. RANGEL, Mr. RUSH, Mr. SCOTT, Mr. THOMPSON of Mississippi, Mr. TOWNS, Mrs. JONES of Ohio, Ms. WATERS, Mr. WATT of North Carolina, and Mr. WYNN):

H. Res. 293. A resolution expressing the sense of the House of Representatives in support of ''National Historically Black Colleges and Universities Week''; to the Committee on Government Reform.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 5: Mr. HOBSON, Mr. MCINTYRE, Mr. VITTER, Mr. RYUN of Kansas, and Mr. KENNEDY of Rhode Island.

H.R. 38: Mr. CALVERT.

H.R. 73: Mr. BALLENGER.

H.R. 141: Mr. BARCIA.

H.R. 142: Mr. TOOMEY.

H.R. 338: Mr. PAUL.

H.R. 354: Mr. SCHAFFER.

H.R. 415: Mrs. CHRISTENSEN.

H.R. 483: Ms. DELAURO.

H.R. 494: Mr. CONDIT.

H.R. 507: Mr. HALL of Ohio, Mrs. MORELLA, and Mr. PICKETT.

H.R. 534: Mr. SKEEN, Mr. MCCOLLUM, Mr. STUMP, Mr. COMBEST, Mr. GANSKE, Mr. SUNUNU, Mr. BLUNT, Mr. WALSH, Mr. LEACH, Mr. NEY, Mr. SWEENEY, Mr. MCCRERY, and Mr. EDWARDS.

H.R. 566: Mr. STARK.

H.R. 637: Mr. SMITH of New Jersey.

H.R. 655: Mrs. LOWEY.

H.R. 664: Mr. CONYERS.

H.R. 721: Mr. HEFLEY and Mr. LAHOOD.

H.R. 725: Mr. MARTINEZ.

H.R. 743: Mr. BONILLA.

H.R. 765: Mr. WAMP, Mr. SPENCE, Mr. HEFLEY, and Mr. WOLF.

H.R. 809: Mr. MCNULTY and Mr. TERRY.

H.R. 810: Mr. BROWN of Ohio.

H.R. 815: Mr. HUTCHINSON and Mr. DEAL of Georgia.

H.R. 826: Mr. UNDERWOOD and Ms. CARSON.

H.R. 828: Mr. MCGOVERN..

H.R. 836: Mr. LUCAS of Kentucky.

H.R. 895: Mr. HINOJOSA.

H.R. 925: Mr. OLVER, Ms. CARSON, and Mr. GONZALEZ.

H.R. 960: Mr. KLINK.

H.R. 976: Mr. KING and Mrs. CHRISTENSEN.

H.R. 977: Mr. KIND.

H.R. 1006: Ms. PELOSI.

H.R. 1020: Mr. LANTOS, Mr. FORD, Mr. GORDON, Mr. KLINK, and Mrs. KELLY.

H.R. 1046: Mr. BENTSEN and Mr. GREEN of Texas.

H.R. 1077: Mr. SANDERS and Mr. METCALF.

H.R. 1102: Mr. SAM JOHNSON of Texas, Mr. WISE, and Ms. SCHAKOWSKY.

H.R. 1103: Mr. PICKETT.

H.R. 1111: Mr. COSTELLO and Mr. MOORE.

H.R. 1117: Mr. PICKERING.

H.R. 1133: Mr. OWENS.

H.R. 1180: Mr. LATOURETTE and Mr. ENGLISH.

H.R. 1194: Mr. ENGLISH.

H.R. 1195: Mr. SANDLIN.

H.R. 1196: Mrs. NAPOLITANO.

H.R. 1221: Mr. SCARBOROUGH.

H.R. 1229: Mr. WATT of North Carolina.

H.R. 1260: Mr. FILNER.

H.R. 1272: Mr. GREEN of Wisconsin.

H.R. 1288: Mr. SANDLIN and Ms. LEE.

H.R. 1304: Mr. CUMMINGS, Mr. RYUN of Kansas, Mr. UDALL of New Mexico, Mr. VITTER, Mr. GORDON, and Mr. PICKETT.

H.R. 1322: Mr. HORN.

H.R. 1324: Mr. STRICKLAND, Mr. HASTINGS of Florida, Mrs. MEEK of Florida, Ms. SLAUGHTER, Mr. MCGOVERN, Mr. MARTINEZ, Mr. KENNEDY of Rhode Island, and Mr. PAYNE.

H.R. 1325: Mr. MCGOVERN.

H.R. 1351: Mr. PAUL.

H.R. 1367: Mr. KING.

H.R. 1385: Mr. OXLEY.

H.R. 1399: Mr. BLUMENAUER, Ms. ESHOO, and Mr. DAVIS of Florida.

H.R. 1446: Mr. HOSTETTLER.

H.R. 1525: Mr. HILLIARD, Ms. LEE, Mr. SHOWS, and Mr. ACKERMAN.,

H.R. 1531: Mr. WISE, Mr. SANDERS, and Mr. SANDLIN.

H.R. 1577: Mr. DICKEY, Mr. HERGER, Mr. MICA, and Mr. SANFORD.

H.R. 1598: Mr. ISAKSON and Mr. DIAZ-BALART.

H.R. 1622: Mr. STEARNS, Mr. LANTOS, Mr. MCCOLLUM, Mr. OLVER, Mr. BOUCHER, and Mr. KUCINICH.

H.R. 1644: Mr. BARRETT of Nebraska

H.R. 1650: Mr. PETRI and Ms. KAPTUR.

H.R. 1660: Mr. TRAFICANT, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. MOORE.

H.R. 1706: Mr. DOOLITTLE.

H.R. 1772: Mr. LAHOOD and Mrs. CHRISTENSEN.

H.R. 1785: Mr. PRICE of North Carolina and Mr. DICKS.

H.R. 1838: Mr. MALONEY of Connecticut, Ms. DUNN, Mr. MARTINEZ, Mr. ROGAN, Ms. PRYCE of Ohio, Mr. BACHUS, Mr. ARMEY, Mr. WYNN, Mr. FRANKS of New Jersey, Mr. NEY, Mr. DOOLITTLE, Mr. DEMINT, Mr. FROST, Mr. PAYNE, Mr. TANCREDO, and Mr. CHABOT.

H.R. 1885: Mr. MARTINEZ.

H.R. 1887: Mr. WYNN, Mrs. LOWEY, Ms. DELAURO, and Mr. CRAMER.

H.R. 1896: Mrs. MINK of Hawaii.

H.R. 1899: Mr. BARRETT of Wisconsin, Mr. UDALL of Colorado, Mrs. MORELLA, Mr. BOEHLERT, and Mrs. MEEK of Florida.

H.R. 1933: Mr. DEMINT.

H.R. 1976: Mr. SHAYS and Mr. CALVERT.

H.R. 1990: Mr. GREEN of Wisconsin and Mr. SKELTON.

H.R. 1991: Mr. COMBEST.

H.R. 1999: Mrs. LOWEY.

H.R. 2000: Mr. YOUNG of Florida, Mr. COSTELLO, Mr. BOYD, Mr. CLAY, Mr. WEINER, Mr. BAIRD, Mr HAYES, Mr. GIBBONS, Mr. CALVERT, Mrs. FOWLER, Mr. ENGEL, Mr. TURNER, Mr. KILDEE, Mr. MCCOLLUM, Mr. MCGOVERN, Mr. COYNE, Mr. GORDON, Mr. HOSTETTLER, and Mr. GALLEGLY.

H.R. 2002: Mr. HOYER.

H.R. 2005: Mr. GEKAS.

H.R. 2162: Mr. BARCIA.

H.R. 2233: Mr. BISHOP and Mr. RUSH.

H.R. 2235: Mr. FROST, Mr. SKELTON, and Mr. CLYBURN.

H.R. 2247: Mr. HERGER, Mr. BATEMAN, and Mr. LEWIS of California.

H.R. 2316: Mrs. MYRICK, Mr. BALDACCI, Ms. ROYBAL-ALLARD, Ms. SLAUGHTER, Mrs. CHRISTENSEN, Ms. PELOSI, Ms. JACKSON-LEE of Texas, Mrs. CAPPS, Ms. MILLENDER-MCDONALD, Mr. BRADY of Pennsylvania, Mr. GEJDENSON, Mrs. MEEK of Florida, and Mr. TOWNS.

H.R. 2319: Mr. GALLEGLY and Mr. LAHOOD.

H.R. 2320: Mr. FLETCHER.

H.R. 2350: Mr. BARR of Georgia.

H.R. 2373: Mr. PAUL.

H.R. 2380: Mr. BLAGOJEVICH.

H.R. 2395: Mr. WALDEN of Oregon.

H.R. 2418: Mr. CALLAHAN, Mrs. KELLY, Mr. GILMAN, Mr. DEMINT, and Mrs. NORTHUP.

H.R. 2423: Mr. MANZULLO and Mrs. EMERSON.

H.R. 2436: Mr. HOSTETTLER, Mr. BRADY of Texas, Mr. SKELTON, and Mr. SCHAFFER.

H.R. 2444: Mr. KOLBE.

H.R. 2446: Mr. GUTIERREZ, Mr. ENGEL, Mrs. LOWEY, and Mr. PHELPS.

H.R. 2525: Mr. HALL of Texas and Mr. BONILLA.

H.R. 2539: Ms. MILLENDER-MCDONALD.

H.R. 2592: Mr. OXLEY.

H.R. 2628: Mr. ISTOOK.

H.R. 2640: Mr. MCHUGH and Mr. HOEKSTRA.

H.R. 2675: Mr. DOOLEY of California.

H.R. 2707: Mr. TIERNEY, Mr. GEORGE MILLER of California, and Mr. KILDEE.

H.R. 2749: Mr. STEARNS, Mr. SAM JOHNSON of Texas, and Mr. HASTINGS of Florida.

H.R. 2765: Mr. BROWN of Florida,

H.R. 2822: Mr. DAVIS of Florida and Mr. PASCRELL.

H.R. 2824: Mr. BALDACCI and Mr. BURTON of Indiana.

H.J. Res. 45: Mr. PACKARD.

H.J. Res. 48: Mrs. CHENOWETH.

H. Con. Res. 79: Mr. GRAHAM and Mr. BARCIA.

H. Con. Res. 89: Mr. GUTKNECHT, Mr. RAMSTAD, and Mr. VENTO.

H. Con. Res. 162: Ms. KILPATRICK, Mr. LAZIO, Mr. REYES, and Mr. SMITH of New Jersey.

H. Res. 41: Mr. MCDERMOTT, Mr. SANDERS, and Mr. STARK.

H. Res. 82: Mr. BROWN of Ohio.

H. Res. 169: Mr. METCALF.

H. Res. 187: Mr. CROWLEY and Mr. WEXLER.

H. Res. 228: Mr. ROTHMAN.

H. Res. 239: Mr. LUCAS of Kentucky.

H. Res. 270: Mr. LUTHER.

H. Res. 285: Mr. FARR of California.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 1551

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 1: Page 3, line 2, insert '', of which $1,000,000 shall be for the development, in coordination with the National Imagery and Mapping Agency, of a domestic and international airfield obstruction data base'' after ''projects and activities''.

Page 3, line 14, insert '', of which $9,000,000 shall be for the development, in coordination with the National Imagery and Mapping Agency, of a domestic and international airfield obstruction data base'' after ''projects and activities''.

H.R. 1551

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 2: Page 3, line 4, insert '', of which $1,000,000 shall be for implementing biometric technology security, including Iris Recognition Technology'' after ''projects and activities''.

H.R. 1551

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 3: Page 8, after line 16, insert the following new section:

SEC. 9. REPORT TO CONGRESS.

Not later than 180 days after the date of the enactment of this Act, the Federal Aviation Administration shall transmit to the Congress a report describing the results of a study of the appropriateness of requiring that airports receiving Airport Improvement Program grants provide funding for a portion of the projects for which the grants are made, with particular attention given to the burden that such requirements have on smaller airports.

H.R. 1551

OFFERED BY: MR. SENSENBRENNER

AMENDMENT NO. 4: Page 2, line 4, through page 3, line 25, amend section 2 to read as follows:

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

Section 48102(a) of title 49, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (4)(J);

(2) by striking the period at the end of paragraph (5) and inserting in lieu thereof a semicolon; and

(3) by adding at the end the following:

''(6) for fiscal year 2000, $208,416,100 including—

''(A) $17,269,000 for system development and infrastructure projects and activities;

''(B) $33,042,500 for capacity and air traffic management technology projects and activities;

''(C) $11,265,400 for communications, navigation, and surveillance projects and activities;

''(D) $15,765,000 for weather projects and activities;

''(E) $6,358,200 for airport technology projects and activities;

''(F) $39,639,000 for aircraft safety technology projects and activities;

''(G) $53,218,000 for system security technology projects and activities;

''(H) $26,207,000 for human factors and aviation medicine projects and activities;

''(I) $3,481,000 for environment and energy projects and activities; and

''(J) $2,171,000 for innovative/cooperative research projects and activities, of which $750,000 shall be for carrying out subsection (h) of this section; and

''(7) for fiscal year 2001, $222,950,000.''.

H.R. 1655

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 1: Page 17, after line 10, insert the following new subsection:

(e) ADDITIONAL AUTHORIZATION.—The Secretary shall designate $2,000,000 of the amounts authorized by this section for each fiscal year for biometric technology security, including Iris Recognition Technology.

H.R. 1655

OFFERED BY: MS. BERKLEY

AMENDMENT NO. 2: Page 36, after line 9, insert the following new section:

SEC. 18. NUCLEAR WASTE TRANSMUTATION RESEARCH AND DEVELOPMENT PROGRAM.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall commence a program of research and development on the technology necessary to achieve onsite transmutation of nuclear waste into nonradioactive substances.

(b) GRANTS, CONTRACTS, COOPERATIVE AGREEMENTS, INTERAGENCY FUNDS TRANSFER AGREEMENTS, AND FIELD WORK PROPOSALS.—

(1) ASSISTANCE.—The Secretary may award grants or contracts to, or enter into cooperative agreements with, institutions of higher education and industrial enterprises to conduct a research, development, and demonstration program on the technology necessary to achieve onsite transmutation of nuclear waste into nonradioactive substances in a manner consistent with United States environmental and nonproliferation policy. The Secretary shall not support a technology under this section that involves the isolation of plutonium or uranium.

(2) PEER REVIEW.—Funds made available under paragraph (1) for initiating contracts, grants, cooperative agreements, interagency funds transfer agreements, and field work proposals shall be made available based on a competitive selection process and a peer review of proposals. Exceptions shall be considered on a case-by-case basis, and reported by the Secretary to the Committee on Science of the House of Representatives and the Committee on Energy and Natural Resources of the Senate 30 days prior to any such award.

(c) CONSULTATION.—The Secretary may establish an advisory panel consisting of experts from industry, institutions of higher education, and other entities as the Secretary considers appropriate, to assist in developing recommendations and priorities for the research, development, and demonstration program carried out under subsection (a).

(d) LIMITATIONS.—

(1) ADMINISTRATIVE EXPENSES.—Not more than 5 percent of the amount made available to carry out this section for a fiscal year may be used by the Secretary for expenses associated with the administration of the program carried out under subsection (a).

(2) CONSTRUCTION COSTS.—None of the funds made available to carry out this section may be used for the construction of a new building or the acquisition, expansion, remodeling, or alteration of an existing building (including site grading and improvement and architect fees).

(e) DEFINITIONS.—For purposes of this section:

(1) CONTRACT.—The term ''contract'' means a procurement contract within the meaning of section 6303 of title 31, United States Code.

(2) COOPERATIVE AGREEMENT.—The term ''cooperative agreement'' means a cooperative agreement within the meaning of section 6305 of title 31, United States Code.

(3) GRANT.—The term ''grant'' means a grant awarded under a grant agreement, within the meaning of section 6304 of title 31, United States Code.

(4) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' means an institution of higher education, within the meaning of section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

(f) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized under section 3(a)(2)(G), $2,000,000 for fiscal year 2000 and $4,000,000 for fiscal year 2001 shall be available for carrying out this section.

H.R. 1655

OFFERED BY: MR. SENSENBRENNER

AMENDMENT NO. 3: Page 27, lines 9 through 19, amend paragraph (3) to read as follows:

(3) the Comptroller General reports to the Congress, on the basis of available information, that the tax reimbursements that the Comptroller General estimates the Department would pay to its contractors as a cost of constructing the Spallation Neutron Source at Oak Ridge National Laboratory in Tennessee would be no more than the tax reimbursements it would pay if the same project were constructed at the Lawrence Berkeley National Laboratory in California, the Argonne National Laboratory in Illinois, the Los Alamos National Laboratory in New Mexico, or the Brookhaven National Laboratory in New York.

Page 36, line 5, insert ''the Lawrence Livermore National Laboratory, the Los Alamos National Laboratory,'' after ''Accelerator Laboratory,''.

Page 36, lines 8 and 9, strike ''Stanford Linear Accelerator Center, or the Thomas Jefferson National Accelerator Facility'' and insert ''Sandia National Laboratories, the Stanford Linear Accelerator Center, the Thomas Jefferson National Accelerator Facility, or the Y–12 Plant''.