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House of Representatives

The House met at 12:30 p.m.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested.

S. 1206. An act to reauthorize the Appalachian Regional Development Act of 1965, and for other purposes.

MORNING HOUR DEBATES

The SPEAKER. Pursuant to the order of the House of January 23, 2002, 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.

The Chair recognizes the gentleman from Ohio (Mr. BROWN) for 5 minutes.

UNEMPLOYMENT BENEFITS EXTENSION

Mr. BROWN of Ohio. Mr. Speaker, in the first 6 months of 2002, 2 million American workers are expected to exhaust their unemployment benefits. Even when we account for growth in the workforce, this means more workers are expected to exhaust their benefits in the next 3 months than in any first quarter since the early 1970s.

Of those exhausting benefits over the next 6 months, only 4 percent, 4 percent, are expected to receive extensions through State unemployment programs.

This extraordinary number of anticipated exhaustions is due to the huge number of job losses that occurred in the last 6 months of 2001. These job losses were caused by a slowing economy, by unsound trade policies and by the devastating attacks of September 11. To make matters worse, many of the jobs lost in 2001 were good-paying, high-skilled manufacturing jobs that have probably been lost forever.

In my home State of Ohio and across the country, the steel industry has been devastated by a combination of foreign dumping and the current recession. According to the Department of Labor, the U.S. has lost 1.4 million manufacturing jobs since President Bush took office, 1.4 million manufacturing jobs. Total job losses from 2001 reduced our manufacturing base by 8 percent, 8 percent in 1 year, diminishing our industrial capacity to 1964 levels.

In each of the last five recessions, the Federal Government stepped in to provide additional benefits to those temporarily out of work. This recession, Mr. Speaker, should be no different.

Last week efforts to craft a bipartisan stimulus package failed in the Senate. The Senate did, however, approve a 13-week extension of unemployment benefits.

For the last 5 months, however, the Republican leadership in this House has repeatedly promised to help laid-off workers. They made that promise during the debate of the initial disaster relief bill; then they did nothing. They made that promise during the debate of the $5 billion airline bailout bill; then they did nothing. They made that promise in the two economic stimulus bills passed by the House; again, Republican leadership did nothing.

The question is, were their promises to help laid-off workers, to help America's unemployed, were their promises contingent upon simply obtaining new and permanent tax breaks for America's wealthiest companies and wealthiest individuals? To prove this is not the case, I urge the Republican leadership to bring a simple, clean 13-week unemployment benefit extension to the House floor as soon as possible. Our workers have waited long enough.

NBC LIQUOR AND ADVERTISEMENTS ON THE OLYMPICS

The SPEAKER pro tempore (Mr. CULBERSON). Pursuant to the order of the House of January 23, 2002, the gentleman from Virginia (Mr. WOLF) is recognized during morning hour debates for 5 minutes.

Mr. WOLF. Mr. Speaker, as many know, NBC recently announced its decision to begin airing hard liquor advertisements. This decision abruptly terminates over 50 years of corporate responsibility and effective self-regulation.

Now more troubling is that NBC is not even abiding strictly to its own guidelines. For instance, NBC has promised that they will not extend their decision to advertising hard liquor on the Olympics. Well, as this recent article from USA Today says, and I will submit for the RECORD, they are skating on thin ice.

Mr. Speaker, NBC plans to allow the advertisement of products such as Bacardi Silver. Yes, the Olympics, perhaps one of the most youth-oriented sporting events ever, will have promotions for Bacardi Silver and other alcohol advertisements.

Technically, Bacardi Silver is not a distilled spirit since its alcohol content is approximately that of beer; however, we all know the reality of such an advertising tactic. Bacardi is a name people associate with hard liquor, period. Simply put, this appears to be a subterfuge to actually market hard liquor. NBC is allowing direct marketing to youth of a well-known brand of hard liquor by piggybacking onto another product.

This is outrageous. For all the protestations by NBC about their responsible policy of alcohol advertising, it is

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a sham. Young people, 13-, 14-, 15-year-olds, will be watching the Olympics and see the ads for products such as Bacardi Silver. Does anyone responsible think there will not be any association?

We are just now making progress with regard to dealing with drunk driving by young people.

The Center on Alcohol Advertising conducted a pilot study that demonstrates beer commercials and attendant brands were recognizable by children as young as 9 to 11. That is the exact type of advertisements we are talking about for the Olympics.

What will the consequences of this policy be? In short, more young people drinking will result in increases in drunk driving, teen deaths and alcoholism. Alcohol is a factor in the four leading causes of death among persons age 10 through 24: motor vehicle crashes, unintentional injuries, homicide and suicide. Alcohol-related car crashes are the leading cause of death among teenagers 15 to 24. Young people who begin drinking before age 15 are four times more likely to develop alcohol dependence than those who begin drinking at age 21.

NBC is being irresponsible. NBC will cause the hurt and pain and suffering in the families of many, many people in this United States. The public has spoken out on this issue, and NBC does not care. The National Center for Science in the Public Interest conducted a poll that shows 73 percent of the public believes hard liquor advertising will increase youth drinking. NBC does not care.

We are submitting a letter from 25 groups asking NBC to go back to the policy that it had for 52 years. I also want to close with an article from the Washington Post that illustrates the real consequences of drunk driving better than any set of statistics. Just this weekend in my congressional district in Sterling, Virginia, a drunk driver killed a boy and his grandfather. Mr. Speaker, imagine receiving that call from the State police if you were the boy's mother. NBC's hard liquor advertising will lead to more drunk driving and more of those phone calls.

I urge Members to speak out on this issue and let NBC know that it ought to do what the American people think appropriate. It ought to go back to its voluntary guidelines that it had for 50 years and do not advertise hard liquor to young people of the country and bring about pain and suffering for families.

The material previously referred to is as follows:

[From USA Today, Feb. 5, 2002]

MARKETING BY SPIRITS MAKERS GETS ICY RECEPTION

(By Michael McCarthy and Theresa Howard)

Figure skating won't be the only closely watched competition at the Salt Lake Games. Major marketing pushes by some big beer and spirits makers also may be dancing on thin ice.

Anheuser-Busch will use the Olympics to roll out a $60 million campaign to launch its Bacardi Silver. And Seagram's rum brand, Captain Morgan, will take to the slopes to tout its sponsorship of the U.S. Ski Team.

Just weeks after Olympics broadcaster NBC eased restrictions on spirits advertising, the debate over alcoholic beverage marketing during the Games is heating up.

''The Olympics are a youth-oriented event,'' says Kimberly Miller of the Center for Science in the Public Interest. ''For the Olympic committee to make the connection between drinking and sports is irresponsible.''

But executives from both A–B and Captain Morgan defend their right to be at the Salt Lake Games.

''It's a wonderful opportunity for us,'' says Bob Lachky, vice president of brand management at Anheuser-Busch. ''We'll have a national and international audience.''

A–B will air more than 130 commercials for its Budweiser, Bud Light, Michelob and Bacardi Silver brands. A–B is the exclusive malt-beverage sponsor and advertiser of the 2002 Games and has a seven-year deal with the U.S. Olympic Committee to serve as official beer sponsor of the U.S. Olympic Team.

The new Bacardi spots from Momentum in St. Louis are music-driven and heavily feature the sleek new silver bottle. The theme: ''Your night just got more interesting.''

But A–B will air most of the Bacardi Silver commercials during the evening to avoid targeting younger consumers. Still, A–B has paid millions for its Olympics sponsorships, and Lachky says the company won't avoid big events to mollify critics.

''There's always going to be critics of our industry. But we will do things in a respectful fashion. We're not worried about it,'' He says.

Captain Morgan is a team sponsor—not a sponsor of the Games themselves. So it's walking an even finer line than Anheuser-Busch, critics say

''It's a dangerous marketing tactic,'' says Bob Prazmark, president of Olympic sales and marketing for sports marketing group IMG. ''What they are doing is trying to share in some of the glory.''

Captain Morgan officials insist they're doing no such thing. Team athletes Evan Dybvig and Shannon Bahrke are restricted from competing or making Olympics appearances while sporting any Captain Morgan-branded gear or apparel.

''We can do things tastefully and stay in the guidelines,'' says Captain Morgan's Scott Geisler. ''Do we stand a risk of raising a little controversy? Perhaps.''

COALITION FOR THE PREVENTION OF ALCOHOL PROBLEMS,
Washington, DC, February 6, 2002.

Mr. ROBERT C. WRIGHT,
Vice Chairman and Executive Officer, General Electric, Chairman and CEO, NBC, New York, NY.

DEAR MR. WRIGHT: As leaders of organizations concerned with public health and the well being of young people and families, we are dismayed by your decision to begin airing hard liquor ads on NBC, ending five decades of responsible voluntary refusal of such ads.

We strongly urge you to reconsider NBC's policy and we respectfully request a meeting with you to discuss our concerns, including a number of gross deficiencies in NBC's guidelines governing the airing of liquor ads.

Too many influences already promote excessive and underage drinking and hard-liquor ads on NBC can only make that problem worse. Alcohol is by far America's number-one youth drug problem. It kills six times more kids than all illicit drugs combined and underage drinking costs our country an estimated $52 billion per year. According to the latest government data, nearly one-third of all 12- to 20-year olds report using alcohol within the past month. Of those youth, nearly 20 percent binge drink.

We are hardly alone in our concern. NBC's decision to begin accepting hard liquor ads flies squarely in the face of public opinion. A survey conducted by Penn, Schoen & Berland Associates, Inc., in mid-December, 2001 found that 68 percent of respondents opposed NBC's action with half (48 percent) registering strong opposition to it. More than 7 of 10 (72 percent) surveyed supported network television policies that voluntarily keep liquor ads off TV, and 70 percent of Americans agreed that it is dangerous to have liquor ads on TV because they will introduce underage youth to liquor. Subsequently public opinion surveys by TV Guide and by Initiative Media North America similarly found that large majorities of Americans oppose NBC's acceptance of liquor ads.

We would like to meet with you at your earliest convenience, preferably in Washington, DC., in the hope of reaching a satisfactory resolution of this issue. We believe that NBC can truly show leadership in protecting young people and serving the public interest. We will follow up with your office in the near future to inquire about arranging a meeting. To reach us, please contact Mr. George Hacker, at (202) 332–9110, x343.

Thank you for your consideration. We hope to hear from you soon.

Sincerely,

GEORGE A. HACKER,
Director,
Alcohol Policies Project.

On behalf of the following: Lori Dorfman, Ph.D., Director, Berkeley Media Studies Group; Arthur T. Dean, Chairman, and CEO, Community Anti-Drug Coalitions of America; Joan Kiley, Executive Director, Community Recovery Services; Art Jaeger, Associate Director, Consumer Federation of America; Connie Mackey, Vice President of Government Affairs, Family Research Council; Tom Minnery, Vice President of Public Policy, Focus on the Family; Jim Winkler, General Secretary, General Board of church and Society of the United Methodist Church; David Rosenblum, Executive Director, Join Together; Patricia Harmon, Executive Director, Ohio Parents for Drug Free Youth; Judy Cushing, President and CEO, Oregon Partnership; Rev. Jesse W. Brown, Jr., Executive Director, National Association of African Americans for Positive Imagery.

Bill Burnett, President, National Association of Alcohol and Drug Abuse Counselors; Julie Novak, DNSc, RN, CPNP, President, National Association of Pediatric Nurse Practitioners; Rev. Richard Cizik, Vice-President for Governmental Affairs, National Association of Evangelicals; Vincent Hayden, Chairman, National Black Alcoholism and Addictions Council; Stacia Murphy, President, National Council on Alcoholism and Drug Dependence; Sue Rusche, Executive Director, National Families in Action; Peggy Sapp, President, National Family Partnership; David A. Walsh, Ph.D., President, National Institute on Media and the Family; Jeanette Noltenius, Executive Director, National Latino Council on alcohol and Tobacco Prevention; Shirley Igo, President, National Parent Teachers Association.

John Hutcheson, Executive Director, People Advancing Christian Education; William J. Murray, chairman, Religious Freedom Coalition; Richard D. Land, President, Southern Baptist Ethics and Religious Liberty Commission; Andrew McGuire, Executive Director, Trauma Foundation; William T. Devlin, President, Urban Family; The Most Rever and Joseph A. Galante, Chairman, Committee on Communications, United States Conference of Catholic Bishops; and Maureen Sedonaen, Executive Director, Youth Leadership Institute.

[From the Washington Post, Feb. 10, 2002]

CRASH KILLS TWO IN STERLING

Two people were killed after a two-car crash involving a drunk driver last night in Sterling, Virginia State Police said.

The crash happened on Route 28 near Route 625 about 8:30 p.m., police said. The victims were believed to be a man in his sixties and a boy.

One of the drivers was also injured in the crash and was flown to an area hospital, police said.

CAMPAIGN FINANCE REFORM

The SPEAKER pro tempore. Pursuant to the order of the House of January 23, 2002, the gentleman from Massachusetts (Mr. FRANK) is recognized during morning hour debates for 5 minutes.

Mr. FRANK. Mr. Speaker, not surprisingly in this political city the debate over campaign finance reform has taken the shape of people talking about which party would be advantaged, but there is a more profound issue, more profound even than the kind of subtle corruption that campaign money takes. It goes to the nature of democracy.

We have two systems in this country. We have an economic system, capitalism, which is based on inequality. It is inequality which drives that system which has been so productive of wealth and which is so broadly supported. If people are not unequally rewarded for their labor, if people are not unequally rewarded for the wisdom of their investment decisions, if people are not unequally rewarded because they respond to consumer demand, capitalism does not work. So inequality, some of us want to keep it from getting excessive, but it is at the heart of that system.

We also have a political system, and the heart of that political system is equality. That was the genius of the American Constitution, not fully realized at the time, a goal that we have been striving towards with some success ever since. What we have in our public policy is a tension between an economic system built on inequality where people are unequally rewarded and unequally powerful and a political system in which people are supposed to be equal, in which people's preferences are supposed to count each equally one for one.

What we have in America today is a corruption of that system in the broadest sense. As money has become more and more influential in politics, the inequality of the economic system has damaged the ability of the political system to function in a way that carries out equality. We cannot allow the inequality that is a necessary element of our capitalism to swamp the equality that is supposed to be the element of our political system.

That is why the Shays-Meehan bill is so important. It reduces the role of money. Soft money is a way that the unequal part of our system gains undue influence over the place where it is supposed to be equal, and that, Mr. Speaker, is the profound philosophical reason why campaign finance reform ought to reduce the role of money, ought to reduce the extent to which inequality undermines formal equality.

Interestingly, some of those opposed to the bill have implicitly acknowledged this. I have heard people say, on the Republican side mostly, we cannot go ahead with that kind of a forum; if we get rid of soft money, the next thing we know, labor and environmentalists and all those people will dominate the election. We have, in fact, had people almost explicitly say that the danger in campaign finance reform is that the people will have too much to say.

Well, that is the way it is supposed to be in the political part of the system. The financial, the economic system has inequality, but in the political system people are supposed to have equality. That is also the answer to those who say that somehow this violates freedom of expression in the first amendment.

I should note, Mr. Speaker, I am somewhat interested to see Members that I have served with for a very long time who for the first time in their careers have become champions of free speech. That is, there are Members who have supported virtually every restriction on free speech, including censorship on the Internet and other rules that the Supreme Court has thrown out, and they have voted for them cheerfully, but when it comes to the power of money to swamp the equal part of our political system, suddenly they become advocates of free speech. Indeed, it seems that many of them are for free speech as long as it is not free. They are for free speech when it costs money, when they can buy it.

In fact, if we look at the purpose of our Constitution and our political system, if we look at the role that equality is supposed to play, we understand, because we do not just interpret the Constitution in the abstract, we interpret it in its context, our political system is meant to be one in which people are equal, and what we are doing with campaign finance reform is restricting the ability of money to swamp that equal sector.

It does not impinge on free speech as we have ever understood it. Everyone in this country will be as free as they ever want to say what they want to say, to speak out. We do say that they cannot use money, they cannot use the inequality that has accrued to them through the capital system to undermine the electoral system.

So, for that reason, precisely because the very heart of the democratic political system is at stake, I hope that we will pass the campaign finance reform bill in an appropriate form, in a form that can go right to the President's desk, because it is essential that we vindicate the equality principle against those who are the beneficiaries of inequality who are seeking to erode it.

TRIBUTE TO ABRAHAM LINCOLN

The SPEAKER pro tempore. Pursuant to the order of the House of January 23, 2002, the gentleman from Indiana (Mr. PENCE) is recognized during morning hour debates for 5 minutes.

Mr. PENCE. Mr. Speaker, it is February 12, 2002, and on this calendar date 193 years ago today, just scarcely two lifetimes ago, came into the world the 16th President of the United States of America, the father of the Republican Party, the leader who ended slavery and at the same time saved the Union.

□ 1245

I speak, of course, of President Abraham Lincoln, born humbly in Kentucky, raised proudly in Indiana, who then moved and pursued a public and adult career in Illinois.

The Bible tells us, ''If you owe debts, pay debts. If honor, then honor. If respect, then respect. I thought today, in the midst of all our debates about other pressing national issues, as now having the privilege of being able to call Abraham Lincoln, the Congressman Abraham Lincoln from 1848, a colleague, that it would be all together fitting to rise today and remember the occasion of his birth, and to do so, Mr. Speaker, with his own words.

Abraham Lincoln spoke of many issues, but of course freedom and the abolition of the evil of human slavery were chief among them.

April 1859: ''Those who deny freedom to others deserve it not for themselves; and, under a just God, cannot long retain it.''

August 1858: ''As I would not be a slave, so I would not be a master. This expresses my idea of democracy.''

July 1858: ''I leave you, hoping that the lamp of liberty will burn in your bosoms until there shall no longer be a doubt that all men are created equal.''

And in June of 1858: ''A house divided against itself cannot stand. I believe this government cannot endure permanently half slave and half free. I do not expect the union to be dissolved, I do not expect the House to fall, but I do expect it to cease to be divided. It will become all one thing or all the other.''

Abraham Lincoln was also a man of very profound faith, which inspires many millions to this day, writing: ''I have been driven many times upon my knees by the overwhelming conviction that I had nowhere else to go. My own wisdom and that of all about me seemed insufficient for the day.''

In September of 1864, he wrote: ''In regard to this Great Book, I have but to say, it is the best gift God has given to man. All the good the Savior gave to the world was communicated through this book.'' And in the creation of the very first proclamation of Thanksgiving and a national day of prayer in October of 1863, the President wrote: ''I do therefore invite my fellow citizens in every part of the United States, and also those who are at sea and those who are sojourning in foreign lands, to set apart and observe this last day of

Thursday of November next, as a day of Thanksgiving and Praise to our beneficent Father who dwelleth in the heavens. And I recommend to them that while offering up the ascriptions justly do to Him for such singular deliverances and blessings, they do also, with humble penitence for our national perverseness and disobedience, commend to His tender care all those who have become widows, orphans, mourners, or sufferers in the lamentable civil strife in which we are unavoidably engaged, and fervently implore the interposition of the Almighty Hand to heal the wounds of the nation and restore it as soon as it may be consistent with Divine purposes to the full enjoyment of peace, harmony, tranquility and union.''

President Abraham Lincoln was lastly a man who understood and cherished liberty and knew where its threats would be presented. As he said in January of 1838: ''At what point shall we expect the approach of danger? By what means shall we fortify against it? Shall we expect some transatlantic military giant to step the ocean and crush us at a blow? Never. All the armies of Europe, Asia, and Africa combined, with all the treasure of the earth in their military chest, could not by force take a drink from the Ohio or make a track on the Blue Ridge in a thousand years of trial. At what point then is the approach of danger to be expected? I answer: If it ever reach us, it must spring up from among us. It cannot come from abroad. If destruction be our lot, we must ourselves be its author and finisher. As a Nation of free men, we must live through all time or die by suicide.''

February 12, 1809, a day the world and America became richer.

WASHINGTON, DC, IS OPEN AND SAFE AND WAITING FOR YOU

The SPEAKER pro tempore (Mr. CULBERSON). Pursuant to the order of the House of January 23, 2002, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized during morning hour debates for 5 minutes.

Ms. NORTON. Mr. Speaker, I have just come from a fair I am sponsoring, along with the D.C. Chamber of Congress, called ''Ask Me About Washington.'' It is a service we are providing to Members and staff, along with a free lunch, that we think may be especially needed this year.

The Galleries are empty, my colleagues. There is a reason. This is an election year. They should be full. But our constituents need information and need reassurance that the barricades and the ugly security do not send a message that we are trying to tell them something: stay away; your Member of Congress does not want to see you this year.

I do not think so, but that will be the effect unless we reach out and become more proactive. The fact is elected officials never want people to stay away. We cannot help it that the security is not as it was. It is being fixed. We sympathize with the Architect of the Capitol and the police board, but we have to do something in the meantime.

I have distributed a fact sheet that I hope Members will send to their own constituents in their constituent mail simply telling them what are absolutely unknown facts for most of them: that Reagan National Airport will be 77 percent up by March 1; telling them everything is open, and all the rest. I think my colleagues will find it informational; and more than that, I think Members will find their constituents will find that they are getting word from Washington that they have not gotten in a long time, not since September 11.

The fact is we have been winging it because we have never had anything like September 11: ad hoc decisions; this open, this closed, this barricade up, this one comes down, a new one comes up. West front steps get closed down. Now that is something we need to hear more about. That is part of the great wonderful axis of Washington created by L'Enfant himself. We need to know more about that, because there ought to be ways to open that up if we just think a little harder.

Do not think I give short shrift to security. I live here 7 days a week, my colleagues; and 600,000 of my constituents live here. We want this place safe, and in fact we do believe it is the safest city in America because this is the Nation's capitol. We know that AWACs and those F–16s are up 24–7. Our constituents do not know. My colleagues' constituents do not know, that is. They need to be told that their Members of Congress want to see them this year, the way we want to see them every year.

Honestly, I do not believe that it is beyond American ingenuity to find ways to be safe and secure and open and democratic at the same time. We have to try harder. Some of the things we need to do are absolutely simple. I have been having conversations with the White House and have suggested that if people left their Social Security numbers, the way they have to anyway if they want to visit someone in the White House, that the White House tours could be open. And I am grateful the White House has decided to open tours to student groups.

So that means we are getting somewhere just because they have begun to think harder. The White House, after a great protest from the press and others when the Christmas tree lighting ceremony closed down, decided to open it up simply by putting the same glass around the President they use during the inauguration. Some of this is not rocket science, but it does require us to think a little harder than we did before September 11.

I will have a bill that I will ask Members to cosponsor called The Open Society With Security bill, because I think we need a Presidential commission to step back and look at how we run an open society when there is global terrorism all around us. I think such a commission would help us get our bearings so that we would not be under the pressure we are under today to make decisions as we go along.

We are doing quite well. We can do much better. The White House is doing much better. The capitol tours are open. Washington is open. Only the monument, which was closed for renovations, is not open. A tour of the Pentagon can be arranged ahead of time. But our constituents do not know that.

I want Members' constituents to come visit Washington because, obviously, that helps my economy; but my colleagues want them to come for a reason which is equally important to them. We do not want a full year in which people think that this is an uninviting place and that this is not the year to come to see their Member of Congress. It is not only an election year; it is the year after September 11. It is a year when we want to make the point that terrorists cannot close us down.

We set the example in the Nation's capitol by opening ourselves up and sending the message that the whole country should be open.

HOUSE LEADERSHIP URGED TO CONSIDER ACCELERATED DEPRECIATION IN STIMULUS PACKAGE

The SPEAKER pro tempore. Pursuant to the order of the House of January 23, 2002, the gentleman from Illinois (Mr. WELLER) is recognized during morning hour debates for 5 minutes.

Mr. WELLER. Mr. Speaker, today our Nation is at war. We are in a war against terrorism. We are working to build our homeland security, and we are suffering an economic recession. Our Commander in Chief, President Bush, is demonstrating strong, resolute leadership in the war against terrorism. We must not forget that the war against terrorism will last a long time, not just months, but likely years. The war against terrorism will not end in Afghanistan. The al Qaeda terrorism network has a presence in 65 nations, and tens of thousands of terrorists have gone through their death training camps.

Part of winning the war on terrorism is also getting our economy moving again. Clearly, the terrorist attack was directed at our economy. If we look back and remember 1 year ago this month, when President Bush was sworn into office on the east front in inaugural ceremonies, he inherited a weakening economy, an economy which was getting weaker and Americans were beginning to lose their jobs. He proposed a tax cut, a tax cut he said that would put extra money in the pocketbooks of America's consumers, giving them more money to spend at home for their families' needs.

That was enacted into law in June. By Labor Day, economists were telling us the tax cut was working on getting our economy moving again. Unfortunately, the tragedy of the terrorist attacks on September 11 occurred and that tragedy cost thousands of Americans their lives. It was a terrible tragedy, but also it also gave a psychological blow to our economy, causing investors and consumers to step back from decisions they had made prior to September 11. Unfortunately, by stepping back from those decisions, it cost hundreds of thousands, and almost a million, Americans their jobs.

Today, over a million Americans have lost their jobs since the terrorist attacks on September 11, tens of thousands in the area that I represent in the Chicago area. To win the war against terrorism, we must get this economy moving again. We must give Americans the opportunity to go back to work.

I would note that this House, the House of Representatives, has twice, in October and in December, acted to get the economy moving again, passing a bipartisan economic stimulus plan and sending it over to the Senate. Unfortunately, partisan politics prevented our efforts from succeeding in getting to the President's desk and signature into law. I believe we must not give up on our efforts to revitalize this economy and give Americans the opportunity to go back to work.

During these times, some Democratic leaders have called for a tax increase. I am proud to say that this past week the House spoke loud and clear stating opposition overwhelmingly to a Democratic proposal to repeal the Bush tax cut. No economist says that we should raise taxes in a recession, but that we should bring spending under control.

I want to take this opportunity to urge our leadership, as they consider what to do next, to once again move legislation to stimulate our economy and to bring economic security for American workers. I want to rise to suggest one provision that I believe must be included in that package that we send to the President, a provision that is a strong stimulation for our economy. Many of us know it as accelerated depreciation, or depreciation reform, or expensing, or bonus depreciation.

The provision, which has strong bipartisan support in this House, provides for 30 percent expensing, giving faster or quicker cost recovery for a business that buys an asset. Think about it. When someone buys a pickup truck or a computer or security equipment, there is a worker somewhere in America who manufactures that product. There is a worker that is going to install it and service it. And of course there is going to be a worker who is going to operate that piece of equipment. Accelerated depreciation, the 30 percent expensing provision rewards investment in those kinds of jobs.

I would note the only way to take advantage of that tax incentive is to invest and buy and create jobs. Many businesses back home that I know of, since September 11, are also upgrading their security and their safety measures in their plants. Accelerated depreciation will help them better afford to make their plants and places of work safer and more secure for their employees and visitors.

□ 1300

Over the next few days, decisions are going to be made on how we can better help by extending unemployment benefits. The gentleman from California (Mr. THOMAS) and President Bush have urged a tax credit to help the uninsured with health care insurance. That is a good idea, and I believe that should be part of that final package. But I also believe that we mean to combine the unemployment benefits and the health care benefits with incentives to invest in the creation of jobs. Accelerated depreciation of a 30 percent expensing component will help put Americans back to work.

Mr. Speaker, I have a letter signed by almost three dozen Members of this House, a letter circulated by myself and the gentleman from Michigan (Mr. UPTON) and the gentleman from California (Mr. DOOLEY), urging our leadership to include accelerated depreciation in any package that goes to the President, and I include that for the RECORD.

WASHINGTON, DC,
February 6, 2002.

Hon. J. DENNIS HASTERT,
Speaker of the House,
The Capitol, Washington DC.

DEAR SPEAKER HASTERT: We are disappointed by the recent breakdown in negotiations in the Senate on a meaningful economic stimulus package. We firmly believe that Congress can help balance the desire to promote economic growth with efforts to help those workers who have lost their jobs due to the recession.

If the Senate sends the House a bill extending unemployment benefits by 13 weeks, we would encourage you to add the one major economic growth component that is bipartisan and agreed upon by almost everyone, the 30% accelerated depreciation bonus for new investments. Not only is this provision bipartisan, but it is widely supported by most businesses and business groups.

The combination of a temporary unemployment compensation and the 30% bonus depreciation proposal would provided an excellent balance between providing a helping hand to workers out of work and struggling because of the recession and the desire to foster economic growth. The most important feature of the accelerated depreciation proposal is that in order for businesses to take advantage of the bonus, a decision must be made to purchase and invest in new equipment. When businesses make these investments, employees are put back to work engineering, building, installing and operating the new products, thereby stimulating and growing the economy. This type of stimulus is exactly what the economy needs to pull out of the current recession.

We appreciate your consideration and look forward to working with you on this proposal.

Sincerely,

JERRY WELLER.
FRED UPTON.
CAL DOOLEY.

UNEMPLOYED AMERICAN WORKERS NEED ASSISTANCE

The SPEAKER pro tempore (Mr. CULBERSON). Pursuant to the order of the House of January 23, 2002, the gentleman from California (Mr. GEORGE MILLER of California) is recognized during morning hour debates for 5 minutes.

Mr. GEORGE MILLER of California. Mr. Speaker, later this week the House will adjourn for district work period in honor of Presidents Day and give us an opportunity to go home and talk to our constituents. It is a tragedy before we adjourn, we will not deal with the problems of unemployment. Those who were unemployed prior to September 11, who have been unemployed for many, many months, those who were unemployed as a result of September 11 because of the downturn in the economy because of that tragic event against this country, but both of these categories of the unemployed need our help. They are exhausting their unemployment benefits.

Close to a million people have exhausted their unemployment benefits. Many of those who were unemployed were working in occupations that were at the margins. They were not able to build up extensive savings accounts or a rainy day fund for their family. They were not able to pay their mortgage in advance or car payments in advance. When the checks stopped, they were in trouble.

I have now listened to many of these workers in California, Indiana and New Jersey who have testified that they worked for 15 years, 10 years, 8 years, women in professional jobs at banks, truck drivers, people who worked in the dot-com industry, and now they are in serious financial trouble because they are in the process of exhausting their unemployment benefits.

Last week the Senate took the necessary step to extend it for an additional 13 weeks. Last week the House of Representatives did nothing. This week the House of Representatives will do nothing. It is incredible the insensitivity of the Republican leadership to the needs of these hard-working American families. These are people who have really, really good work records. They have been trying to provide for their families for many years. A young man who worked for Sunkist Corporation in California told our meeting that he had been driving a truck for 15 years, he was able to buy a home a few months ago, and now he is scrambling to pay the mortgage. He is invading his retirement benefits and 401(k) to try to save his house. This is not an unusual story.

There is also the issue of over 2 million people who have lost health care benefits because of unemployment. Congress has failed to respond. One of the proposals was to help them provide the payment of the COBRA benefit that allows workers to continue the employer's health insurance plan until

reemployed. That is an absolute necessity for many of the unemployed because if they cannot continue that plan and they have a preexisting health condition, or their child has a preexisting health condition or spouse does, that individual's break in employment, break in health insurance means very likely that condition will not be covered when reemployed. That is why the COBRA benefit is so terribly important. Yet for those 2 million people, Congress has done nothing.

The tax credit that the President offers does not solve that problem for hundreds of thousands of families that are in that situation. Or for those people's whose spouses may have had a bout with cancer, or whose children who may have a childhood illness, that would not be covered.

Yet Congress insists it is going to take leave of this town, go home for 13 or 14 days, and we are going to fail to address the needs of these families. We must understand that these families are in dire financial straits. In dire financial straits. They are either adding up their debt because they are living off of what credit card debt they have available to them, they are borrowing from family members, or they are invading their retirement funds. Why in America should a working family that finds itself unemployed through no fault of their own, because of a terrorist activity or because of a downturn in the economy, they showed up and went to work every day, why should they lose all of their assets before we help them with health care or extend them some benefits?

Mr. Speaker, we ought to extend the 13 weeks immediately. If there is a break, and a worker has been working in the hospitality industry or low-paying jobs in this country, 2 weeks, 4 weeks without a check is a devastating event. Maybe Members of Congress cannot understand that, but when Members go home for the district work period, Members need to talk to these people. Then Members will begin to understand the desperate straits that millions of Americans find themselves in because of this Congress' failure to extend the unemployment benefits.

CAMPAIGN FINANCE REFORM

The SPEAKER pro tempore. Pursuant to the order of the House of January 23, 2002, the gentleman from Florida (Mr. STEARNS) is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Mr. Speaker, I rise today to speak on campaign finance reform, legislation once again before this Chamber. I, like most of my colleagues, support some type of campaign reform. I know that reasonable and balanced reforms to our current campaign finance system is necessary. Unfortunately, the Democrat bill, the Shays-Meehan bill, does not strengthen or improve our campaign finance system as well as I think the Ney-Wynn bill does, which is a Republican alternative.

In fact, I think the Democrat bill does more to harm than help both the political process and the Constitution by hurting the ability of political parties to increase citizen involvement and participation, unconstitutionally limits free speech, and tilts the playing field towards one party or another. For this reason, I applaud the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. WYNN) in their bipartisan bill for their efforts at sensible reform for our current system.

Proponents of the Shays-Meehan bill, which is support by the minority leader, the gentleman from Missouri (Mr. GEPHARDT), claim their legislation puts an end to soft money. That is false. None of the proposals before this body ban a complete ban of soft money. Even the most cursory of glances indicates there is no soft money ban in the Shays-Meehan campaign finance legislation.

In reality, this bill bans the national parties from raising or spending soft money, but it does nothing to prevent unions, corporations, and other special interests from spending as much soft money as they want on election activity. As a result, corporations or unions are allowed to give tens of thousands of dollars to each State and local party committee. With over 3,000 counties in the United States, this means corporations and unions will still be permitted to inject millions of dollars of soft money into the political process. As such, the soft money debate amounts to nothing more than a shell game with dollars being shuffled and moved from one part of the table to another, and the American people losing out.

Furthermore, the Democrat plan does not ban soft money advocacy, it only bans it on the eve of an election. Through such rulings as Buckley v. Valeo in 1976 and other cases, the Supreme Court has declared that the government may not regulate political commentaries ''to promote a candidate and his views.'' Since the 1976 Buckley v. Valeo decision, strong majorities have supported protections for the expenditure of money for political communications. The first amendment cannot be sacrificed by government restrictions on issue ads and free speech. No matter how they are dressed up, such restrictions still involve government regulation of political speech.

Mr. Speaker, the proposal to be offered by the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. WYNN), supported by the gentleman from Illinois (Mr. HASTERT), is aimed at reforming our current system of laws, but does so in a manner that is rational, balanced, and, most importantly, constitutional. Their legislation bans the use of soft money by national parties for Federal election activities. It does not, however, impose new burdensome Federal laws and rules on State parties. It restores and enhances grassroots politics by allowing State and local parties to continue to assist State and local candidates with funds permissible under applicable State law.

Most importantly, their proposal does not violate constitutional rights to free speech, nor destroy the ability to participate in the political process. So I support fair and balanced solutions to improving our campaign finance system. As such, I have voted accordingly and supported the Hutchinson-Allen bill, which was patterned after the Ney-Wynn bill when it was considered on the House floor in the last Congress. Unfortunately, it failed.

Mr. Speaker, had the rules governing the amendment process not been limited for this upcoming debate, I would have also supported amendments to allow tax credits for up to $200 for individuals for Federal political contributions, thereby creating an incentive for persons of all financial means to participate in the political process.

Additionally, I support allowing permanent resident aliens serving in the Armed Forces to make campaign contributions. And if we really want to clean up the current system, I support prohibiting labor organizations from fund-raising on Federal property through the use of payroll deductions.

If advocates of misguided campaign finance reform are successful in passing this legislation, they will have done nothing to prevent future campaign abuses. Instead, they will be successful in eroding and handicapping Americans' right to free speech and the right to political expression. Therefore, I urge all of my colleagues to support the Ney-Wynn bill.

□ 1315

WHY COMMUNITY SERVICE IS IMPORTANT

The SPEAKER pro tempore (Mr. CULBERSON). Pursuant to the order of the House of January 23, 2002, the gentleman from Michigan (Mr. SMITH) is recognized during morning hour debates for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, I wanted to make some comments today on how everybody in America probably should do a little more in helping their fellow man in contributing some community service, either at the community or national level.

I was this past week deciding on the essay topic that I ask seniors to write to apply for what I have called the LeGrand Smith Scholarship. It is named after my dad. I simply take all of the pay increases that I have had since I first ran in the Michigan Senate back in 1983; I have put these pay increases into an irrevocable trust for scholarships for graduating seniors. It is designed to reward and acknowledge those individuals in high school that are not only academically capable but also are willing to contribute to others in community service or in leadership positions in high school. Part of that decision in scoring of the committee that decides who the winners are is

grading an essay on an essay topic. The committee was just trying to decide, and we had it narrowed down to two topics, why patriotism is important in America or why helping others and working in some community service or national service is important. We decided on the latter. Part of it was maybe because the President in his State of the Union address suggested that we have a Freedom Corps where every individual in America during their lifetime contribute 2 years of community or national service.

I would like to suggest, Mr. Speaker, that a lot of individuals could gain significantly by serving in a community and national service program. I would envision the possibility of taking every senior when they graduate from high school and say that here is an opportunity for you to go maybe in 6 weeks of basic training and then serve in community service. In 1990 we passed a bill in Congress signed by the President, the community and national service legislation, that lays out 20 or 30 different types of community and national service. I envision a system where you could expand that to serve in your local communities, in your local hospitals. Certainly there is a tremendous need now for individuals for service at the national level in many aspects. A national service bill for high school students would have maybe the same kind of 6 weeks of basic training that many of us had in earlier years in boot camp.

When I went into the Air Force, into boot camp, I thought I had a lot of discipline, self-discipline. As it turned out, getting up at 5 o'clock in the morning and going out and doing aggressive exercises and then making a very neat bed and keeping your clothes clean and your shoes shined, plus the patriotism that we learned in terms of working together, in terms of saluting the flag.

But one thing that all of us that served in that basic training also learned in associating with individuals from all kinds of backgrounds, that the individual that had a different religious faith, that the individual that was yellow, black, tan or a different color ended up being just as qualified in their intelligence, just as qualified in their leadership ability, and it gave me a new perspective and also at the same time I think opened new vistas of opportunities of the responsibility of all of us to serve.

When the President suggested a national service program, I wonder how many of us will respond. I think the response should be very aggressive. But I also think it should be considered that every graduating high school senior come into some kind of a program where they would go through 6 weeks of kind of basic training. And maybe with what happened September 11, it is especially important, because we have now learned that those individuals in the Taliban were trained to hate and hate Americans.

Mr. Speaker, in combination with patriotism, I think community and national service is vital for everyone. I encourage all to participate.

□ 1315

WHY COMMUNITY SERVICE IS IMPORTANT

The SPEAKER pro tempore (Mr. CULBERSON). Pursuant to the order of the House of January 23, 2002, the gentleman from Michigan (Mr. SMITH) is recognized during morning hour debates for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, I wanted to make some comments today on how everybody in America should consider doing a little more to help others. Helping others in your neighborhood or contributing service, either at the community or national level should be considered an obligation.

I was this past week deciding on the essay topic that I ask seniors to write, as part of their application to apply for what I have called the LeGrand Smith Scholarship. It is named after my dad. I simply take all of the pay increases that I have had since I first ran in the Michigan Senate back in 1983 and put those funds into an irrevocable trust for scholarships for graduating seniors. It is designed to reward and acknowledge those individuals in high school that are not only academically capable but also are willing to contribute to others in community service or in leadership positions in high school. Part of the scoring of the committee that decides winners, is the grading of an essay. The committee was deciding the essay topic and had it narrowed down to two topics; why patriotism is important in America or why helping others and working in some community service or national service is important. We decided on the latter. The President in his State of the Union address suggested that we have a Freedom Corps where every individual in America during their lifetime contribute 2 years of community or national service.

I would like to suggest, Mr. Speaker, that a lot of individuals could gain significantly by serving in a community and national service program. I would envision the possibility of taking every high school senior when they graduate from high school to go into a community and national service program, this would be an opportunity for young people to go through maybe 6 weeks of basic training and then serve in national or community service. In 1990 we passed a bill in Congress signed by the President, the community and national service legislation, that establishes 20 plus different types of community and national service. I envision a system where you could expand that to serve in your local communities, in local hospitals, with senior groups or many other areas of need. Certainly there is a tremendous need now for individuals to serve at the national level in many aspects. A national service bill for high school students would have maybe the same kind of 6 weeks of basic training that many of us had in earlier years in boot camp where you learn discipline, respect for yourself and others as well as patriotism.

When I went into the Air Force, into boot camp, I thought I had a lot of discipline, self-discipline. As it turned out, getting up at 5 o'clock in the morning and going out and doing aggressive exercises and then making a very neat bed and keeping your clothes pressed and your shoes shined as well as education about defending our country plus the patriotism that we learned was valuable.

But one thing that all of us that served in that basic training also learned in associating with individuals from all kinds of backgrounds, was respect for others. We learned that individuals that had different religious faiths, individuals that were yellow, black, tan, white or whatever ended up being just as qualified in their intelligence, just as qualified in their leadership ability and just as nice of people as anyone else. It gave us a new perspective and also at the same time I think opened new vistas of opportunities and the feeling of responsibility to help others when they need help.

When the President suggested a national service program, I wonder how many of us will respond. I think the response should be very aggressive. But I also think it should be a responsibility that every graduating high school senior come into some kind of a program where they would go through 6 weeks of kind of basic training and another four months of serving others. And maybe with what happened September 11, it is especially important.

Mr. Speaker, in combination with patriotism, I think community and national service is a responsibility of all Americans. I encourage all to participate.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 1 o'clock and 18 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BIGGERT) at 2 p.m.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

God be gracious to us and bless us. God, let Your face shine upon us. Make Your ways known to us. May Your saving power be acknowledged by all nations on the Earth.

Let the people of this Congress praise You, O God, by their words. Let this people praise You in all their deeds.

May the people of the United States rejoice and shout with joy because You embrace all the people of this Nation with justice.

You alone guide all the powers of Earth. So the Earth has given its increase and the peoples of the Earth prosper and praise You. Let all the peoples praise You, O God. Some day soon let all the peoples praise You.

Because the blessings of God even now extend to the ends of the Earth, let all the peoples praise 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 her approval thereof.

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

PLEDGE OF ALLEGIANCE

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

Mr. PETERSON of Minnesota 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.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Evans, one of his secretaries.

PROPOSED CAMPAIGN FINANCE REFORM IS FLAWED

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

Mr. PITTS. Madam Speaker, later this week the House is going to vote on a bill that claims to reform our campaign finance laws.

Is there too much money in politics? Yes. No one knows that better than the candidates who have to raise it. But the Shays-Meehan bill uses a chain saw where we need a scalpel. This bill goes way beyond regulating the way we contribute to candidates.

The Supreme Court ruled long ago that political donations are constitutionally protected speech. But even if that were not true, surely talking about our elected officials is protected by the first amendment.

But Shays-Meehan supporters are not talking about the provisions in this bill that limit free speech, but those provisions are there. This bill would make it a crime for any citizens group, other than a political action committee, to criticize, praise or even mention a political candidate 60 days before an election.

Madam Speaker, this is an outrage. How dare we even suggest this? The freedom of speech is our most cherished freedom, and it is most important when it comes to choosing our leaders. Madam Speaker, the Shays-Meehan bill is flawed and unconstitutional in this regard.

PAT WOOD SHOULD RESIGN AS CHAIRMAN OF FEDERAL ENERGY REGULATORY COMMISSION

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

Mr. PASCRELL. Madam Speaker, tonight we begin our debate on campaign finance reform. How fitting that this argument is occurring amidst the investigation into the power wielded by the leaders of Enron Corporation. What a perfect example of the corruption of money in politics.

Last week I reached out to Pat Wood, III, the current Chair of the Federal Energy Regulatory Commission. I urged him to resign.

In light of the influence that Kenneth Lay, the former CEO of Enron Corporation, had over both his appointment to FERC and his subsequent chairmanship of the Commission, it is apparent that Pat Wood's ability to fairly and neutrally oversee the country's energy policies has been irrevocably compromised.

These are just some of the facts surrounding Pat Wood's appointment to FERC. One, Ken Lay interviewed all potential nominees to FERC and presented the President's personnel director with a list of top choices; two, on that list were two of the present Commissioners, Pat Wood, III, and Ms. Nora Brownell; three, a ''litmus test'' was presented to potential Commissioners during these interviews wherein the nominees were made aware that they must either promote Enron's interests or not receive the appointment, and this is outrageous; and, four, Pat Wood, III, was Kenneth Lay's choice to replace Curtis Hebert.

This is just the beginning and one of the reasons why we need campaign finance reform. These are the facts, not fiction.

REFORM CAMPAIGN FINANCE LAWS

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

Mr. CLEMENT. Madam Speaker, 218 signatures. Two hundred eighteen signatures. That is what it took to finally force the Republican leadership to bring campaign finance reform to the floor of this body.

In America we have a substantial number of people who do not vote in elections, who do not participate in elections. Why? Because of the influence of big money.

Should we not base it on the richness of message, rather than the richness of someone's pocketbook? In other countries, many countries of the world, they vote more, they participate more. But we have all this soft money, and you cannot trace that soft money. That is the difficulty and the problem that so many people are having, because it ends up in all these political campaigns all over the country, but you cannot trace it.

We have an opportunity this week, knowing that we have not even had the opportunity to reform since the 1970s, but we have an opportunity this week to bring about campaign finance reform. They have already passed it in the United States Senate. We can do the same thing in the United States House of Representatives, and we can we can do it by saying to all concerned that we want to give everyone an opportunity to participate in the electoral process, no matter who you are or where you live.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, the Chair will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 6, rule XX.

Any record vote on postponed questions will be taken after debate has concluded on all motions to suspend the rules, but not before 6:30 p.m. today.

PERMITTING USE OF ROTUNDA OF CAPITOL FOR CEREMONY AS PART OF COMMEMORATION OF DAYS OF REMEMBRANCE OF VICTIMS OF HOLOCAUST

Mr. NEY. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 325) permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

The Clerk read as follows:

H. CON. RES. 325

Resolved by the House of Representatives (the Senate concurring), That the rotunda of the Capitol is authorized to be used on April 9, 2002, for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. NEY).

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

Madam Speaker, I rise here today for consideration of House Concurrent Resolution 325, which permits the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the Days of Remembrance of the victims of the Holocaust.

The United States Memorial Council was charged with providing appropriate ways for the Nation to commemorate the Days of Remembrance as an annual national civic commemoration of the Holocaust. As a result of this legislation, the first ceremony in remembrance was held in the rotunda in 1979, and it has been held every year since that time, except for periods when the rotunda was closed for renovations.

This resolution will provide for this year's national ceremony to be held April 9, 2002, in the rotunda of the Capitol. The purpose of the Days of Remembrance is to ask citizens to reflect on the Holocaust, to remember the victims and to strengthen our sense of democracy and human rights.

This ceremony will be the centerpiece of similar remembrance ceremonies to be held throughout the Nation. Members of Congress, government officials, foreign dignitaries, Holocaust survivors and citizens from all walks of life have attended previous ceremonies. At last year's Days of Remembrance commemoration in the Capitol rotunda, President George W. Bush was the keynote speaker. Two years ago, Swedish Prime Minister Goran Persson gave the keynote address.

The theme for this year's Days of Remembrance is the Memories of Courage to honor those who took a stand against Nazi barbarism. In remembering those who took a determined stand against nazism, we honor the memory of those who perished, and we are reminded that individuals do have the power and choice to make a difference in the fight against oppression and murderous hatred.

With the recent September 11 terrorist attacks, we have all been painfully reminded in our Nation of the consequences of hatred. These events have shown us that we must learn the lessons of the past and be ever vigilant against allowing acts of evil to go unchecked.

It was American determination to fight for our sacred principles of freedom and democracy that ultimately liberated the victims of the Holocaust. The same determination will ultimately defeat those who threaten us today.

By remembering the Holocaust we will be reminded of two things: That man is capable of unspeakable acts of evil; and that evil, if resisted, can be conquered.

This an important resolution, Madam Speaker, in memory of, I think, one of the largest tragedies that this world has ever seen.

I want to thank our ranking member, the gentleman from Maryland (Mr. HOYER), for his support of the resolution and the cosponsors, and I urge that we all support this important resolution.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise in support of H. Con. Res. 325, which authorizes the use of the rotunda for the observance of the Days of Remembrance.

Congress provides for this ceremony every year at this time, and other related events will be occurring all over this country. This is an opportunity for Americans of all faiths and nationalities to reflect on the Holocaust, to remember its victims and to strengthen our sense of democracy and human rights. Very frankly, it is more appropriate perhaps than most years, post-September 11, to remember the atrocities that have been committed against innocent people for reasons of their nationality, their ideology, their place of birth, their place of residence.

It is appropriate, Madam Speaker, that we use the rotunda, which has been the location of so many historic events, to again draw attention to one the greatest tragedies in human history. It reminds us that such events must never be permitted to recur. Very frankly, Madam Speaker, it reminds us that, inevitably, perhaps not on the scale, but that they will reoccur, as they did in New York.

Each year the ceremony has a theme geared to specific events which occurred during the Holocaust. This year's theme for the observance is Memories of Courage, to honor communities and individuals who resisted Nazis and ethnic religious genocide they practiced against Jews, Roma, homosexuals, and, yes, others who were perceived to be different than they.

Such resistance was practiced all across Europe. In Poland, Oskar Schindler, memorialized in the great Spielberg movie Schindler's List, was the subject of the Oscar-winning movie and related how he used jobs in his company as a way to protect a large number of Jews, one of literally thousands of individuals who displayed courage to save others.

Polish Jews in Warsaw revolted in April and May of 1943, fighting street to street, hand to hand, building to building, in one the most dramatic examples of unexpected public resistance to terror and genocide.

It was not only Jews who resisted, of course. For example, in Denmark, in October of 1943, a German diplomat courageously alerted Danish authorities to the impending deportation order sending the occupied country's Jewish population to Nazi death camps. The Danes did not sit idly by. In fact, local fishermen, local citizens, banded together to make sure that almost every Jew got to a boat and was ferried to Sweden.

□ 1415

In fact, Denmark, with a population of over 5,000 Jews, perhaps as many as 7,000, lost only 50 Jews in the holocaust. In fact, Denmark is the only nation, and Yad Vashem, that memorial in Israel that has a tree planted, all the other trees are planted for individuals like Oskar Schindler. History, Madam Speaker, is replete with the example of those who gave shelter to Jewish families or helped smuggle them to safety, sometimes at the loss of their own lives. Those acts of courage and humanity are examples to us today, examples that we ought to act, not perhaps at the risk of our lives, but perhaps only at the risk of our inconvenience, that we ought to act, to reach out, to help, to lift up, and yes, perhaps save lives.

While the Days of Remembrance commemorates historical events of the days of the 1930s and 1940s in Europe, the issues raised, as I have said, by the Holocaust remain fresh in our memories as we survey the political scene in the world today. The nature of war, the identity of an enemy may change; but what remains is the terror, the cruelty, the madness and, yes, the evil of it. It is especially timely now to encourage public reflections on the fate of Holocaust victims and to remember that there was then, as there still is now, evil in the world.

The ceremony we are authorizing today reminds us that individuals as well as nations can be vigilant and can strike a blow to preserve the values on which human civilization rests. I urge passage of this concurrent resolution. I expect it, of course, to pass unanimously. But simply passing it unanimously will not be enough. It will be a time for us to rededicate ourselves as Oskar Schindler did, as the Danes did, as so many others did, to the defense of liberty, the preservation of freedom, and the protection of each and every individual with whom we live on this globe to the extent of our abilities.

Madam Speaker, I reserve the balance of my time.

Mr. NEY. Madam Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. CANTOR).

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

Mr. CANTOR. Madam Speaker, I rise today to express my support for House Resolution 325, permitting the use of the rotunda of the U.S. Capitol to commemorate the Days of Remembrance of victims of the Holocaust. The use of the capitol rotunda for this occasion is a testament to the lessons taught by the death and suffering of the victims of the Holocaust. I am proud to stand here as a Member of the United States Congress as we recognize these important lessons.

In light of recent events on September 11, now more than ever it is important to remember this dark chapter of human history. It serves to remind us of what can happen when the fundamental tenets of democracy are discarded by dictatorial regimes and individuals are allowed to focus on killing innocent men, women, and children.

While we in the United States, the birthplace of Thomas Jefferson and Martin Luther King, enjoy a great deal of freedom, we must not take these freedoms for granted. We must not forget that genocide and human rights abuses continue to occur around the world. We must not remain silent when such atrocities occur, and we must dedicate ourselves to continue to educate people around the globe about the horrors of the Holocaust. We must be forever mindful of the danger of such intolerance and ensure that it never happens again.

Community-based Holocaust museums are appearing all around the country. This is a reflection of the increasing awareness of the lessons taught by the Holocaust. I am proud to be a founding trustee of the Virginia Holocaust Museum and applaud the efforts of those who join us nationwide to ensure a rightful place for Holocaust education and remembrance.

Only when every person understands the magnitude of the death, destruction, and utter horrors of the Holocaust, can we feel that we have begun to do everything to prevent its recurrence. Therefore, Madam Speaker, as we remember the horrors of this dark chapter in human history and remain dedicated to increasing awareness of the lessons taught by the Holocaust, I am pleased to be here in support of this resolution, permitting the use of the capitol rotunda on this most solemn occasion.

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

The reason, of course, it is important to remember is so that we do not repeat the mistakes of the past. We human beings are inclined to do that. Some 60 years have passed since the Holocaust almost, and it perhaps fades in our immediate memory. But ceremonies like this are critically important to remind us that we need to be vigilant.

The gentleman from Virginia correctly observed that the rotunda is an appropriate place to have this ceremony. There probably is no place in the world seen as a symbol of the defense of freedom more than the rotunda. So I am pleased, along with the gentleman from Virginia (Mr. CANTOR) and the gentleman from Ohio (Mr. NEY), the chairman of our committee, whose leadership on these types of issues has been always present and always effective, I am pleased to join them in support of this resolution.

Mr. GILMAN. Madam Speaker, I rise in support of H. Con. Res. 325 and commend the gentleman (Mr. NEY) for bringing this important measure to the floor at this time.

When we talk of the Holocaust we speak of something unprecedented in human history; an abominable atrocity, distinct from any other. The mass murder that was inflicted upon the Jews and a variety of ethnic communities, political groups and unarmed military personnel, must be viewed both as crimes against humanity and acts of genocide and should be remembered as such.

Let us also remember the compassion of the many brave men and women who risked their lives to rescue and shelter Jewish refugees fleeing the Nazi reign of terror. The incidents of countless non-Jews who risked their lives to protect people of another faith were a real as the Nazi death camps themselves.

Yet, until recently, it was easy in the United States to forget the devastation of the Second World War, as this country was spared from the horrors of both the bombing and Hitler's "answer" to the age-old "Jewish Question." Today we are faced with those who wish to use terror as a "final solution," and we must remember the steadfastness and compassion of those who vowed not to give in to the terror that the Nazis inflicted on the civilized world.

Accordingly, I am pleased to support H. Con. Res. 325, authorizing the rotunda of the Capitol to be used on April 9, 2002, for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust. I urge my colleagues to overwhelmingly support this resolution, so that we may never forget the innocent victims of the Holocaust.

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

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Ohio (Mr. NEY) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 325.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. NEY. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the subject of H. Con. Res. 325, the concurrent resolution just agreed to.

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

There was no objection.

TOM BLILEY POST OFFICE BUILDING

Mr. PUTNAM. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1748) to designate the facility of the United States Postal Service located at 805 Glen Burnie Road in Richmond, Virginia, as the ''Tom Bliley Post Office Building''.

The Clerk read as follows:

H.R. 1748

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

SECTION 1. TOM BLILEY POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 805 Glen Burnie Road in Richmond, Virginia, shall be known and designated as the ''Tom Bliley Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the Tom Bliley Post Office Building.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. PUTNAM) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. PUTNAM).

GENERAL LEAVE

Mr. PUTNAM. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1748.

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

There was no objection.

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

Madam Speaker, H.R. 1748, introduced by the distinguished gentleman from Virginia (Mr. CANTOR), a member of the freshman class, designates the facility of the United States Postal Service located at 850 Glen Burnie Road in Richmond, Virginia, as the Tom Bliley Post Office Building. Members of the entire House delegation from the Commonwealth of Virginia are cosponsors of this legislation.

Madam Speaker, Tom Bliley began his political career in 1968 when he was elected to the Richmond City Council and served as vice-mayor. In 1970 he was elected mayor and served in that capacity until 1977. He returned to the family funeral home business until he announced his candidacy for Congress in 1980. He began his service in this Congress on the Committee on Commerce and would eventually become chairman after the historic 1994 elections. He worked with his colleagues on both sides of the aisle to enact major reforms of key industries, including telecommunications, banking, securities, the Internet, and satellite industries. I think that he would regard the Telecommunications Act of 1996 as his greatest accomplishment.

Madam Speaker, I urge adoption of H.R. 1748.

Madam Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I am pleased to join with my colleague from Florida in consideration of this resolution, H.R. 1748, legislation naming a post office after former Representative Thomas Bliley. H.R. 1748, introduced by the gentleman from Virginia (Mr. CANTOR) on May 8, 2001, has met the committee requirements and is supported and cosponsored by the entire Virginia delegation.

Former Representative Bliley, who represented the 7th Congressional District in Virginia, served with great distinction and honor in the Congress from 1980 to 2000. Former Representative Bliley began his political career in Richmond in 1968, first serving on the Richmond City Council, then vice-mayor, and later as mayor. A Democrat in State politics, Thomas Bliley switched to the GOP when he ran for Congress. Prior to leaving Congress, Representative Bliley served as the chairman of the House Committee on Commerce, whose agenda tackled such issues as telecommunications, energy, and environmental matters.

Madam Speaker, he was truly an outstanding member of this body.

Madam Speaker, I reserve the balance of my time.

Mr. PUTNAM. Madam Speaker, I yield 5 minutes to the gentleman from Virginia (Mr. CANTOR), the sponsor of this bill.

Mr. CANTOR. Madam Speaker, it is an honor to speak today in favor of legislation I have introduced to rename a post office building in Richmond, Virginia, after my predecessor, Representative Tom Bliley. Tom Bliley served in this body for 20 years before he retired at the end of the 106th Congress. He served with distinction as a valued member of the Republican Conference and as chairman of the prestigious House Committee on Commerce for 6 years. He was also a man who knew how to keep priorities in life. To those who know Tom Bliley, they know his faith, family, Georgetown basketball, and tennis are important to him.

After graduating from Georgetown University, he entered the Navy as an officer and would join the family funeral home business after his naval service. Tom ran for Richmond City Council in 1968 and won. Two years later, in 1970, he won a 2-year term as mayor of Richmond, a 2-year term that lasted for 7 years.

After 1977, he left the mayor's office and returned to private life. In 1980, Tom Bliley was elected to Congress on the same day as Ronald Reagan. He secured his seat on the House Committee on Energy and Commerce, and immediately began working to return power to the people through competition and elimination of bureaucratic waste and regulation. His biggest local accomplishment was securing Federal funding of the Richmond floodwall. He worked with Members of both sides of the aisle to achieve this important funding for the City of Richmond. The floodwall helped revitalize the downtown economy and is a lasting legacy to Tom Bliley's ability to work with various Members with different political philosophies to accomplish a goal for the good of the people.

Tom Bliley worked hard to advance many initiatives and was elevated to the chairmanship of the prestigious House Committee on Commerce in 1994. It was during this time he achieved his greatest accomplishments. He was able to find common ground with his colleagues to enact telecommunications reform, safe drinking water and food safety legislation, FDA reform, securities tort reform, and the Graham-Leach-Bliley financial services modernization act.

However, his biggest accomplishment in Congress was the Telecommunications Act of 1996, because it is the interstate highway act of the digital age. As the author of this act, he spearheaded the historic legislation bringing greater choice, lower price, and new innovative technologies to consumers. It will go down in history as one of the most important bills of the 20th century.

As an adoptive father, Tom cofounded the Congressional Coalition on Adoption and sponsored over 1 dozen different adoption bills. Most notably, he secured passage into law of the Adoption Awareness Act and was the author of the Hope for Children Act.

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He was the author of the Hope for Children Act to increase the adoption tax credits to $10,000. Tom truly stood up for children without voices, and his leadership on adoption issues is missed by a grateful Nation.

Madam Speaker, I would be remiss if I did not recognize another individual who Tom would say is most important, and that is his dear wife Mary Virginia, who now enjoys Tom even more as he is home that much more often, and without her sacrifice over these many, many years and decades, Tom could not have been the leader he was for the Richmond area as well as the Nation.

Madam Speaker, at this time I urge my colleagues to support this legislation.

It is an honor to speak today in favor of legislation I have introduced to rename a post office building after my predecessor, Representative Tom Bliley. Tom Bliley served in this body for twenty years before he retired at the end of the 106th Congress. He served with distinction as a valued member of the Republican caucus and as Chairman of the prestigious House Commerce Committee for six years. He was also a man who knew to keep priorities in life. To those who know Tom Bliley, you know his faith, family, Georgetown basketball, and tennis are important to him.

After graduating from Georgetown University, he entered the navy as an officer and learned history doesn't offer many crystal lessons for those who serve our nation's affairs but there were a few. The strongest lesson he learned and the one most valuable in our roles as House Members is that weakness on the part of those who cherish freedom inevitably brings a threat to that freedom.

After his service in the Navy, he joined the family funeral home business where he eventually assumed the role of President. During that time, he gained important business experience that shaped his attitude towards problems facing small business owners. One day, some community leaders in Richmond came to him and asked him to run for city council. Tom replied he didn't see how he could devote the time to it so they called on his father, who headed the business. They said to him, "This community has been good to you. You can give something back by letting Tom run for city council."

His father agreed. Tom ran. It changed the course of his life, for he was in public service for nearly 3 decades upon retiring in January of this year. Two years later, in 1970, he won a two-year term as Mayor of Richmond—a two year term that lasted for seven years. The seventies were some of the most racially divisive years in our nation's history and Richmond was no exception. During his tenure as mayor, Richmonders were able to pull together and survive these troubled times.

Richmond survived because people worked together to find a common good. His tenure as mayor taught him a lot—lessons that were invaluable to him in the years that followed: understanding that the other fellow has a point of view, understanding that compromise without forsaking your principles is a good thing, and understanding that one can always seek a common ground if you keep your eye on the greater good.

After 1977, he left the mayor's office and returned to private life. In surprising news to many people in 1980, the incumbent Congressman from Richmond announced his retirement and Tom Bliley won the primary and was elected to Congress on the same day as Ronald Reagan. He secured a seat on the House Energy and Commerce Committee and immediately began working to return power to the people through competition and elimination of bureaucratic waste and regulation.

At the same time, he never forgot where he came from and would dutifully mind the business of his constituents. His biggest local accomplishment was securing federal funding of the Richmond flood wall. He worked with Members of both sides of the aisle to achieve this important funding for the city of Richmond. The flood wall helped revitalize the downtown economy and is a lasting legacy to Tom Bliley's ability to work with variouis members with different political philosophies to accomplish a goal for the good of the people.

Tom Bliley worked hard to advance many initiatives and he would go on to say that Republicans caught lightening in the bottle when they swept control of the U.S. House of Representatives for the first time in 40 years in 1994. This historic election elevated Tom Bliley to the Chairmanship of the prestigious House Commerce Committee. It was during this time he achieved his greatest accomplishments. He was able to find common ground with his colleagues to enact telecommunications reform, safe drinking water and food safety legislation, FDA reform, securities tort reform, reform of the securities laws, Internet tax moratorium legislation, International Satellite privatlization, Electronic Signatures legislation, Satellite Home Viewer Act, and the Gramm-Leach-Bliley Financial Services Modernization Act.

However, his biggest accomplishment in Congress was the Telecommunications Act of 1996 because it is the Interstate Highway Act of the Digital Age. As the author of the Telecommunications Act of 1996, he spearheaded historic legislation knocking down regulatory barriers to competition in the telecommunications industry—bringing greater choice, lower prices and new innovative technologies to consumers. It will go down in history as one of the most important bills of the 20th century. It is the vehicle that fueled the technology revolution that is changing the way we live and work in the new century. It is not just about copper wires and telephone companies. It is about e-mail, wireless phones, satellite television, and lower local phone bills.

As a result of the Telecommunications Act, consumers now have a choice in their local phone company. Thanks to increased telephone competition, there are new local phone operators in all 50 states. Consumers have access to new, innovative technologies. Companies are now offering a bundled package of voice, video, and high-speed Internet access. Consumers can now purchase a variety of wireless phones at affordable prices.

The Virginia gentlemen served with distinction but I would be remiss not to talk about his wonderful wife, Mary Virginia, his two children, and four grandchildren. He reserved Sunday for family time and always turned down interviews on Sunday because that is when he

took his wife to Mass. His commitment to setting aside time on the weekends for his family gave him peace and solitude away from the nation's business in Washington, D.C.

As an adoptive father, Tom co-founded the Congressional Coalition on Adoption and sponsored over one dozen different adoption bills. Most notably, he secured passage into law the Adoption Awareness Act and was the author of the Hope for Children Act to increase the adoption tax credit to $10,000. I am very pleased to say that my friend, JIM DEMINT, reintroduced the Hope for Children Act this year and it was signed into law by President Bush. Tom truly stood up for children without voices and his leadership on adoption issues is missed by a grateful nation.

I urge my colleagues to support this legislation.

Mr. DAVIS of Illinois. Madam Speaker, I yield such time as he may consume to the distinguished gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT. Madam Speaker, I thank the gentleman from Illinois (Mr. DAVIS) for yielding me time.

Madam Speaker, I rise today in honor of our former congressional colleague and former Virginian, Tom Bliley, for his many years of public service to Virginia and to the Nation. I am, therefore, proud to join my other Virginia colleagues in cosponsoring this bill to name a post office in Richmond, Virginia, in his honor.

Tom Bliley dedicated over 32 years of public service, and 20 of those years have been as a Member of Congress representing the Seventh Congressional District of Virginia culminating in his chairmanship of the Committee on Energy and Commerce.

Before coming to Congress he served on city council and as mayor of Richmond, Virginia. In addition, Tom is the former president of Joseph Bliley Funeral Homes, where he gained an appreciation of the problems facing the small businessman. During his lengthy career he gained respect of Members from both sides of the aisle and from his constituents in the Seventh District. Tom and I both represented parts of Richmond, Virginia, for 8 years, and I was fortunate to be able to work with him on many issues important to the capital of the Commonwealth and, indeed, the Nation.

He was instrumental in ensuring the resources of the James River were efficiently utilized for commerce and recreation. The floodwall mentioned by my colleague from Virginia was part of that effort. He and I worked together to see that the James River and Kanawha Canal riverfront project became a reality. This project restored a portion of the historic canal through the city of Richmond, which is a main hub for revitalization of the historic riverfront. He even sponsored legislation to ensure that the Army Corps of Engineers maintained the James River as a navigable waterway so the commercial and trade enterprises would not be compromised.

I am particularly grateful for his work on the Richmond National Battlefield Park legislation which included recognition of the Battle of New Market Heights as a premier landmark in African American military history.

With his many accomplishments Tom worked across party lines and with his Virginia delegation colleagues to best represent the issues in interest to the Seventh Congressional District. It is a fitting tribute to his career of public service to honor him with the naming of this post office in Richmond, Virginia.

Madam Speaker, I therefore urge my colleagues to support this legislation.

Mr. PUTNAM. Madam Speaker, I yield 3 minutes to the distinguished and learned gentleman from North Carolina (Mr. COBLE).

Mr. COBLE. Madam Speaker, I thank the gentleman from Florida (Mr. PUTNAM) for his generous introduction. I appreciate that.

Madam Speaker, we serve here in the people's House with dozens of people who represent a wide array of constituents. Some Congressmen stand out as particularly prominent. Tom Bliley is one of these. My staff always referred to him as the Virginia gentleman. He is indeed the Virginia gentleman, bow tie and all.

When grading or rating elected officials, Madam Speaker, certain qualifications surface; integrity, accessibility, willingness to work, among others. Tom Bliley passes these tests with flying colors.

I have spent a good amount of time in their Richmond, Virginia, home, and I came to know Mary Virginia, his wife, well. She has offered him continuous and consistent support during his time in public life.

I have observed Tom Bliley responding to his constituents, expressing care, concern, sensitivity as he went about helping them resolve their various problems. He served that beautiful historic city on the banks of the James River as its mayor, as has been previously stated, prior to his having been elected to serve in the people's House where he served for two decades.

Madam Speaker, I am pleased, indeed, to heartily endorse the proposal to have the post office which serves the West Hampton area in Richmond as the Tom Bliley Post Office, the inimitable Virginia gentleman.

Mr. DAVIS of Illinois. Madam Speaker, I would urge swift passage of this measure.

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

Mr. PUTNAM. Madam Speaker, I yield 2 minutes to the gentleman from the Commonwealth of Virginia (Mr. TOM DAVIS).

Mr. TOM DAVIS of Virginia. Madam Speaker, I rise today to pay tribute to my friend and former colleague from Virginia's Seventh Congressional District, Tom Bliley, and also to support H.R. 1748, to designate the U.S. Post Office on Glen Burnie Road in Richmond, Virginia, in the chairman's honor. This represents an important way of saluting his service to the Commonwealth and to the country.

Mr. Bliley served as chairman to the House Committee on Energy and Commerce for three terms ending in 2000. He was hand-picked by then-Speaker Gingrich over more senior Members, and his agenda during those 6 years was quite simply to promote commerce.

As chairman, Mr. Bliley was a pragmatist, willing to broker deals behind doors with ideological friends and foes alike. As a result, the committee became one of the most constructive in Congress, promoting free and fair markets, standing for consumer choice and common-sense safeguards for our health and our environment, and keeping a watchful eye on the Federal bureaucracy.

The pleasant, soft-spoken mortician, once dubbed in a magazine's cover story as the most influential funeral director on Earth, started his political career in 1968 when civil leaders sought him to run for the Richmond City Council. He served the city for almost a decade, not only on the council, but also as vice mayor, and then becoming mayor until 1977 when he retired to devote more time to his funeral home business. However, the chairman was not out of politics for long. He enthusiastically reentered when Democrat David Satterfield announced his retirement from Congress in 1980.

Since his first election to Congress, the chairman was recognized by many organizations for his work. He served in various roles with the NATO Parliamentary Assembly. From November of 1994 to October of 1998, he was chairman of its economic committee, and in November 1998, he became one of four Vice Presidents, and with the resignation of its President in 2000 of May, the chairman became acting President.

His commitment to balancing the Federal budget earned him the National Watchdog of the Treasury's ''Golden Bulldog Award'' every year since 1981. He was named a Guardian of Small Business by the NFIB. He has been called the most powerful Virginian since Harry Byrd, and the National Journal cited him as Mr. Smooth.

Madam Speaker, I join with my fellow Virginia colleagues in honoring Tom Bliley, thanking the chairman for his service to our Commonwealth and to our Nation. He has been a friend and mentor to me and many others. His presence in this Chamber has been missed, and I urge passage of this bill.

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

Madam Speaker, it is clear that the gentleman from Mississippi, Mr. Bliley, whom we honor today, has earned the respect of his colleagues on both sides of the aisle and is highly deserving of this honor. Therefore, Madam Speaker, I urge adoption of this measure.

Mr. FORBES. Madam Speaker, as an original cosponsor of this legislation, I wanted to

offer my strong support for this bill and to express my admiration for Congressman Tom Bliley and his distinguished career.

Even before his election to Congress in 1980, Congressman Bliley had already accomplished what many would consider a lifetime of service to his country. He was born just south of the James River in Westover Hills. After graduating from Georgetown University, Tom Bliley joined the Navy as an officer where he rose to the rank of lieutenant. Between 1970 and 1977 Congressman Bliley served as Mayor of Richmond. It was his steady hand and wisdom that were credited for guiding the city through some of its most turbulent times.

Many of us here in Congress came to know Congressman Bliley during his twenty years of service in the House of Representatives. Congressman Bliley retired at the end of the 106th Congress as the distinguished Chairman of the House Commerce Committee. While I did not have the honor of serving with Tom Bliley in Congress, I did have the opportunity to work closely with Congressman Bliley on many occasions during my time in the Virginia General Assembly and have always admired his demeanor and dedication to making Virginia and America a better place.

We often see in politics today elected officials that come to Washington to serve themselves rather than their constituents. We often see politicians that cannot resist the temptation to engage in destructive politics. After all, we are all human. However, during his time in Congress Tom Bliley never forgot the people who sent him to Washington and why they sent him in the first place. During every minute of his time in Congress Tom Bliley always had the respect and admiration of his colleagues. Few can make such a claim.

Madam Speaker, I hope the soon to be Tom Bliley Post Office Building will serve as bold tribute to a distinguished Virginian and a noble statesman.

Mr. SCHROCK. Madam Speaker, it is my pleasure to rise today in support of H.R. 1748, which will honor our good friend, Congressman Tom Bliley. For over thirty years, Tom served the people of Richmond and the people of the Commonwealth of Virginia.

As a Vice Mayor and Mayor of Richmond and as the Congressman representing Virginia's Third and Seventh Districts, Tom worked to bring opposing sides together on issues of contention. As Chairman of the House Committee on Commerce, Chairman Bliley brought together lawmakers with very differing views to find consensus on some of the most important laws regulating telecommunications, capital markets, energy, and healthcare. At the same time, Tom stuck to his guns and remained a staunch conservative.

Tom took the helm of the Commerce Committee when we were beginning to see the first stages of the Information Age in the late 1990s. In the six years that he was chairman, the Internet grew exponentially and the telecommunications industry made many important developments. Chairman Bliley avoided knee-jerk reactions to regulate these growing industries, allowing them to grow and flourish.

In addition to serving as a powerful committee chairman, Tom was an ardent advocate for his constituents, making no apologies for working to gain federal support for important projects in his district. From the floodwall along the James River in Richmond to renovation of Main Street Station, Tom looked after his district very closely.

Perhaps Tom's most valuable achievements in Congress were in the area of adoption advocacy and legislation. The adoption tax credit legislation that he shepherded became known as the Tom Bliley Adoption Tax Credit and I am pleased that Congress was able to include expansion of the tax credit in the tax relief legislation passed last year.

Though he has retired from Congress, Tom has not ended his service to the Commonwealth of Virginia. He now sits on the Board of Visitors for the University of Virginia and Affiliated Schools, working to improve higher education quality and expand educational opportunities in Virginia.

I am pleased to be a co-sponsor of H.R. 1748, which will recognize Chairman Bliley for his service to Virginia and his country. His record of distinguished service demonstrates to us all his commitment to the values and principles of freedom and public service. The Tom Bliley Post Office Building will be a testament to his service and dedication, and I urge passage of this legislation.

Mr. DINGELL. Madam Speaker, I rise today in support of H.R. 1748, a bill to designate the United States Postal Service building located at 805 Glen Burnie Road in Richmond, Virginia, as the ''Tom Bliley Post Office Building.''

Before his departure from the House of Representatives at the conclusion of the 106th Congress, Tom Bliley and I had served together for two decades on the House Committee on Energy and Commerce. As Chairman of the Committee on Commerce during the 104th, 105th, and 106th Congresses, Tom worked to address difficult topics across the vast range of the Committee's jurisdiction.

Tom reached out in a bipartisan manner to move important legislation through the Committee, including the Telecommunications Act of 1996, the Safe Drinking Water Act Amendments of 1996, the State Children's Health Insurance Program, the Food and Drug Administration Modernization Act of 1997, and Digital Signatures legislation. I note that this bipartisanship on the Committee came during a time of intense partisanship in the House.

When we were adversaries, Tom remained a gentleman and a friend. I value his friendship and thank him for his.

I congratulate Tom on his two decades of worthy service to his constituents, the Committee, and the House of Representatives, and can think of no more fitting way to honor him and his fine public service than by dedicating this U.S. Post Office building in his honor.

Mr. WOLF. Madam Speaker, it is a privilege to rise today and join fellow members of the Virginia delegation and other colleagues in support of H.R. 1748, to designate the facility of the United States Postal Service located at 805 Glen Burnie Road in Richmond, Virginia, as the ''Tom Bliley Post Office Building,'' and to pay tribute to our former Virginia colleague who retired from this House at the end of the 106th Congress.

Tom Bliley is a true Virginia gentleman who epitomizes the highest ideals of public service. He came to Congress with me in 1981. It was an honor to serve side by side with him for 20 years. Tom was a perfect match for Virginia's 7th District which includes the city of Richmond, as this is a district replete with a tradition of true statesmen.

Tom left the Congress, having served as chairman of the Commerce Committee, a responsibility he took seriously and performed with incredible legislative skill and expertise. He showed an amazing ability to deal with such complex issues as the electric utility grid and Medicaid formulas to home medical services and drug discounts for veterans.

Tom had a diverse political career before even making his way to Capitol Hill. He was first elected to the Richmond Council as a conservative Democrat in 1968, then as mayor of Richmond from 1970–77, and eventually to the House of Representatives—this time as a Republican. His unique background enabled him to work to achieve bipartisan results while never losing sight of the issues which were important to his district and his constituents.

It is a fitting tribute that a postal facility in his hometown of Richmond will bear his name and will honor his years of service to the Commonwealth of Virginia and to the nation.

Mr. MORAN of Virginia. Madam Speaker, I rise in support of this effort to honor my friend Tom Bliley.

Tom Bliley was first elected to this body in 1980, after a successful career as a businessman and serving on the City Council and later as Mayor of Richmond. Throughout his service in Congress, Tom Bliley was a strong advocate of fiscal responsibility, the free market and consumer choice. As Chairman of the House Commerce Committee for three terms, he steered some of the most significant legislation through Congress in recent years.

Chairman Bliley also served as the dean of the Virginia delegation and, true to this role, he was a leader to all of our Members. We all enjoyed his friendship, and great sense of humor. Tom fought hard to represent the interests of his congressional district, constantly attending to the needs in his local community. Virginia has benefitted enormously from Congressman Bliley's lifetime of public service. A master in the art of bipartisan compromise, bold leadership, and legislative vision, Tom Bliley is an example to all of us. Honoring his tenure in the House of Representatives by designating the Tom Bliley Post Office is a fitting farewell.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Florida (Mr. PUTNAM) that the House suspend the rules and pass the bill, H.R. 1748.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

BOB DAVIS POST OFFICE BUILDING

Mr. PUTNAM. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2577) to designate the facility of the United States Postal Service located at 310 South State Street in St.

Ignace, Michigan, as the ''Bob Davis Post Office Building.''

The Clerk read as follows:

H.R. 2577

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

SECTION 1. BOB DAVIS POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 310 South State Street in St. Ignace, Michigan, shall be known and designated as the ''Bob Davis Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the Bob Davis Post Office Building.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. PUTNAM) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. PUTNAM).

GENERAL LEAVE

Mr. PUTNAM. Madam 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 Florida?

There was no objection.

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

Madam Speaker, H.R. 2577, introduced by our distinguished colleague, the gentleman from Michigan (Mr. STUPAK), designates the facility of the United States Postal Service located at 310 South State Street in St. Ignace, Michigan, as the Bob Davis Post Office Building. Members of the entire House delegation from the State of Michigan are cosponsors of this legislation.

Madam Speaker, Bob Davis served in the House of Representatives for 14 years, from 1979 to 1993. He was a member of the House Committee on Armed Services and was also ranking member of the Committee on Merchant Marine and Fisheries.

Among his final acts was sponsorship of the law that created the Calumet Historic Park on Michigan's Keweenaw Peninsula. Madam Speaker, I urge adoption of H.R. 2577.

Madam Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, as a member of the House Committee on Government Reform, I am pleased to join my colleague in consideration of H.R. 2577, legislation naming a post office after former Representative Robert W. Davis of Michigan, H.R. 2577, introduced by the gentleman from Michigan (Mr. STUPAK) on July 19, 2001. This legislation has met the committee requirement and is supported and cosponsored by the entire Michigan delegation.

Former Representative Bob Davis began his political career in local and State politics. He served on the St. Ignace City Council and in the Michigan house and senate. Elected to Congress in 1978, Bob Davis represented the 11th Congressional District and served until the end of the 102nd Congress. A member of House Committee on Armed Services and the Committee on Merchant Marine and Fisheries, former Representative Bob Davis worked hard to promote funding for the Coast Guard and to assist local businesses to secure Federal contracts.

He was an ideal Representative, always looking after the needs of his constituents.

Madam Speaker, I reserve the balance of my time.

Mr. PUTNAM. Madam Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. BURTON), the distinguished chairman of the Committee on Government Reform.

Mr. BURTON of Indiana. Madam Speaker, I appreciate the gentleman from Florida (Mr. PUTNAM) for yielding me time; and I appreciate the gentleman from Michigan (Mr. STUPAK) for introducing this legislation.

I think the achievements of Bob Davis have been covered and will be covered by the colleagues of mine from the Michigan delegation, but one thing I would like to say is that I was a personal friend of Bob Davis while he was a Member of the House. We participated in sports activities as well as cosponsored legislation here on the floor of the House. There was no finer Representative from the State of Michigan than Bob Davis.

He was an outstanding Member. He really cared about his constituents, and he worked very, very hard. He continues to work hard here in Washington, D.C., advising Members of Congress about legislation that he has an interest in.

So if Bob Davis is watching, we are glad to do this today. We are very happy to name this post office after you. I hope all the people of his district appreciate the work you have put forth on their behalf.

Bob Davis was born in Marquette, Michigan. He graduated from high school in St. Ignace, Michigan.

He attended Northern Michigan University and Hillsdale College, and graduated from Wayne State University in 1954 with a degree in Mortuary Science.

After working as a mortician and funeral director in St. Ignace, Bob was elected to the City Council in 1964 and to the Michigan House of Representatives in 1966.

Bob served in the Michigan House of Representatives from 1966 until 170, when he was elected to the Michigan Senate.

Bob served in the Michigan Senate until 1978. He was Senate Republican Leader from 1974 until 1978.

Bob was first elected to the United States House of Representatives in 1978. He was elected to six more terms before retiring in 1992.

Bob served on the Merchant Marine and Fisheries Committee and the Armed Services Committee. He was a tireless advocate for his district's interests, and a great supporter of the United States Coast Guard.

Mr. DAVIS of Illinois. Madam Speaker, I yield such time as he may consume the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. Madam Speaker, I thank the gentleman from Illinois (Mr. DAVIS) for yielding me time.

Madam Speaker, I am pleased to offer H.R. 2577, to designate the facility of the United States Postal Service located at 310 South State Street in St. Ignace, Michigan, as the Bob Davis Post Office.

Nearly 30 years of public service is a record that Bob Davis has compiled to the people of northern Michigan, and I think that years of service deserves recognition. The designation of this post office will be a fitting tribute to a person who worked to improve the quality of life for the people not only of northern Michigan, but all of Michigan.

Mr. Davis started out as a funeral director, much like Mr. Bliley who we just honored a few minutes ago. He was the head of the Davis Funeral Home in St. Ignace. After that, he got involved in local politics and became councilman on the St. Ignace City Council from 1964 to 1966.

Bob Davis was devoted to the St. Ignace community, as we have heard, by serving as president of the St. Ignace Area Chamber of Commerce, president of the St. Ignace Area Industrial Development Corporation. He has been a member of the local Lions Club, the Masonic Lodge, the Royal Arch Masons, Shriner and Eagles Lodge.

It was through this civic involvement that Bob Davis was then elected to State representative in 1966 and elected State senator in 1970, becoming the senate majority leader of the Michigan Legislature in 1974.

Bob Davis went on and served as a delegate to the Michigan State Republican Convention in 1966 through 1978.

□ 1445

Mr. Davis continued his public service by being elected to Congress, serving from January 3, 1979, to January 3, 1993.

As has been stated, he was the ranking member on the House Committee on Armed Services and was especially involved in the Subcommittee on Military Research and Development. He was also ranking member on the merchant marine and fisheries committee.

Among one of his final acts, a project we all continue to work on and Mr. Davis was very proud of, was the sponsorship of the law that created the Calumet Historical Park on the beautiful Keweenaw Peninsula.

His district office, he was the first one to start putting forth district offices, focused on case work and economic development, proving his devotion to constituent service and economic development in a very tough area of northern Michigan.

He returned home to Michigan virtually every other weekend, crisscrossing a district that is one of the

largest in the United States. Madam Speaker, I know how big this district is. Twice now it has been reapportioned, and twice it has gotten larger each time, and right now it is one of the largest in the United States. So just getting back and forth and traversing that large district in and of itself is a chore that we undertake. As I said, Mr. Davis did it every other weekend.

So I think, Madam Speaker, a fitting tribute to Bob Davis' service to northern Michigan would be naming the St. Ignace Post Office after him, the Bob Davis Post Office, and I would like to thank the chairman of the Committee on Government Reform, the gentleman from Indiana (Mr. BURTON); and the gentleman from California (Mr. WAXMAN), the ranking member; the gentleman from Florida (Mr. PUTNAM); and the gentleman from Illinois (Mr. DAVIS) for their courtesies, and I ask all my colleagues to support this bill.

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

We have no further speakers on this side. It is clear that Mr. Davis again enjoys broad support and respect from both sides of the aisle, and we appreciate the gentleman from Michigan (Mr. STUPAK) bringing his accomplishments to the attention of the House. Madam Speaker, I urge adoption of this measure.

Madam Speaker, I yield back the balance of my time.

Mr. DAVIS of Illinois. Madam Speaker, we have no further speakers, and I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Florida (Mr. PUTNAM) that the House suspend the rules and pass the bill, H.R. 2577.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

COMMENDING PRESIDENT PERVEZ MUSHARRAF OF PAKISTAN FOR HIS LEADERSHIP AND FRIENDSHIP AND WELCOMING HIM TO THE UNITED STATES

Mr. HYDE. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 324) commending President Pervez Musharraf of Pakistan for his leadership and friendship and welcoming him to the United States.

The Clerk read as follows:

H. CON. RES. 324

Whereas President Pervez Musharraf of Pakistan has shown courageous leadership in cooperating with the United States in the fight against terrorism;

Whereas President Musharraf has shown great fortitude in confronting extremists and outlawing terrorism in Pakistan;

Whereas the efforts of President Musharraf in fighting terrorism are both in the national interest of Pakistan and of great importance to Pakistani-American relations;

Whereas the war against terrorism underscores the importance of strengthening the historic bilateral relationship between the United States and Pakistan;

Whereas President Musharraf has worked to improve the political representation of minorities in Pakistan; and

Whereas the Pakistani-American community in the United States makes important contributions to the United States and plays a vital role in developing a closer relationship between the peoples of the United States and Pakistan: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress commends President Pervez Musharraf of Pakistan for his leadership and friendship and welcomes him to the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois (Mr. HYDE).

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

I am pleased to call up the resolution to welcome President Musharraf on his most important visit to Washington. I am a cosponsor of this resolution that was introduced today by the distinguished gentleman from Pennsylvania (Mr. PITTS), a member of the Committee on International Relations.

Pakistan has been in the forefront of the war on terrorism, and their efforts to assist the United States have been essential to the great successes to date. The importance of the growing relationship between our two countries is the prevention of further terrorist attacks, and hopefully it will contribute to economic development and stability within Pakistan.

President Musharraf has taken many steps to arrest al Qaeda members and has been working diligently on the release of kidnapped journalist Daniel Pearl. He has undertaken other efforts to curtail the detrimental activities of extremist Islamic groups and has shown particular leadership in trying to take his country in a new direction.

Through this resolution we acknowledge President Musharraf's sincere efforts to improve the security in the region and give hope for a bright future for his country and its deserving people.

I urge the support of my colleagues as we welcome the President of Pakistan to our country.

Madam Speaker, I reserve the balance of my time.

Mr. LANTOS. Madam Speaker, I yield myself as much time as I might consume.

I rise in strong support of this resolution.

I would first like to commend the gentleman from Pennsylvania (Mr. PITTS) for introducing this important resolution, and I want to thank my friend the gentleman from Illinois (Mr. HYDE), the chairman of the Committee on International Relations, for allowing it to move so expeditiously to the floor of the House.

Madam Speaker, 5 months after September 11, we now fully understand the long-term impact of that fateful day. The patterns of international power have been scrambled, and the United States has reexamined its bilateral relationship with almost every nation on the planet.

Today, all the great powers are united against the forces of barbarism. Not since the end of the Second World War have all the nations of the civilized world, including China, Russia, Japan, India, Pakistan and the nations of Europe, joined in common cause against a common enemy.

For some nations in this historic alliance, there was never a doubt that they would be with us in this struggle. For other nations, it was not to be an easy decision. The leaders were buffeted by competing pressures, and the course of least resistance would have been to duck and cover.

Madam Speaker, Pakistani President Pervez Musharraf made a strong and courageous decision to stand with the United States in this battle against terrorism. As a result, Pakistan has become an important ally in this epic struggle.

While all the nations in the global alliance have made some contributions to the battle against terrorism, Pakistan, by virtue of geography and history, has had to shoulder a uniquely heavy burden. It is true that Pakistan had a hand in creating the Taliban, and we cannot forget this, but it is also true that Pakistan is playing a critical role in ensuring that Afghanistan and Pakistan are no longer used as a base for international terrorism.

In his historic speech on January 12, President Musharraf made an eloquent and compelling call for an end to the extremism and terrorism that has plagued Pakistan for the past decade. As we laud him for making the right choice, we must acknowledge that it will not be an easy commitment for him to keep.

Indeed, the kidnapping of Daniel Pearl, an American journalist working in Pakistan, is only the latest manifestation of the life-and-death struggle that is being waged for the future of Pakistan. It is a battle against the anarchist forces of Islamic extremism and violence which seek to capitalize on the despair of the poor. It is a battle that Musharraf must win if he is to restore hope to the people of Pakistan and secure a future for the children of Pakistan.

Madam Speaker, it is vital that the United States demonstrate to the people and Government of Pakistan our commitment to help them secure that future as long as Pakistan continues its commitment to eradicate international terrorism from within its borders.

Finally, I want to reiterate to the people of Pakistan our continued support for a return to democracy in Pakistan. President Musharraf has given

his word that he is committed to democracy, and we in the Congress intend to hold him to his word.

I urge my colleagues to support H. Con. Res. 324.

Madam Speaker, I reserve the balance of my time.

GENERAL LEAVE

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

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

There was no objection.

Mr. HYDE. Madam Speaker, I am pleased to yield 3 minutes to the distinguished gentleman from Pennsylvania (Mr. PITTS), who is the author of this excellent resolution.

Mr. PITTS. Madam Speaker, I rise today to speak in favor of this resolution welcoming President Musharraf in his visit to the United States this week. He has shown very bold leadership in cooperating with the United States in the war against terrorism. He has made some very difficult decisions, which were politically risky for him to do. Had he chosen the politically easy path, the great successes of the past months would not have been possible.

I think history will describe him as a courageous leader. Despite great risk to himself, to his government, he stood up for what was right and against what was wrong. He has cracked down on the extremists, the terrorists in his country. He has publicly spoken out and cracked down on the leaders guilty of hate speech. He shut down some of the madrassas which were teaching children to hate. He has acted to reform the education those young people receive.

He has put his military into tribal areas along the western border where military forces have never been in their history, as under the British arrangement tribal law supersedes national law. He had to make special negotiations and arrangements to put his military along the western border to interdict the terrorists, the al Qaeda network, as they sought to flee Afghanistan, and he has turned those al Qaeda terrorists over to the United States. In my mind these actions are the definition of courage.

It is no secret that Pakistan is an important ally of the United States. It has been for years. Yet Pakistan faces many challenges. President Musharraf has made good-faith efforts to weed out extremism, restore democracy and the rule of law, to ensure stability in a region that is torn by conflict.

In addition, President Musharraf has led historic change in his country by abolishing the separate electorates that disenfranchised minority ethnic and religious groups and boldly mandating a joint electoral system.

The joint electorate will help ensure that elected officials must respond to the needs of all people in Pakistan instead of ignoring the important issues, particularly fundamental human rights issues, facing ethnic and religious minorities.

I applaud President Musharraf for bringing one of the biggest steps forward for human rights in Pakistan, and I encourage President Musharraf to continue in this direction bringing further reform to eliminate discriminatory laws and procedures, such as the blasphemy law, and to protect and uphold the fundamental human rights of all people in Pakistan.

I thank the gentleman from Illinois (Mr. HYDE), the gentleman from California (Mr. LANTOS) for cosponsoring this resolution, and I urge my colleagues to join me in recognizing the courage, the leadership, the progress of President Musharraf of Pakistan as he visits the United States by voting for this resolution.

Mr. HYDE. Madam Speaker, I am pleased to yield 3 minutes to the learned gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. Madam Speaker, I thank the gentleman from Illinois (Mr. HYDE) very much for the time. I want to thank the gentleman who just spoke for introducing this legislation.

I think everything that has been said about Musharraf is accurate and well deserved, but I would like to just digress for a moment and point out that Pakistan has been an ally and friend of the United States as far back as I can remember.

During the Cold War, when other countries in the region were supporting the Soviet Union, at a time when the United States was concerned about its security and an attack from the Soviet Union, Pakistan was always there. When we had the war in Afghanistan the first time, when the Soviet Union invaded, Pakistan was there. They served as a conduit for American supplies going in to stop the Soviet advance.

When we went to Somalia, and there is a movie that is called Black Hawk Down that talks about the travails we experienced in Somalia, Pakistan sent troops, and they were there.

□ 1500

And now, President Musharraf has taken up the mantle of leadership in Pakistan, and he is likewise a great supporter of the United States and the things we jointly believe in. He has arrested and detained over 2,000 militant leaders and extremists in working with us to stop the terrorist threat around the world. He has banned groups that support terrorism, frozen their bank assets and their accounts, clamped down on their fund-raising and closed their offices. In short, he is a friend and ally of the United States even though he has put himself and his administration at risk by doing so.

So, along with my colleagues, I want to welcome President Musharraf to the United States; and I want to say a very strong thank you to him and to the people of Pakistan and the Government of Pakistan, because every time America asks them, unlike some of the other people in that area, they are always there to march beside us. So, President Musharraf, thank you very much for all you do for us and for the free world.

Mr. HYDE. Mr. Speaker, I am pleased to yield 1 minute to the distinguished gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Speaker, I thank the ranking Member and the chairman for bringing this resolution before the House.

The Pakistani word for ''thank you'' is shukrva. So we express shukrva to all our Pakistani friends in this country and around the world, and especially to President Musharraf. He has made dramatic changes that most of us thought were impossible. It has made a huge difference in our efforts to succeed in the war against terrorism, and hopefully it is going to be the catalyst that allows us to solve many problems, including that of Kashmir and other areas around the world.

So again I suggest we say shukrva to our Pakistani friends.

Mr. McDERMOTT. Mr. Speaker, I rise to join with my colleagues to welcome General Musharraf to the United States. The friendship exhibited by the General's government has been an important component of the war on terrorism. Moreover, the courage that General Musharraf has shown in taking a stance against Pakistan's traditional ally, the Taliban, has been especially welcome.

While we welcome General Musharraf to Washington and congratulate him on his commitment to participating in our war on terrorism, we must also ask our friends in Pakistan some hard questions. For instance, we must ask Pakistan to show the world that it does not support cross-border terrorism into India. Pakistan must clamp down on the dozens of fighters that cross daily into Jammu and Kashmir from Pakistan Occupied Kashmir (POK). If, as the General claimed last week, the fighting in Jammu and Kashmir is indigenous to India, will he order that his borders are tightly sealed against the radical Islamic militants who are based on Pakistani soil and wage war in India?

The General's government would gain tremendously in the international community if it also divulges to the world the status of the ''Twenty Most Wanted''—the list of international terrorist leaders that are accused of being sheltered in Pakistan. There can be no doubt that terrorism is alive in Pakistan—we have only to look to the case of the journalist, Daniel Pearl, to show us the Pakistan has not been able fact clamped down on terrorism. Without a sincere, public and tangible series of steps on the part of the General and his government, Pakistan's commitment to fighting terrorism is questionable.

We must also ask the General when he intends to move Pakistan towards democracy. General Musharraf has ignored or had changed Supreme Court orders regarding local elections, and other distinct steps towards a return to democracy. Pakistan has had a long history of democratic instability,

and I do not believe that the current global upheaval can justify delay in the return of democracy to Pakistan. We all hold the ideals of democracy and personal freedoms as sacrosanct, and we should not allow our friends in Pakistan to lapse in their progress towards democracy.

I truly extend my gratitude and hand of friendship towards General Musharraf during his visit. But I also must extend my concern that he and those of his ruling stratocracy are not committed to the same goals of peace, stability and democracy that we are. I ask the General to dispel my hesitations and declare loudly that he is truly moving Pakistan towards democracy and that he is staunchly against all international terrorism. Until he stops bizarre diversions like blaming India for the kidnapping of Daniel Pearl and gets serious, it is going to be hard for us to take Pakistan and its interests as anything but dubious.

[From the Washington Post, Feb. 12, 2002]

MR. MUSHARRAF IN WASHINGTON

Gen. Pervez Musharraf of Pakistan arrives in Washington today for what likely will be, at least in part, a celebration of his readiness to join the U.S.-led campaign against terrorism. Any political boost he reaps from his scheduled White House meeting with President Bush will be largely justified; Mr. Musharraf's cooperation has been instrumental to the military campaign in Afghanistan, and his strong public initiative to arrest and reverse the mounting influence of Islamic extremists in Pakistan may prove even more important over time. But the general's visit needs to be more than a love fest. For all he has done in the past five months to advance the counterterrorist cause, the Pakistani leader has much more to do; and the Bush administration should match the political and economic rewards it offers him with concerted pressure to move ahead.

The need to keep pressing Pakistan's ruler seems all the more urgent because of the worrisome signs he offered in the days before his visit. Mr. Musharraf promised in a landmark speech last month to end Pakistan's support of terrorists who have been crossing its border to carry out attacks in India, including an assault on the Indian parliament in December that brought the two countries close to war. But last week he delivered another address that restated Pakistan's longstanding official position that the fighting in Indian-controlled Kashmir is the result of an ''indigenous'' rebel movement that deserves Pakistan's support. At face value, that stand might look legitimate; but the problem is that Pakistani governments for years have used that formulation as a cover to foment and supply the Kashmir insurrection.

Mr. Musharraf has formally banned the Pakistani militant groups dedicated to the Kashmir cause, including several with close ties to the Afghan Taliban and al Qaeda as well as to Pakistan's military intelligence agency. But some in Pakistan suspect that despite hundreds of reported arrests, his crackdown has not been uncompromising, that many of the militants have been allowed to remain free in exchange for lying low. Those fears could only be heightened by the president's statements to The Washington Post last weekend about the kidnapping of American journalist Daniel Pearl, which Pakistani police believe was orchestrated by a well-known member of one of those extremist Muslim groups. Rather than blame the Pakistani terrorists, or the evident failure of his new campaign to stop them, Mr. Musharraf suggested that India might somehow be behind the kidnapping—an irresponsible and implausible suggestion that is not backed by evidence.

Mr. Musharraf's forthright public condemnations of Islamic extremism, which began well before Sept. 11, leave little doubt that he genuinely would like to fashion a moderate Muslim state that would resemble Turkey rather than Taliban-ruled Afghanistan. But the general faces strong opposition to his project, some of it within his own military; and where the extremists' cause intersects with that of Kashmir, a focus of Pakistani nationalism since the country's foundation, Mr. Musharraf may feel tempted to pull his punches. That is where the Bush administration should intervene: It should make clear to the Pakistani leader that he must decisively break with the terrorists on this front as on others. Mr. Musharraf wants U.S. help in persuading India to begin negotiations on Kashmir, and the Bush administration should weigh whether it can help galvanize a peace process without compromising its longstanding neutrality in that conflict. But it must be clear, too, that continued collaboration between Islamabad and Washington depends on Mr. Musharraf's campaign Islamic extremism proving aggressive and unambiguous in deeds, as well as in words.

Mr. ACKERMAN. Mr. Speaker, I rise today in support of the resolution commending and welcoming General Musharraf of Pakistan. It is fitting that we should commend him for his support of the U.S.-led war on terrorism. Mr. Musharraf has accommodated our requests for bases, allowed us to use Pakistani airspace and otherwise provided us with logistic and intelligence-related support for our operations in Afghanistan. For that we are truly grateful.

Rhetorically, Mr. Musharraf has aligned Pakistan with the nations opposed to terrorism, he abandoned his support of the Taliban in Afghanistan and recently met with Hamid Karzai the interim leader of Afghanistan offering his support for the new regime. In his speech of January 12, Mr. Musharraf pointed Pakistan away from Islamic extremism and back toward the goal of the founders of Pakistan: a secular, moderate, democratic, Muslim state. but there is a long way to go before Pakistan reaches that goal.

For too long, terrorist groups that operate across the line of control in India have been given safe haven in Pakistan. The authors of the attack on the Indian parliament last December and on the state assembly building in Srinigar last October found aid and support in Pakistan. White a series of high-profile arrests and the announcement of a formal ban on militant groups operating in Pakistani are good beginnings, the jury is still out on whether infiltrations across the line of control have stopped.

The steps taken to date are helpful but some recent backsliding is also in evidence. Last week, Mr. Musharraf claimed that the Indian intelligence services where behind the kidnaping of Wall Street Journal reporter Daniel Pearl. Such allegations are baseless and do not help either find Mr. Pearl or lower the level of tension between India and Pakistan.

Beyond this, Mr. Musharraf has returned to the formulation that the terrorist groups in Pakistan are ''freedom fighters''. This is not acceptable. Pakistan can no longer say it is simply giving ''political'' support to Kashmiri groups while secretly aiding their infiltration into India. The point of U.S. policy since September 11 has been to oppose *all* terrorists, not just those who are conveniently or easily opposed. Mr. Musharraf must choose, he is either with the terrorists or he is with us, he cannot have both.

On the subject of democracy, Mr. Musharraf has also said the right things. He has laid out a timetable for Pakistan's return to democracy and has held village level elections. Provincial and national assembly elections are scheduled. But we must not forget that Mr. Musharraf is the reason that Pakistan is again off the democratic path. For him to receive full credit for restoring democracy elections at all levels must be held, including elections for his office. All of this is admittedly difficult to accomplish against the backdrop of Islamic extremism, but it is Mr. Musharraf's own timetable and he should be urged to keep it.

Mr. Speaker, it is appropriate for us to welcome Mr. Musharraf and thank him for his support, but we should also be mindful of how much further Pakistan has to go.

Mr. GILMAN. Mr. Speaker, we want to welcome President Musharraf to Washington. President Musharraf has been a brave ally in our war against terrorism. Our nation thanks him for his efforts to find Daniel Pearl the missing Wall Street Journal reporter. We also wish to thank him for closing his nation's borders to members of the Taliban and al Qaeda who are fleeing our armed forces.

Mr. Speaker, nearly 90 constituents of mine died as a result of the September 11 terrorist attack. Accordingly, the visit this week of President Musharraf is significant for our 20th district of New York. The reason is that for many years a number of us in the Congress were concerned about the support that Pakistan gave to the Taliban and, of course, the Taliban sheltered the terrorists who attacked our Nation. President Musharraf is now reining in his countrymen who were responsible for many of the problems in Afghanistan and Kashmir and we commend him for the risks and hard decisions he makes.

Our nation is providing Pakistan significant military economic assistance so that its citizens will feel secure and its society can thrive. We are doing this in the belief that if the people of Pakistan have hope then the extremists will be less able to recruit among the poor.

We feel certain that with President Musharraf's guidance his government will achieve these ends. We know that his efforts to end terrorism will enable all Americans and especially New Yorkers to rest assured that all those innocent people who died in New York did not die in vain.

In like manner, we urge Pres. Musharraf to help resolve the troubled issue of Kashmir between India and Pakistan.

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

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

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Illinois (Mr. HYDE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 324.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

RADIO FREE AFGHANISTAN ACT

Mr. HYDE. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 2998) to authorize the establishment of Radio Free Afghanistan.

The Clerk read as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Radio Free Afghanistan Act''.

SEC. 2. ESTABLISHMENT OF RADIO FREE AFGHANISTAN.

(a) REQUIREMENT OF A DETAILED PLAN.—Not later than 15 days after the date of enactment of this Act, RFE/RL, Incorporated, shall submit to the Broadcasting Board of Governors a report setting forth a detailed plan for the provision by RFE/RL, Incorporated, of surrogate broadcasting services in the Dari and Pashto languages to Afghanistan. Such broadcasting services shall be known as ''Radio Free Afghanistan''.

(b) GRANT AUTHORITY.—

(1) IN GENERAL.—Effective 15 days after the date of enactment of this Act, or the date on which the report required by subsection (a) is submitted, whichever is later, the Broadcasting Board of Governors is authorized to make grants to support Radio Free Afghanistan.

(2) SUPERSEDES EXISTING LIMITATION ON TOTAL ANNUAL GRANT AMOUNTS.—Grants made to RFE/RL, Incorporated, during the fiscal year 2002 for support of Radio Free Afghanistan may be made without regard to section 308(c) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6207(c)).

(c) AVAILABLE AUTHORITIES.—In addition to the authorities in this Act, the authorities applicable to carry out United States Government broadcasting activities under the United States Information and Educational Exchange Act of 1948, the United States International Broadcasting Act of 1994, the Foreign Affairs Reform and Restructuring Act of 1998, and other provisions of law consistent with such purpose may be used to carry out the grant authority of subsection (b).

(d) STANDARDS; OVERSIGHT.—Radio Free Afghanistan shall adhere to the same standards of professionalism and accountability, and shall be subject to the same oversight mechanisms, as other services of RFE/RL, Incorporated.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—In addition to such amounts as are otherwise available for such purposes, the following amounts are authorized to be appropriated to carry out United States Government broadcasting activities under the United States Information and Educational Exchange Act of 1948, the United States International Broadcasting Act of 1994, the Foreign Affairs Reform and Restructuring Act of 1998, and this Act, and to carry out other authorities in law consistent with such purposes:

(1) For ''International Broadcasting Operations'', $8,000,000 for the fiscal year 2002.

(2) For ''Broadcasting Capital Improvements'', $9,000,000 for the fiscal year 2002.

(b) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to subsection (a) are authorized to remain available until expended.

SEC. 4. REPEAL OF BAN ON UNITED STATES TRANSMITTER IN KUWAIT.

Section 226 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236; 108 Stat. 423), is repealed.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois (Mr. HYDE).

GENERAL LEAVE

Mr. HYDE. 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 Illinois?

There was no objection.

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

This bill authorizes the establishment of a new radio service for Afghanistan. The new service will be called Radio Free Afghanistan and will broadcast in the Dari and Pashtu languages. The legislation provides the Broadcasting Board of Governors with the authority to make a grant to Radio Free Europe-Radio Liberty to carry out this new broadcast service.

As a result of the hard work of the bill's original sponsor, the gentleman from California (Mr. ROYCE), the subcommittee chairman, the House passed H.R. 2998 by a vote of 405 to 2 on November 7, 2001. The bill, as amended by the Senate, provides $17 million for fiscal year 2002 for this purpose. I believe the House should concur with the Senate amendment, which makes the following changes to the original House bill:

One, the Senate amendment authorizes funds for fiscal 2002. The House bill was a 2-year authorization. Two, the Senate bill authorizes a total of $17 million for Radio Free Afghanistan. The House bill authorized $27.5 million over 2 years. Three, the Senate bill includes an adjustment to the statutory funding cap on Radio Free Europe-Radio Liberty to accommodate the additional funds required for Radio Free Afghanistan.

All of these changes are acceptable to the committee, and I urge my colleagues to support this measure. Such broadcasting will support the transition in Afghanistan. Concurring in the Senate amendment to the bill will allow it to be sent to the White House for the President's signature.

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

Mr. LANTOS. Mr. Speaker, I rise in strong support of this bill and yield myself such time as I may consume.

Mr. Speaker, I would first like to commend my good friends and colleagues on the Committee on International Relations, the gentleman from California (Mr. ROYCE) and the gentleman from California (Mr. BERMAN), for introducing this bill, and Chairman HYDE for his leadership in bringing the legislation to the floor of the House.

Mr. Speaker, much has changed in the 5 months since the attacks of September 11. Global alliances have shifted, and the world has united against the forces of barbarism and evil. The United States finds itself leading an unprecedented coalition against international terrorism. In short order, we have helped to liberate the people of Afghanistan from the repressive rule of the Taliban regime and their al Qaeda cohorts.

But the fog of war has not yet lifted from Afghanistan, and the war on terrorism is very far from being over. We are fighting a new kind of war which requires new tactics. Our military is adjusting to this asymmetrical warfare with elite forces using the newest U.S. technology and the smartest weapons.

But to win this war, we need more than smart bombs, we need smart diplomacy. We must have more agile tools to communicate our message more effectively. The terrorists use fear and intimidation, lies and half truth to manipulate young minds. International broadcasting and public diplomacy are critical to combating these terrorist tactics and broadening international understanding of the United States and the values that form the basis of our foreign policy.

We cannot win the information war and, hence, the war against terrorism, if we shortchange our public diplomacy. I was dismayed, Mr. Speaker, to see the cuts in funding for international broadcasting in the administration's budget. Not only are there insufficient funds to meet the world-wide programming needs for Radio Free Europe-Radio Liberty, Voice of America, and Radio Free Asia; but the administration's budget does not request a single penny for Radio Free Afghanistan.

Mr. Speaker, it is in this context that I rise in support of H.R. 2998, the Radio Free Afghanistan Act of 2001. Radio Free Afghanistan could be an important element of our foreign policy arsenal, and passage of this legislation will hopefully encourage the administration to seek funding for this new and worthy initiative.

But the imperative of creating a Radio Free Afghanistan is just one example of the need to bolster funding for all areas of the U.S. diplomatic and public diplomacy arsenal. We must increase, not decrease, funds for the international broadcasting agencies.

We must also support the Agency for International Development, which strives to help the poor, the hungry, the illiterate, and the oppressed in Afghanistan and Albania and all across Africa. And we must support the thousands of men and women who represent this Nation in our embassies and consulates across the globe. These are the individuals and the institutions who are on the front lines of the new war we are fighting.

If we are to win this war, we must equip our diplomats with the best tools and the best training, boost or development assistance, and ensure that our international broadcasters are heard throughout the world. H.R. 2998 is an important step in the right direction, and I urge all of my colleagues to support it.

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

Mr. HYDE. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. Mr. Speaker, I rise in strong support of this legislation, which I authored; and I believe that the establishment of this Radio Free Afghanistan by Radio Free Europe-Radio Liberty is essential for peace and essential for stability in the region. This approach is surrogate broadcasting operating as if Afghanistan had a free and vibrant press, which, unfortunately, it does not.

Now, I have been calling for Radio Free Afghanistan for several years now. I think it is fair to say that the previous administration had no interest in this type of aggressive broadcasting to Afghanistan. For 5 years, we have tried to introduce this concept. And now, finally, with the passage of this bill, the voices of freedom and democracy will fill the air in the region, offering an alternative to the hate radio that has been heard until now, because that hate radio is the methodology of Radio Shariat and other broadcasts; and it has had a very poisonous impact in Afghanistan.

I am convinced that if we had had Radio Free Afghanistan up and running for several years now, the terrorists would not have had the fertile ground they found in Afghanistan. The roots of democracy would have been established. They would not have been ripped out.

The concept behind Radio Free Afghanistan is to do what was done with Radio Free Europe in Poland and in Czechoslovakia and in other states. When we talk today with the leaders of Poland or the Czech Republic, they say that the hearts and minds of those people in those countries were turned by the opportunity to listen to free radio broadcasts from the West on a daily basis, which explained what was actually happening in their society. They were taught the concepts of tolerance, of democracy, and of political pluralism.

And, frankly, information is power. We have the opportunity to teach those same values with these radio broadcasts. We know in Eastern Europe these broadcasts were able to explain and put in context what they were hearing from the Soviet broadcasts, so that people had an alternative, so that people had a frame of reference and could judge the truth of those Soviet broadcasts. Well, that is what people need in Afghanistan and Pakistan today, a chance to judge the truthfulness of the Shariat broadcasts they have been hearing for the last 5 years.

Over time, we know from those leaders that we have talked to, that this was the most effective single thing that changed the attitudes of the average people in Eastern Europe. This legislation that we have today provides 8 hours of broadcasting a day, 4 in Pashtu, 4 in Dari, the two major dialects.

I believe that Afghanistan, for us in the United States, is at a critical point in its history. And I say it is at a critical point because what media did exist there has been totally destroyed. The Taliban destroyed the wherewithal for people to communicate. Eighty-five percent of those people own radios, and it is an opportunity for them now to hear this message.

If the various factions in Afghanistan are going to be able to strike a longlasting governing accord, the free flow of accurate information will be critical. Otherwise, rumor and misinformation and hate broadcasts will kill that country's chance to develop stability. As I met with Afghanistan's interim leader, Chairman Karzai, the other week, he told me how excited he was about the impact these broadcasts are having on the country.

This legislation initially passed the House on November 7, 2001, by a near unanimous vote. It now returns to the House with an amendment from the other body. And although the Senate's amendment scales back the proposal slightly, I am happy to get this bill to the President's desk for his signature; and I look forward to working with the gentleman from Illinois (Mr. HYDE), who has done so much for public diplomacy, and with the gentleman from California (Mr. LANTOS) to authorize Radio Free Afghanistan for fiscal year 2003 as well. That is something we need to do to build upon these crucial broadcasts.

I urge my colleagues to support this legislation, and I thank the gentleman for yielding me this time.

□ 1515

Mr. LANTOS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from Illinois (Chairman HYDE), the gentleman from California (Mr. LANTOS), the ranking member, and I offer my appreciation to the author of this legislation, the gentleman from California (Mr. ROYCE), as well as the gentleman from California (Mr. BERMAN).

Before the end of the last session, I held a briefing on the treatment of children in Afghanistan. That issue may be different from what we are discussing today, but what I gleaned from that briefing and how children were being treated was also the desire for education, the desire to know a better life, the desire to be part of a better nation.

This legislation, Radio Free Afghanistan, now coming back from the Senate, is legislation that answers the question that we will not return to the previous behavior after the involvement with Russia where it was suggested that America did not stay to help build a nation. Now we can build from within by having a democratic tool, by having people listen to how a nation can be built. The interim government has said they want to ensure that they have a land that respects individuals, the rights of women, the rights of children, the rights of families. Radio Free Afghanistan will be that vehicle to help them understand how they can structure their government.

We know now that President Musharraf is here in the United States from Pakistan, and we hope that this reach will also influence what is going on in his country, and the collective region will be in the business of ensuring that we have a nation that will stand up for the principles of a democratic economy and a democratic nation.

Mr. Speaker, I acknowledge the importance of this legislation. I am pursuing my interest in the treatment of Afghanistan children, but I do know if they have the tools to understand how they can better themselves as they grow and provide a nation based on democratic principles and principles of equality, we will have a friend in that region, along with many other friends.

Mr. Speaker, I thank the gentleman from California (Mr. ROYCE) for his leadership. However we can move this legislation along for the President's desk, we will be better for it, and certainly the region will be a better place for all who live there.

GENERAL LEAVE

Mr. HYDE. 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. 2998.

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

There was no objection.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. HYDE) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 2998.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

SENSE OF CONGRESS REGARDING CRASH OF TRANSPORTE AEREO MILITAR ECUATORIANO (TAME) FLIGHT 120 ON JANUARY 28, 2002

Mr. SMITH of Michigan. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 313) expressing the sense of Congress regarding the crash of Transporte Aereo Militar Ecuatoriano (TAME) Flight 120 on January 28, 2002.

The Clerk read as follows:

H. CON. RES. 313

Whereas Transporte Aereo Militar Ecuatoriano (TAME) Flight 120 was en route from Quito, Ecuador, to Tulcan, Ecuador, when it crashed in the Andes mountains in Colombia on January 28, 2002;

Whereas the crash tragically killed an estimated 92 people;

Whereas the United States has strong cultural and historic ties to Ecuador and Colombia;

Whereas the people of Ecuador and Colombia have already suffered greatly as a result of the crash in the same region of another Ecuadorian aircraft on January 17, 2002, which killed 26 people;

Whereas the civil aviation departments of Ecuador and Colombia are working in concert to facilitate the recovery and identification of the passengers and crew members of TAME Flight 120; and

Whereas professional emergency personnel from Ecuador and Colombia valiantly overcame treacherous terrain and inclement weather to reach the site of the crash and perform emergency services: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) sends its heartfelt condolences to the families, friends, and loved ones of the victims of the crash of Transporte Aereo Militar Ecuatoriano (TAME) Flight 120 on January 28, 2002; and

(2) commends the professional emergency personnel from Ecuador and Colombia who responded to the tragic crash of TAME Flight 120 with courage, determination, and skill.

SEC. 2. The Clerk of the House of Representatives shall transmit an enrolled copy of this resolution to the President of Ecuador and to the President of Colombia.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan (Mr. SMITH).

GENERAL LEAVE

Mr. SMITH of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 313, the concurrent resolution under consideration.

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

There was no objection.

Mr. SMITH of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the purpose of this resolution is to express the sense of Congress regarding the crash of an Ecuadorean airliner, TAME flight 120, that happened on January 28. It was en route from Quito, Ecuador, to Cali, Colombia, via Tulcan, Ecuador.

That morning farmers reported hearing a plane flying through thick cloud cover, and then a huge explosion. TAME flight 120 crashed into the slopes of a glacier-capped volcano in southern Colombia. The plane was destroyed on impact. Ninety-two people perished, including seven children and nine crew members.

Rescue workers walked for 5 hours through rugged terrain to reach the site near the summit of the volcano, and very little was immediately found at the crash site, except for small pieces of the wreckage and, sadly, a passport and ID card belonging to one of the victims, a Colombian nun.

I commend the sponsor of this resolution, the gentleman from New York (Mr. CROWLEY). I am pleased to be a sponsor and to join a distinguished bipartisan group of cosponsors in bringing this resolution to the floor this afternoon.

The United States maintains close cultural and economic ties with both Colombia and Ecuador. It is, therefore, appropriate that we act to express Congress' condolences to the families of the victims of the crash and commend the professional emergency personnel from Ecuador and Colombia who responded to this tragic accident.

Mr. Speaker, ''Muchas gracias al personal de rescate,'' which translated is: Thank you all personnel who were involved in the rescue mission.

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

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

Mr. Speaker, I rise in strong support of H. Con. Res. 313, and I commend the gentleman from New York (Mr. CROWLEY) for introducing this important resolution. I also want to thank the gentleman from Illinois (Mr. HYDE) for allowing it to move to the floor so expeditiously. The Crowley resolution extends our sincerest condolences to the families and loved ones of those who perished on January 28, 2002, in the crash of TAME flight 120. The resolution also applauds the brave efforts of the Ecuadorean and Colombian rescue teams.

Tragedies strike individuals and families without regard to nationalities. At these times it is important to stand shoulder to shoulder with those affected. Although nothing we can say or do will relieve the pain of those who have lost their loved ones, learning about the cause of the accident may help in the healing process and in preventing future accidents.

In this regard I want to commend the United States National Transportation Safety Board for the assistance it is offering to the Governments of Ecuador and Colombia in reviewing the black boxes of the crashed plane. I hope that the NTSB will be able to complete its review and communicate its findings to all the appropriate authorities in an expeditious manner.

Mr. Speaker, I urge my colleagues to support this measure.

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

Mr. LANTOS. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. CROWLEY), the author of this resolution.

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

Mr. CROWLEY. Mr. Speaker, I thank the gentleman from Florida (Mr. DIAZ-BALART), the cochair of the Congressional Andean Regional Caucus, for his input and expertise on these important issues. I also thank the gentleman from Illinois (Chairman HYDE) and the gentleman from California (Mr. LANTOS), the ranking member, for facilitating the timely consideration of this measure before us today.

It is with great sadness and a heavy heart that I bring this resolution to the floor today. Since September 11, we have seen countless tragedies, both deliberate and accidental, that have affected us all in many, many different ways. From the terrorist attacks on the World Trade Center, the Pentagon, and the field in Pennsylvania, to the crash of American Airlines flight 587 over the Rockaways in Queens, New York, we have learned to stand together as New Yorkers, as Americans, and as humankind.

Just as the events of the past few months have affected people from around the world, so, too, do the tragedies in other lands affect us. On January 28, 2002, TAME flight 120 crashed into the Colombian Andes killing all 92 people on board. The death toll included over 45 Colombian nationals as well.

This horrific accident has indeed hit very hard close to home. As a representative of the largest Ecuadorean and Colombian communities here in the United States, I rise today to express my heartfelt condolences on behalf of myself, the people that I represent in the Seventh Congressional District of Queens and the Bronx, from the people of New York State, and from our country, the United States of America, to the families of the victims of TAME flight 120.

From Washington to Quito, and Bogota to New York, a bond exists that gives strength to those who have suffered a loss. It is this bond that will help all of us move forward together.

Mr. Speaker, I also extend my heartfelt thanks to the first responders as well as all assistance that our government has given to the countries of Ecuador and Peru. I encourage all my colleagues to support this resolution.

Mr. DIAZ-BALART. Mr. Speaker, I, too, would like to extend my thanks to my friend and colleague, Congressman CROWLEY, for all his work on this resolution.

I also would like to thank Chairman HYDE and Mr. LANTOS for quick consideration of this resolution—and thank Chairman BALLENGER for his support.

Mr. Speaker, this year has made us especially sensitive to how precious life is—and how tragedy can befall each of us without warning.

I extend my own personal condolences—as well as through this resolution—to those who lost loved ones on TAME Flight 120.

Ecuador and Colombia have been strong allies of the United States. Our peoples share strong and deep ties of family and history—Members of my own district being one of many examples. Their sorrow is our sorrow.

And as we also know well—that which can get us through such tragedies are the support of our family and friends.

So I again express my heartfelt condolences, and encourage all of my colleagues to support this resolution.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. SMITH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 313.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

REVISING CERTAIN GRANTS FOR CONTINUUM OF CARE ASSISTANCE FOR HOMELESS INDIVIDUALS AND FAMILIES

Mr. GREEN of Wisconsin. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3699) to revise certain grants for continuum of care assistance for homeless individual and families.

The Clerk read as follows:

H.R. 3699

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

SECTION 1. TREATMENT OF CERTAIN HOMELESS ASSISTANCE GRANTS.

Notwithstanding any other provision of law, the Notice of Funding Availability for Continuum of Care Homeless Assistance Programs for fiscal year 2001, or any action taken in furtherance of such Notice, the Secretary of Housing and Urban Development shall not award a grant pursuant to such Notice to Liberty Center for the Homeless Incorporated in excess of $459,600. If an award has been made to such Center in excess of such amount before the date of the enactment of this Act, the Secretary shall modify the award and distribute the amounts in excess of $459,600 to other applicants from the Jacksonville, Florida, Continuum of Care in the order listed in the project priority chart contained in their application.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. GREEN) and the gentleman from Massachusetts (Mr. FRANK) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. GREEN).

GENERAL LEAVE

Mr. GREEN of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and insert extraneous material on H.R. 3699.

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

There was no objection.

Mr. GREEN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3699 is a simple technical correction to the continuum of care application submitted by the Jacksonville, Florida, local government and nonprofit organizations in response to the annual application process for homeless assistance funding administered by the Department of Housing and Urban Development.

Because of an error in the submitted application, and the interpretation of the HUD Reform Act that would prohibit HUD personnel from amending the application to make the corrections, statutory language is necessary. This bill will merely change the dollar amount to be distributed to the Liberty Center for the Homeless, Incorporated, to reflect an annual amount as opposed to a 10-year amount inadvertently included in the application.

Enactment of this bill and the technical correction will allow the city of Jacksonville and its nonprofit organizations to receive its entire homeless funding under Title IV of the McKinney-Vento Homeless Assistance Act.

While it appears that this is a very minor technical problem, its impact has brought significant disruptions to the efforts of very worthy nonprofit organizations and the city of Jacksonville to coordinate and provide needed services to homeless individuals and families.

□ 1530

I want to thank the Department of Housing and Urban Development for their assistance in resolving this issue. More importantly, however, I want to thank the gentleman from Florida (Mr. CRENSHAW) and the gentlewoman from Florida (Ms. BROWN) for bringing this issue to the attention of the Committee on Financial Services so that we can provide a legislative resolution.

This bill is noncontroversial and has support from the gentlewoman from New Jersey (Mrs. ROUKEMA) and the gentleman from Massachusetts (Mr. FRANK), chairman and ranking member of the Subcommittee on Housing and Community Opportunity, as well as the gentleman from Ohio (Mr. OXLEY) and the gentleman from New York (Mr. LAFALCE), chairman and ranking member of the Committee on Financial Services.

I urge all Members to support H.R. 3699.

Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Florida (Mr. CRENSHAW).

Mr. CRENSHAW. Mr. Speaker, I urge my colleagues to support H.R. 3699. As has been stated, it simply corrects an administrative and clerical error in a grant application. This legislation corrects a horrible wrong that would inadvertently defund numerous projects in Jacksonville, Florida. This legislation simply turns back the clock to the date that the 11 members of the coalition sat down together and submitted a consolidated continuum-of-care application to help Jacksonville's homeless outreach projects. It does not authorize any additional funding. It only restores the original intent of the homeless coalition's continuum-of-care application allowing funding to be restored to all existing projects and to begin funding for new projects.

Let me again repeat, this legislation will not cost the taxpayers any additional funds; and it will not change the original grant award amount. I want to thank the gentlewoman from Florida (Ms. BROWN) for joining me as an original cosponsor of this legislation.

I urge all of my colleagues to support passage of H.R. 3699.

Mr. FRANK. Mr. Speaker, I yield myself such time as I may consume. I want to apologize for being a little late, but I am pleased to learn that some of the colleagues who preceded us were more concise than I had anticipated. Perhaps I am being too pessimistic about their ability.

I agree very much with what the gentleman from Florida has just said. Let me say as the ranking minority member on the Subcommittee on Housing and Community Opportunity that this is an issue that was brought to my attention early and persistently and persuasively by the gentlewoman from Florida whom the gentleman from Florida has graciously mentioned. I know they worked together on this. She pointed out that this was a matter, as has been explained, that would cost the government nothing; it was simply correcting an error.

I should say this, Mr. Speaker. As a member of the Subcommittee on Housing and Community Opportunity, I hope that the chairman will agree that we can take up legislation that would make this sort of bill unnecessary, that is, there needs to be a capacity at HUD to correct errors of this sort. People make errors. I have had a couple of other cases that were brought to me by Members where errors were made. We have one that I hope will be coming down the pike. I know the minority and majority staffs are working with people from Indiana to try and straighten out one from Indianapolis.

I think a little history is helpful. We had terrible scandals at HUD in the early 80s. When a former member of this body, Jack Kemp, became the Secretary of HUD under the Presidency of George Bush, we worked together, the then Democratic majority in the Congress and Jack Kemp, to tighten up the rules so that the kind of abuses that had happened in the 80s would not happen again. But we appear to have overtightened. We were worried about the abuse of discretion; and we, as sometimes is the case, went too far in the other direction.

So I look forward to working with Secretary Martinez and with the majority on the Subcommittee on Housing and Community Opportunity so that we can restore some common sense, I think we have done a good deal of trying to get rid of the corruption, and the legislation of this sort would not be necessary.

Mr. Speaker, I am very glad that this legislation is being passed for two reasons: first, because it will give some relief to the people of Jacksonville; and, secondly, because I will not now have three conversations a day with my good friend from Jacksonville, Florida (Ms. BROWN), who has been simply indefatigable in working for her constituents on this subject.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from Florida (Ms. BROWN) since it will no longer be mine.

Ms. BROWN of Florida. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. FRANK) so much for his leadership and help in this matter that greatly affects the people of Jacksonville. I also want to thank the gentleman from Florida (Mr. CRENSHAW) for his hard work in helping to bring this bill to the floor.

I cannot begin to explain how important this legislation is to the homeless service providers in our hometown of Jacksonville, Florida. Unless this legislation is passed and signed into law, two long-time agencies will stop serving their clients and terminate 16 jobs.

On February 28, the Quest program, which provides psychiatric medication management to over 200 clients, and Goodwill Industries, which last year placed 534 homeless clients in jobs, will end their service. There are also eight other major providers that will be forced to make the same hard decision. This legislation is the only thing that will prevent hundreds of homeless clients from being returned to the streets. Let me repeat this. This is the only thing that will stand in the way of hundreds of homeless clients being returned to the streets. I hope the Senate and the President will quickly get this legislation passed and signed into law. These folks have a tough job to do, and we need to put them back to work.

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

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

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Wisconsin (Mr. GREEN) that the House suspend the rules and pass the bill, H.R. 3699.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. FRANK of Massachusetts. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

COMMENDING NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION REGARDING NATIONAL CHILD PASSENGER SAFETY WEEK

Mr. PETRI. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 326) commending the National Highway Traffic Safety Administration for their efforts to remind parents and care givers to use child safety seats and seat belts when transporting children in vehicles and for sponsoring National Child Passenger Safety Week.

The Clerk read as follows:

H. CON. RES. 326

Whereas great progress has been made in increasing the use of child safety seats in vehicles, which has reduced the number of deaths of children involved in traffic accidents, but much more remains to be done;

Whereas more than half of all children killed in motor vehicle crashes in 2000 were completely unrestrained;

Whereas motor vehicle crashes are the leading cause of death for children ages 4 to 14;

Whereas child safety seats reduce fatal injury by 71 percent for infants and by 54 percent for toddlers in passenger cars; and

Whereas the National Highway Traffic Safety Administration sponsors National Child Passenger Safety Week, February 10 through 16, 2002, to help remind parents and care givers that all children should be placed in child safety seats every time they ride in a car or truck: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress commends the National Highway Traffic Safety Administration for its efforts to remind parents and care givers to use child safety seats and seat belts when transporting children in vehicles and for sponsoring National Child Passenger Safety Week, February 10 through 16, 2002.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. PETRI) and the gentleman from Pennsylvania (Mr. BORSKI) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. PETRI).

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

Mr. Speaker, I urge strong support for this timely resolution. This noncontroversial resolution praises the National Highway Traffic Safety Administration for its efforts to remind parents and care givers to use child safety seats and seat belts. It is fitting that the House consider this resolution this week. February 10 through 16 is National Child Passenger Safety Week. In fact, our action today is what National Child Passenger Safety Week is all about, raising public awareness for this important issue.

On June 27, 2001, nearly 8 months ago, the House passed the extension of the Child Passenger Protection Education Grant program, H.R. 691, offered by the gentleman from Minnesota (Mr. OBERSTAR). While this legislation is yet to be considered by the other body, the program was fully funded this budget year. This valuable program actually prevents deaths and injuries to children. It educates parents as to the proper installation of child restraints, and it trains child passenger safety personnel concerning child restraint use. The gentleman from Minnesota has crafted good legislation, and it would be fitting for its consideration and passage by the other body this week during National Child Passenger Safety Week.

As necessary as the resources H.R. 691 will provide to the States, the job of raising public awareness is important. With motor vehicle crashes being the leading cause of death for children between the ages of 4 to 14, more must be done. Private involvement must be an active component in a successful campaign.

With that in mind, I would like to highlight a relatively new program, that by the Chrysler Motor Corporation, called Fit for a Kid. In this program, a parent can bring their car, regardless of its make, to a participating dealer to learn how to properly fit their child seat. This program, and others like it, are critical elements aimed to raise awareness and increase child protection knowledge.

Federal funds coupled with awareness campaigns, both complemented by fitting stations, will be vital as we work toward reducing child fatalities. I would like to thank the gentleman from Michigan (Mr. CAMP) for his well-timed resolution and ask that my colleagues support the passage of House Concurrent Resolution 326.

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

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

Mr. Speaker, in the last 25 years, the Nation has made significant gains in child passenger safety. Since then, more than 4,800 children's lives have been saved because of child restraint systems. While the fatality rate for children has decreased steadily, due to population increases and a doubling of highway miles traveled, the number of deaths has not dropped as rapidly. In the year 2000 alone, 2,343 children under the age of 14 were killed and 291,000 were injured in highway crashes. This is a record we can and must improve upon.

Without doubt, the single most effective way to protect our children in the event of a crash is to ensure that all children are buckled up in appropriate restraint systems on every trip. Children aged 2 to 5 who use seat belts rather than child safety seats are 3½ times more likely to be injured in a crash and four times more likely to receive a significant head injury. That is why it is important to remind parents that all children should be placed in child safety seats, booster seats, or seat belts every time they ride in a car or truck. That is why I strongly support this resolution.

Mr. Speaker, we can do more. Federal grant in aid programs are available to help States reduce the toll of death and

injury on the Nation's highways. In fiscal year 2000, my own State of Pennsylvania received $323,000 in child passenger protection education grant funds to establish child passenger safety fitting stations in all State police barracks and increase the awareness of rural and minority populations in the State. In fiscal year 2001, the State used its funds to purchase 17 mobile fitting stations, fund child passenger safety courses, and develop new materials to promote child passenger safety among health and medical personnel.

Mr. Speaker, I want to compliment the author of the legislation, the gentleman from Michigan (Mr. CAMP); the distinguished ranking member of the full committee, the gentleman from Minnesota (Mr. OBERSTAR); the chairman of the full committee, the gentleman from Alaska (Mr. YOUNG); and the chairman of our subcommittee, the gentleman from Wisconsin (Mr. PETRI) for their support of this legislation to help us preserve our Nation's most precious resource, our children.

Mr. Speaker, I support the concurrent resolution and urge its approval.

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

Mr. PETRI. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. Mr. Speaker, I want to congratulate the gentleman from Michigan (Mr. CAMP) for bringing this issue to the forefront. This is extremely important. I know sometimes we can get here and we can espouse statistics and we can talk about for every dollar on a car seat it is $32 saved in the end run. But there is no more believer in this than me.

I thought these programs, quite frankly, a few years ago really were not worth the paper they were printed on. I was driving into a local one to help support it in my community, before the safety seats became kind of chic; and as I went in, the woman who was there showed me what was going on, showed me some of the seats they had confiscated, and showed me some of the numbers of the improperly installed and said, ''Can I look at yours?'' I had a 2-year-old son at the time. I said, ''No thanks. I'm all set. I read the directions. I'm in good shape.'' She was a pretty persuasive woman. She brings me into the bay and after about 3 minutes said, ''Not only is this in wrong, it is probably the worst one I have seen today.''

This can happen to any of us. It can happen to all of us. I sponsored an event in my district through the National Safe Kids, we have a Michigan Safe Kids organization, they do phenomenal work, all by volunteers, an incredible group of people. Just that day we had some staggering results. We had 200 people show up. Over 80 seats were confiscated because they were defective. Eighty. It is a very sobering thing as you walk down the line of those car seats and realize that those parents were doing everything they possibly could to make their children safe, not realizing that they were putting them in a seat that might in fact cause injury.

We had a very touching case beyond that. I know these things work. About 2 weeks after that particular event, a woman came up and grabbed my arm as I was walking in the grocery store and with tears in her eyes related the story of not only had she been told at that particular event that her seat was improper but the way they were strapping her young grandchild in, it was across the child's neck and may have caused injury in a serious accident. Two weeks following that event, her car was hit so hard the car spun at a 180-degree turn with her grandchild in the automobile. The grandchild is fine. His name is Zach. We post Zach around my district and around mid-Michigan as exactly the reason that we can show one life for sure and we know thousands of others are saved because of the awareness of this issue.

Four out of five child safety seats are in wrong today. For those of you who are watching and you believe that you are doing everything right at home, trust me, the odds are against you that your safety seat is in correctly.

□ 1545

I cannot stress how important this is. I want to thank again the gentleman from Michigan (Mr. CAMP) for his leadership, and the chairman for his. I appreciate it. Also, thanks to the National Safe Kids Campaign for all they do.

Mr. PETRI. Mr. Speaker, I yield such time as he may consume to the author of the legislation before us, the gentleman from Michigan (Mr. CAMP), to conclude debate on our side on this measure.

Mr. CAMP. Mr. Speaker, I thank the chairman for yielding me time and for his leadership in bringing this legislation to the floor. I also want to thank my colleague the gentleman from Michigan (Mr. ROGERS) for his comments and advocacy of this resolution as well.

Mr. Speaker, this resolution will bring awareness to National Child Passenger Safety Week. A recent survey, as my colleague from Michigan said, found that almost every driver believes that they have installed their child's safety seat correctly. However, almost 80 percent of the seats for children under 8 are improperly installed, and that means most parents do not even realize that they have installed the seats wrong.

Obviously, the benefits from proper restraint are proven when child safety seats reduce fatal injuries by 71 percent for infants and 54 percent for toddlers in passenger cars, and for light trucks it reduces fatal injury by nearly 60 percent.

The consequences of not restraining children are all too clear. More than half of all children under 15 years old killed in car crashes in the year 2000 were completely unrestrained. Small children ages from 2 to 5 who are placed in seat belts rather than child safety seats or booster seats are 3.5 times more likely to be significantly injured in the event of a crash.

Great progress has been made in increasing the use of child safety seats and booster seats, and that progress has decreased the deaths among children and serious injury among children in car and truck crashes. But much more remains to be done.

I urge my colleagues to vote yes on this resolution and remind parents, caregivers and baby-sitters alike that we know how best to protect children when they travel.

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

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

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Wisconsin (Mr. PETRI) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 326.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. BORSKI. 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 and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. PETRI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 326.

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

There was no objection.

2002 NATIONAL DRUG CONTROL STRATEGY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on the Judiciary, the Committee on Agriculture, the Committee on Financial Services, the Committee on Energy and Commerce, the Committee on Education and the Workforce, the Committee on Government Reform, the Committee on International Relations, the Committee on Armed Services, the

Committee on Resources, the Committee on Transportation and Infrastructure, the Committee on Ways and Means, the Committee on Veterans' Affairs and the Permanent Select Committee on Intelligence:

To the Congress of the United States:

I am pleased to transmit the 2002 National Drug Control Strategy, consistent with the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1705).

Illegal drug use threatens everything that is good about our country. It can break the bonds between parents and children. It can turn productive citizens into addicts, and it can transform schools into places of violence and chaos. Internationally, it finances the work of terrorists who use drug profits to fund their murderous work. Our fight against illegal drug use is a fight for our children's future, for struggling democracies, and against terrorism.

We have made progress in the past. From 1985 to 1992, drug use among high school seniors dropped each year. Progress was steady and, over time, dramatic. However, in recent years we have lost ground. This Strategy represents the first step in the return of the fight against drugs to the center of our national agenda. We must do this for one great moral reason: over time, drugs rob men, women, and children of their dignity and of their character.

We acknowledge that drug use among our young people is at unacceptably high levels. As a Nation, we know how to teach character, and how to dissuade children from ever using illegal drugs. We need to act on that knowledge.

This Strategy also seeks to expand the drug treatment system, while recognizing that even the best treatment program cannot help a drug user who does not seek its assistance. The Strategy also recognizes the vital role of law enforcement and interdiction programs, while focusing on the importance of attacking the drug trade's key vulnerabilities.

Previous Strategies have enjoyed bipartisan political and funding support in the Congress. I ask for your continued support in this critical endeavor.

GEORGE W. BUSH.

THE WHITE HOUSE, *February 12, 2002.*

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 5:30 p.m.

Accordingly (at 3 o'clock and 49 minutes p.m.), the House stood in recess until approximately 5:30 p.m.

□ 1735

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 5 o'clock and 35 minutes p.m.

PROVIDING FOR CONSIDERATION OF H.R. 2356, BIPARTISAN CAMPAIGN REFORM ACT OF 2001

Mr. REYNOLDS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 344 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 344

Resolved, That on the next legislative day after the adoption of this resolution, immediately after the third daily order of business under clause 1 of rule XIV, the House shall resolve into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2356) to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. 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, or to the bill as perfected by an amendment in the nature of a substitute finally adopted, shall be in order except those printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII and as specified in this resolution.

SEC. 2. (a) Before consideration of any other amendment, it shall be in order to consider the amendments in the nature of a substitute specified in subsection (b). Each such amendment may be offered only in the order specified, may be offered only by the Member designated or a designee of such Member, shall be considered as read, shall be debatable for 40 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment except as specified in section 3. All points of order against such amendments are waived (except those arising under clause 7 of rule XVI or clause 5(a) of rule XXI). If more than one amendment in the nature of a substitute specified in subsection (b) is adopted, then only the one receiving the greater number of affirmative votes shall be considered as finally adopted in the House and in the Committee of the Whole. In the case of a tie for the greater number of affirmative votes, then only the last amendment to receive that number of affirmative votes shall be considered as finally adopted in the House and in the Committee of the Whole.

(b) The amendments in the nature of a substitute referred to in subsection (a) are as follows:

(1) By the Majority Leader.

(2) By Representative Ney of Ohio.

(3) By Representative Shays of Connecticut.

SEC. 3. (a) After disposition of the amendments in the nature of a substitute specified in section 2(b), the provisions of the bill, or the provisions of the bill as perfected by an amendment in the nature of a substitute finally adopted, shall be considered as an original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. No further amendment shall be in order except those specified in subsection (b) of this section. Each such amendment may be offered only by the Member designated in subsection (b) or a designee of such Member, but not before the legislative day after the day on which such Member announces in accordance with subsection (c) in the House or in the Committee of the Whole the intention of the Member to offer the amendment. Each such amendment shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived (except those arising under clause 7 of rule XVI or clause 5(a) of rule XXI).

(b) The amendments referred to in subsection (a) are as follows:

(1) Ten amendments by the Majority Leader.

(2) Five amendments by the Minority Leader.

(3) Five amendments by Representative Shays of Connecticut or Representative Meehan of Massachusetts.

(c) The announcement referred to in subsection (a) shall describe the amendment by the number assigned to it under clause 8 of rule XVIII and may not be made later than the end of the legislative day on which this resolution is adopted. A Member may make only one such announcement, which must include any amendment the Member intends to offer but must be limited to the number of amendments specified in subsection (b) of this section for the bill or for each substitute specified in section 2(b).

SEC. 4. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day, immediately after the third daily order of business under clause 1 of rule XIV, the House shall resolve into the Committee of the Whole for further consideration of the bill.

SEC. 5. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, or the bill as perfected by an amendment in the nature of a substitute finally adopted, to the House with such further amendments as may have been adopted. Any Member may demand a separate vote in the House on any further amendment adopted in the Committee of the Whole to the bill, or to the bill as perfected by an amendment in the nature of a substitute finally 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.

SEC. 6. House Resolution 203 is laid on the table.

The SPEAKER pro tempore. The gentleman from New York (Mr. REYNOLDS) is recognized for 1 hour.

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

Mr. REYNOLDS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from New York (Mr. FROST), the ranking member of the Committee on Rules, 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. Speaker, House Resolution 344 is a structured rule providing for consideration of H.R. 2356, the Bipartisan Campaign Finance Reform Act of 2001, with 1 hour of debate in the House, equally divided and controlled by the chairman and ranking minority member of the Committee on House Administration.

I would like to stress that this rule before us was not written by nor is a product of the Committee on Rules. The rule reflects the terms for consideration set forth in the motion to discharge, with the exception of allowing immediate debate this week, versus a later date, as determined by the House rules. The petition calls for amendments to be introduced and printed in the CONGRESSIONAL RECORD by the close of business today.

Equally important, I would like to stress that, essentially, we do not know what amendments we are about to make in order, because the Shays-Meehan, Ney-Wynn and Armey substitutes will not be filed until after this rule is debated and approved.

Unfortunately, it is a shame to see this issue come to the floor in such a convoluted manner. The signers of the discharge petition have set in motion a clumsy and awkward debate that could hardly be called a fair and open process. There were no hearings on the language we will see on the floor tomorrow.

All this comes as a result of the discharge petition. But since circumstances have afforded this opportunity for debate, let us look at the issue before us and what it means to America.

The recent events have forged a true sense of patriotism among all Americans. But we must ask ourselves if we are willing to trample on this newfound nationalism by jeopardizing the most basic of American rights and freedoms, the right to free speech, because in this fourth version of Shays-Meehan, we have gagged Americans, whether in the middle, the right or the left, and will allow only special interests to have access to soft money.

It is reasonable to debate strengthening our campaign finance laws, but taking away first amendment rights and limiting free speech is not the way to do it. Real reform means recognizing that curbing the expense of campaigns should not come at the expense of political liberties. Limiting issue advocacy and curtailing who can say what is both unconstitutional and un-American.

We would be fooling ourselves if we believed the notion that the Shays-Meehan legislation represents a complete ban on soft money. Let us be honest: In this bill there is no such thing as a ban on soft money. At least the Ney-Wynn proposal ensures that such expenditures are used for political party activities, such as voter registration, get out the vote, overhead and fund-raising expenses.

□ 1745

Now, neither this issue nor the bill is new. In fact, the Shays-Meehan bill was in existence even before I came to Congress. But today, Shays-Meehan is in its fourth draft; I repeat, its fourth draft, and is vastly different than what was first proposed.

This new bill creates even bigger loopholes than before, creating $30 million per year soft-money loophole, restricting broadcast ads for only 60 days prior to an election that even some of the sponsors admit could be unconstitutional, rather than year-round, and loosening even further the loopholes that allow party committees to shift their current soft money over to nonprofits who, in turn, could use 100 percent soft money for issue advocacy.

Mr. Speaker, Shays-Meehan creates a $60 million soft-money loophole for State and local parties. It creates a new loophole to permit a $40 million soft-money building fund for the Democratic National Committee if both amendments are approved by some of the Shays-Meehan supporters. In short, Shays-Meehan establishes a pathway to new and more underground money.

Creating loopholes and granting special exemptions hardly seems like reform.

Even more preposterous is the fact that some sponsors of the Shays-Meehan bill do not want to curtail soft money right away. That is right. Those supporters say, let us wait until after Election Day, the next cycle, before any of this takes effect rather than the current legislation of 30 days. Why? One simple reason: the rhetoric fails to match up to the reality. The bill's sponsors are now in the newspapers and on the talk shows saying how critical this reform package is. But now they say it can wait.

Mr. Speaker, I suspect at some point during this debate my colleagues will attempt to make a correlation between campaign finance reform and the recent Enron scandal. They will demagogue and demagogue again that the corporate downfall of Enron could have in some way been averted had tougher campaign finance laws been on the books. Is there anyone who truly believes this to be the case? Is there anyone who can look those pension holders in the eye and honestly say that campaign finance reform would have prevented Enron's collapse? The only connection between Enron's downfall and campaign finance reform is political convenience.

On a side note, I would like to extend my respect to the gentleman from Ohio (Mr. NEY), the chairman of the Committee on House Administration. As a member of his committee, I have come to respect his realistic and pragmatic approach to real campaign finance reform.

Mr. Speaker, I want to make sure that my colleagues know that today this House will deal once and for all with a major decision on campaign finance reform. It is very important that all Members look very closely and know full well what it is that we may be passing.

The Committee on Rules reported out this rule without recommendation, and, in doing so, I hesitate to ask my colleagues to support the rule. However, by signing the discharge petition, a majority of this House has signaled their desire to have this debate. And so, in mirroring the conciliatory actions of the gentleman from Illinois (Mr. HASTERT), the Speaker of the House, I ask my colleagues to vote ''aye'' on the rule.

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

Mr. FROST. Mr. Speaker, I thank the gentleman from New York (Mr. REYNOLDS) for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, the rule for considering campaign finance reform is a fair rule, and I intend to support it. This rule was spelled out in the discharge petition that the majority of House Members, including myself, signed. The rule gives both sides a chance to offer substitutes and amendments to the legislation, while also bringing debate on this highly charged issue to a timely conclusion.

The rule designates H.R. 2356, the reported version of the Shays-Meehan campaign finance reform bill, as the base bill. Beginning tomorrow morning, we will have 1 hour of general debate on the bill, equally divided between the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER). Following the general debate, the bill will be considered for amendment.

Members should be aware that the rule requires that all amendments be entered into the CONGRESSIONAL RECORD by the conclusion of this legislative day. It is anticipated that there will be an announcement at some point later this evening by both the majority leader and the Democratic leader about the specific amendments to be considered.

Before consideration of any other amendment, the rule provides that three amendments in the nature of a substitute will be considered. Each substitute will be debated for 40 minutes, equally divided between proponents and opponents. The gentleman from Texas (Mr. ARMEY), the gentleman from Ohio (Mr. NEY), and the gentleman from Connecticut (Mr. SHAYS) are allowed to each offer one substitute. Under the Queen of the Hill procedure, the substitute with the most votes will then be considered the base text.

Following consideration and voting on the substitutes, it will then be in order to consider individual perfecting amendments. These individual amendments are debatable for 20 minutes, equally divided between proponents and opponents. The amendments are allocated as follows: 10 from the gentleman from Texas (Mr. ARMEY), five from the gentleman from Missouri (Mr. GEPHARDT) if he chooses to use them, and five from either the gentleman from Connecticut (Mr. SHAYS) or the gentleman from Massachusetts (Mr. MEEHAN.)

Finally, at the conclusion of the amendment process, the rule provides for a motion to recommit with or without instructions.

Mr. Speaker, the various provisions of the bills before us are technical and somewhat confusing, but there is one thing that is abundantly clear: campaign reform legislation will require both parties to look for alternative means to turn out their base supporters. As many Members know, hard-money contributions are currently regulated by Federal law, while soft-money contributions are not. Hard money is made up of contributions to Federal candidates, Federal multi-candidate PACs, and to the Federal accounts of national and State parties. Soft money is everything else.

Under current law, individuals can give a total of $25,000 a year in hard-money contributions. Unions, corporations, and other associations can set up multi-candidate PACs which can give a limited amount of hard money directly to candidates and to party committees. Thus, multi-candidate PACs can give $5,000 in hard money per election to any Federal candidate, $15,000 per year in hard money to any national party committee, and $5,000 in hard money per year to any State party committee. Employees of corporations, members of unions, and members of associations contribute to these multi-candidate, hard-money PACs, but no corporate or union money can go into these PACs.

Soft money is made up of contributions by individuals to party committees that exceed the individual's $25,000 annual hard-dollar limit, contributions by corporations to party committees, and contributions by labor unions to party committees. Additionally, individuals, corporations, and labor unions can give any amount of soft money to independent organizations not connected to political parties.

The various proposals before the House seek to significantly change all of this. For example, under the Shays-Meehan bill, hard-dollar limits for individuals would be raised from $50,000 per 2-year cycle to $95,000. Soft-money contributions to national party committees by individuals, corporations, and labor unions would be totally banned, and soft-money contributions to State parties would be limited to $10,000 per year, and then could be used only for certain limited purposes. Various restrictions would be placed on the use of soft money by independent organizations not directly connected with a political party.

Mr. Speaker, what does all this mean? Well, the answer depends on the type of political race involved.

Traditionally, the national Democratic Party has relied on soft money to mobilize its minority supporters through grass-roots efforts such as phone banks and door-to-door canvassing. The party has funded statewide-coordinated campaigns designed to turn out minority voters for Presidential voters in key swing States such as Michigan, Pennsylvania, and Illinois, and for its nominees for U.S. Senate and Governor in a number of States.

Republicans have also used soft money to fund coordinated campaigns designed to mobilize their base voters for Presidential and statewide candidates. On balance, however, the mobilization efforts directed at turning out minority voters statewide are more important to Democratic candidates than mobilization efforts funded by the Republican Party.

Some of the funds traditionally used to mobilize base voters could be replaced by the limited soft-money contributions permitted to State parties under Shays-Meehan; but clearly, this will be a challenge for both parties in future statewide campaigns.

The bill's total ban on soft money to national parties, accompanied by a major curtailment of soft money to State parties, will also have a significant effect in campaigns for the U.S. House of Representatives. This is particularly true if the ban on soft-money expenditures by independent groups is held constitutional by the courts.

In recent years, both parties have benefited from soft-money issue ads directed at campaigns for the U.S. House. In 1996, interest groups aligned with the Democratic Party spent millions of dollars on soft-money issue ads directed largely at Republican candidates who supported the Gingrich revolution, which was one of the factors in Democrats picking up nine seats that year.

In 2000, organizations connected with the pharmaceutical industry spent millions of dollars in soft money supporting Republicans and opposing Democrats, thus helping Republicans hold their narrow majority in the House. In both 1998 and 2000, Democratic Party committees and Republican Party committees spent millions of dollars in soft money on issue ads. On balance, Republican Party committees and independent organizations aligned with the Republican Party outspend the Democratic Party, and organizations aligned with the Democratic Party on soft-money issue ads directed at races for the U.S. House of Representatives.

Soft-money expenditures by both Democratic and Republican national parties also occurred on voter turnout efforts for House races during those years and, in some cases, made the difference and the outcome of particular elections. These turnout efforts have been particularly important to Democratic House candidates.

In summary, restrictions on soft money hurt both parties, but in somewhat different ways. Accordingly, Members of the House will have to weigh a variety of factors in deciding how to vote on the various proposals presented under this rule.

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

Mr. REYNOLDS. Mr. Speaker, I yield 4 minutes to the gentleman from Georgia (Mr. LINDER).

Mr. LINDER. Mr. Speaker, I believe we have just heard a defense of soft money, if it is used for purposes that the Democrats agree with: do not use it for issue ads, but use it for turning out minority voters, I think I heard him say.

As a member of the Committee on Rules, I must admit that I would not traditionally propose or support using the discharge process to bring this kind of bill to the House floor. However, I do support bringing this measure to the floor for debate, and if that means that we would have to agree to the major tenants of the rule proposed by the discharge petition for H.R. 2356, then so be it.

It is time that we considered this measure. It is time that we laid to rest allegations of unfairness and obstruction, and it is time that we address the fanciful claims that Shays-Meehan bans soft money. It does not.

As my colleagues well know, soft money is defined as money that is raised and spent outside the Federal regulatory framework. Because of this broad definition, there are numerous types of soft money and a significant number of avenues through which soft money can be used to influence Federal elections, thus making it all the more baffling that the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) claim to have eliminated soft money with their sole elimination of national party soft money. Let me state clearly and unequivocally: Shays-Meehan does not ban soft money.

During the 2000 Presidential campaign, the Republican Party and the Democrat Party raised, in national party soft money, roughly $250 million each. However, even totaled, this number pales to the amount of money that corporations and unions spend on electionary activities.

If Congress wishes to ban the use of all soft money to influence political decisions, such a ban would affect or should affect everyone and every organization involved in political activity. It hardly seems appropriate to deny political parties a role in campaigns while allowing corporate conglomerates the opportunity to shape the political debate. In fact, by eliminating the role of parties, corporations and labor unions could become increasingly reliant on loopholes allowing them to spend funds from their general treasuries to influence elections, activities that would be undertaken without Federal regulation.

Truth be told, however, unions are the single biggest spenders of unregulated soft money, expenditures that will not be affected by Shays-Meehan. Dr. Leo Troy, professor of economics at Rutgers University, has been studying unions for more than 2 decades. He estimates that during the 1995–1996 election cycle alone, unions spent more than $300 million just on voter education and get-out-the-vote efforts. This hardly seems like leveling the playing field, as unions can and will continue to influence the political

process. If we give individuals, corporations, and unions a legal avenue to funnel soft money into the political process into State and local parties, they will continue to do so.

□ 1800

They will continue to do so. This Shays-Meehan does not ban soft money, nor will it stop other people from engaging in it. This is only logical. This is not reform. This does not even begin to address the concept of reform. Shays-Meehan is merely diverting and channeling soft money into an ever-growing number of parties, while allowing corporations and unions to spend unlimited and unregulated dollars on electioneering. This does not and will not change the amount or type of money in the system, and it certainly does not alter the ability of outside groups to influence elections.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. TURNER), who is the principal author of the discharge petition that brought this matter to the House.

Mr. TURNER. Mr. Speaker, we are at a historic moment in the House of Representatives. This rule which will allow us to debate historic campaign finance reform did not come to this floor without considerable work. This issue has been before the House of Representatives before, and the House passed similar reform legislation but it died in the Senate.

Last year when the Senate passed campaign finance reform, a rule was proposed that was destined to defeat true reform; and it was turned down by the House of Representatives. The Speaker announced that he would not bring it forward again, and we initiated over 7 months ago a discharge procedure led by the Blue Dog Democrats in the House to bring this issue to the floor.

I want to thank Speaker HASTERT for allowing us, once we did reach the 218, to allow the Committee on Rules to adopt the identical rule contained in the petition to allow us to have a fair and open debate on campaign finance reform.

Let there be no mistake about it, this is the opportunity of this House to end the influence, the undue influence of big money in the political process. This is our opportunity to end the 25, 50, 100, quarter of a million dollar contributions and more that are being made today to political parties in the form of what we call soft money. This legislation will restore the public's confidence and trust in the political process. And let there be no mistake, the Ney substitute is not true reform. It does not end soft-money contributions to the political process.

Yesterday, I was able to participate in a press conference with some of the leading business CEOs from around the country who have joined together under the umbrella of the Subcommittee on Economic Development, Public Buildings, and Emergency Management of the Committee on Transportation and Infrastructure. Those business leaders said they are tired of being leaned on for these big checks. They are ready to see this system cleaned up. They are ready to know that when they come before this Congress there is a level playing field for all people, including them.

I am proud to support this legislation and this rule.

Mr. REYNOLDS. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER), the distinguished chairman of the Committee on Rules.

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

Mr. DREIER. Mr. Speaker, everyone likes to say that they are for reform, and it is very unfortunate that there are some people who are supportive of the Shays-Meehan bill who argue that those of us who are not necessarily supporting their version of what they call reform are somehow opposed to the process of campaign finance reform.

Well, I am proud to stand here and, Mr. Speaker, say that I will take a back seat to no one when it comes to the very important issue of reform. I have been very proud to internally bring about some reforms of this institution. We were able to, in the last Congress, reduce the number of rules in this place from 52 down to 28 rules. We brought about sweeping reforms when we became the majority.

One of the things that I am very proud of, Mr. Speaker, is that when we became the majority we said that we were not going to put in place the kind of rule that we are considering right now for this legislation. It has all of these sort of inside baseball things, like a ''king of the hill'' procedure. I am not going to get into the details of it, but I will tell you it is unfair and it is wrong. But having said that, I am going to support the rule.

I am going to support the rule simply because 218 members of House of Representatives signed the discharge petition, and for that reason I think it is important that we move ahead. When it comes to the issue of campaign finance reform, I am for it. I am for it, Mr. Speaker. I am a proponent of reform, and I do not want anyone to say that I am not pro-reform. I happen to believe that what we need to do is we need to empower the American people with as much information as possible.

In fact, in the last couple of Congresses I have introduced legislation called the Voter Empowerment Act, and basically what we say, as President Bush has said, we need to instantly make available information on who is supporting whom so the voters can make a decision as to whether or not a Member of Congress is somehow beholden to their contributors.

I also believe that if we are going to ban soft money, we should ban it all the way across the board. And I think we should make this package effective immediately, as my colleague, the gentleman from New York (Mr. RANGEL), said on television on Sunday. I think we should do it now. I believe we should also realize that the proposal before us, which is called reform, we have not actually seen it yet. We will see it somewhere around midnight tonight. So much for a fair and open process. But we will see it very, very late tonight, and then we will proceed.

Based on what I have heard about it, it does impose more regulations on the American people. And I came here to deregulate, and I did not come here to jeopardize the ability of Americans to exercise their first amendment rights.

I happen to believe that another issue needs to be addressed here, Mr. Speaker. I happen to be a strong proponent of the two-party system. I am proud to have worked around the world encouraging the development of political parties. Let us take that historic election which took place in 2000 in Mexico. For 71 year we saw one political party, the PRI Party, the Institution and Revolutionary Party, control Mexico. And with the encouragement of the National Election Party and support from around the world for a degree of political pluralism in Mexico, we saw a political party, when it came to getting support from all over, in a position where they were able to win the election.

Well, we also encouraged it in eastern and central Europe; in Nicaragua we encouraged it. What is it we brought about? We brought about a degree of fairness. We brought about a great contrast. And that is what exists here in the United States today, an interesting clash between the two political parties and then we allow the American people to make a decision.

Well, the measure we are going to be considering, the Shays-Meehan bill, basically undermines the two-party system. If you look at countries where the party systems are really in a state of disarray, they have had real difficulty. I do not want the United States of America to follow that route. I want both the Democratic Party and the Republican Party to remain strong. And I do not like the idea of us empowering the media when it comes to determining who is going to win these elections. I think that is wrong. I think the parties should be able to stand strongly for the ideals on which they were founded.

So I believe that we have a package of reforms that are the right thing to do. I think that we should say that union members should with their dues be able to decide which candidates they support without having a few people here in Washington, D.C. decide how those dollars are expended.

I think we should do everything we can to let the American people know that we want them to have choices and we do not want to jeopardize the great system that we have.

We live with reforms today. They were put into place following Watergate, 1974. I was privileged, I wrote my

senior thesis at Claremont-McKenna College on the campaign finance reform of 1974. We live with it today. And while some people talk about the fact that we have some horribly corrupt system here in our Nation's capital, well, I argue that we have a great degree of transparency and we can have even more. And, again, as my friend, the gentleman from New York (Mr. REYNOLDS), said, those who will try to draw this allusion between the bankruptcy of Enron and the political process, obviously, there is no correlation.

We need to encourage people to get involved in the political process, rather than making it unattractive to be involved in the political process. And you make it unattractive when you impose an onerous level of burdens on the American people; and that is exactly what this legislation will do.

I believe also, if we look at this question of a conference, and, again, I am getting back to inside baseball here, if we all want openness, we want to follow the legislative process, those who argue by going to a joint House-Senate conference we are killing the prospect for any kind of reform, I do not believe that for one second. Sure, if given the choice of imposing onerous regulations on the American people undermining their first amendment rights or seeing nothing done, I choose to have nothing done. But I believe the thoughtful reforms that we have in the Ney-Wynn proposal, the disclosure issue that I mentioned, the other kinds of proposals, those can be addressed in a joint House-Senate conference, and we can come back with improved legislation.

So those who say they do not want us to go to conference are in fact saying, let us not follow the constitutional guidelines, the process which was put into place by our framers for making laws. I do not believe that is an open process. I do not believe that is a fair process.

So let us do what we are paid to do here. Let us legislate. Let us work. Let us try to come to a package which will be beneficial for the American people. That should be our number one priority.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. MEEHAN), who has worked tirelessly on this project for a very long time.

Mr. MEEHAN. Mr. Speaker, I rise in support of the rule and thank the ranking member for yielding me time.

Thanks in large part to the efforts of the Blue Dogs, we will consider meaningful campaign finance reform legislation under a fair process. I want to thank every Member who signed that discharge petition, particularly the minority leader, the gentleman from Missouri (Mr. GEPHARDT), who worked tirelessly to get us back to the floor under a fair rule.

Mr. Speaker, with the Enron scandal casting a cloud over the White House and the capital, this House has a historic opportunity to reform our campaign finance laws by ending the soft-money system. Twice this House has passed bipartisan campaign finance reform with over 250 votes, but never with such a strong chance that the bill would become law. Tomorrow will be the moment of truth for reform. The role will be called and the votes will be counted. And over the course of this debate opponents of reform will attempt to perpetuate several myths about our bill in an attempt to stop us. But do not be fooled.

Myth number one, Shays-Meehan has been weakened to the point that it is meaningless. My friend, if that were true, do you think getting this bill passed into law would be so difficult? Would this floor fight be described as Armageddon?

Here are the facts: our bill bans soft-money contributions to the national parties, prevents Federal office holders from raising soft money for parties to spend in Federal elections, and prohibits State parties from spending soft money on TV attack ads attacking Federal candidates.

Myth number two, it is a partisan bill. This is a bipartisan bill. If this were a partisan bill, I have complete confidence that the President of the United States would be waving his veto pen for all of us to see. But he is not. McCain-Feingold, Shays-Meehan, Levin, Castle, Graham, Stenholm, Roukema, Lieberman, Thompson, Snowe, Wamp. The list goes on and on, Democrats and Republicans joining together to say enough is enough.

Myth number three, the Ney bill is a better choice. The truth is the Ney bill allows $900,000 in soft money per donor to be given to national parties in just one election cycle, and unlimited money to the State parties for TV attack ads on Federal candidates. The Ney bill is not serious reform. It is, to put it bluntly, a political device proposed in an attempt to break apart our reform coalition.

Myth number four, Shays-Meehan is unconstitutional. The Supreme Court has upheld contribution limits time and time again. This Court has long upheld laws saying that spending on campaign ads has to be disclosed and has to come from hard money. The Shays-Meehan bill makes sure that campaign ads masquerading as issue discussion are subject to the same laws that uncloaked campaign ads should be.

Mr. Speaker, more than any other recent scandal, the unfolding Enron scandal has made it clear that under the present system money talks and public interest walks. Let us pass campaign finance reform.

Mr. REYNOLDS. Mr. Speaker, I yield 2½ minutes to the gentleman from Indiana (Mr. PENCE).

Mr. PENCE. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, as I voted in favor of bringing this bill and a rule to the floor for debate and deposition last year, I urge my colleagues to support this rule tonight. It is time to yield to the processes of this institution and bring this measure to the floor.

But I also rise, Mr. Speaker, today in strong opposition to the underlying legislation for the single and exclusive reason that I believe in my heart that this legislation is, in fact, despite what the author of the bill just offered into the record, I believe it is, in fact, unconstitutional.

□ 1815

The gentleman from Massachusetts (Mr. MEEHAN) said on the floor of this Chamber moments ago that the Supreme Court has upheld spending limits, and in that measure he is right, but also in 1996 the Supreme Court ruled that "independent expression of a political party's views is core first amendment activity no less than is the independent expression of individuals, candidates or other political committees." It is precisely those individuals and other political committees that the Shays-Meehan bill bars, Mr. Speaker, from any political communication that mentions one of us incumbent Federal officeholders in the 2 months prior to an election.

One of the great ironies of the debate this week is that many of the supporters of the Shays-Meehan legislation are using the very issue ads that they would ban, financed by the very type of groups that they would ban, to sell this legislation to the American people.

Mr. Speaker, Members of Congress and I had the privilege a little over a year ago to take an oath of office where we promised to uphold and defend the Constitution of the United States. My promise to uphold the Constitution and those blood-bought freedoms constrains me from supporting this legislation.

By barring any groups of Americans other than political action committees from criticizing Members of Congress by name in the 2 months before an election is unconstitutional. It is good for incumbents, bad for democracy; good for bureaucracy, bad for liberty.

Let us support the rule but oppose or amend this underlying legislation to discharge each of our oaths of office.

Mr. FROST. Mr. Speaker, I yield 4 minutes to the gentleman from Maryland (Mr. WYNN), who is one of the principal authors of one of the alternative proposals that we will consider tomorrow.

Mr. WYNN. Mr. Speaker, I thank the gentleman from Texas (Mr. FROST) for yielding me the time and also for his hard work in the course of developing this issue.

Let me begin by saying I take strong exception to the statements by some of the media and some of my colleagues who say that our political system is corrupt in order to advance their own ends and to pass campaign finance reform. There may be Communist dictatorships that are corrupt, there may be

Third World despots that are corrupt, but I stand here today for the proposition that the Congress of the United States of America is not corrupt.

There have been no indictments, no convictions to justify the essentially self-serving accusations made by some Members of this body who support campaign finance reform. We differ on issues, we have different constituencies, we have different approaches to economic prosperity. That is all fair game for debate, but I believe to call this institution corrupt is totally unjustified. It paints with a very broad and a very misguided brush.

There are ways our system can be improved, but I do not hear the broadcast media or the print media calling for free air time or free ad space. The role of money in politics is not for personal gain, as would be the case if this were a corrupt government. Rather, money in American politics is a function of free speech, the ability to communicate views through the mass media. Thus the drive for campaign funds is not motivated by corruption, but rather by the necessity to pay for ad time and print space.

There is certainly room for reform to reduce the amount of money in politics and to reduce broadcast attack ads by national parties. That is what many of us want to accomplish with the Ney-Wynn bill. I did an analysis under Ney-Wynn. The top 10 contributors of soft money would have contributed $21 million less than is currently allowable, but excessive bans on so-called soft money only weaken the political parties and strengthens the influence of wealthy individuals and candidates while reducing the role of our national parties.

Next, consider the right of free speech by issue advocates, whether liberal or conservative or even moderate. This is unconstitutionally restricted under the Shays-Meehan bill during the most critical time just before the election, 60 days before the election. This is not only unconstitutional, I submit that it defies common sense and our supposed goal of promoting an informed electorate.

National political parties have an important core function in terms of get out the vote, voter education and voter registration. These functions are critical to both party building and to ensure greater participation in our political process. This is particularly important for minority groups, African Americans, Hispanics, and others, and these functions should not be relegated to so-called other groups whose agenda we are not aware of, but who may, in fact, represent special interests. These are functions the parties should perform.

Moreover, the Shays-Meehan bill restricts State political parties. I submit the States can regulate political activity within their borders. We should not be federalizing elections.

Finally, let me conclude by saying that self-appointed reformers suggest that Shays-Meehan would solve the Enron problem. That is patently absurd. Campaign finance reform would not have enabled Enron to avoid bankruptcy. Campaign finance reform would not have saved those employees and investors from losing their money. It is totally misleading to suggest that Shays-Meehan would have or could prospectively solve the Enron problem.

What we do know is Enron, Arthur Andersen and the accounting industry gave politicians, Senators and House Members lots of hard money. Shays-Meehan does not get rid of hard money; therefore, these direct contributions would continue. But we also know that our system works because disclosure exists. Disclosure allowed us to know who got what, who got how much, and ultimately it allows the voters to make the decisions, not the reformers. That is the way our system should work.

I urge adoption of the rule, rejection of Shays-Meehan and the adoption of a compromise approach that would protect national parties, restrict soft money and not interfere with the States. That is the Ney-Wynn substitute.

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

The gentleman from Maryland (Mr. WYNN) is correct, that is exactly why I am a cosponsor of his legislation, because his bill does a better job. It talks about meaningful reform and instantaneous reporting, and it takes a special kind of guy to look in front of a camera and make a statement that the Shays-Meehan bill ends all soft money. It just is not true.

The Shays-Meehan bill empowers special interests to use independent expenditures, underground expenditures to influence campaigns while silencing average Americans.

Most everyone wants to reform our campaign finance laws, but taking away first amendment rights and eliminating free speech is not the way to do it. Make no mistake about it, the Shays-Meehan bill does not ban soft money. Instead, it creates a new road for cash to travel to political parties, allowing up to $60 million in soft money per donor nationwide via the States.

Funneling is not reforming, and if the supporters of Shays-Meehan were serious about campaign finance reform, the bill would completely ban soft money and take effect immediately. It does neither, raising questions about its intentions.

Matter of fact, the first Shays-Meehan bill in 1999 banned all soft money, did not allow State and local political parties to get at soft money. It banned labor, it banned corporations, and it banned the wealthy from being able to put money in. So we talk about a change of what a bill had to do to get 218 motion-to-discharge signers, take a look at the different bills in the fourth draft we are now having before us in Shays-Meehan.

If the Shays-Meehan does not raise hard-money limits for House candidates and combine with other restrictions on finances, it will make the House of Representatives a millionaires' club. Take a look at some of the candidates we have had to recruit through our political parties that had wealth in order to run for public office. Wealth, individual wealth, and then we try to find some gimmicks on how we can have a millionaires' amendment or some other solution. My colleagues should live in fear, all 435 of us, that a wealthy American decides to run, and we have no available solution to get our message out.

The Shays-Meehan campaign finance legislation is no reform at all, rather some mechanism to limit free speech while turning over power and decisions to parts of the media and the wealthy. Limiting issue advocacy and curtailing who could say what and what can be said is definitely unconstitutional, and I have sat in the Committee on Rules where some of the sponsors have admitted it is unconstitutional.

The time has come. We have used a motion to discharge to get this bill on the floor. By gosh, we are going to have the debate tomorrow, maybe into the next day, but there is no longer anyplace to hide that the Senate will take care of it or the White House will take care of it. It is going to be settled right here in the House of Representatives.

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

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO), the assistant to the minority leader.

Ms. DELAURO. Mr. Speaker, tomorrow we will consider one of the most important pieces of legislation before the Nation today, the urgent need to overhaul our failed campaign finance system. Last summer we attempted to close many of the loopholes that allowed unregulated and unlimited soft money to poison our electoral system. This is a system that allowed the wealthiest individuals and the biggest corporations to seek unchecked influence.

We proposed ending the phony negative advertising that masqueraded as voter education, but are actually campaign commercials in all but name. We were ready to take these substantial steps toward cleaning up the system.

I wish the Republican leadership had chosen not to become the enemies of reform and change. They have thrown up every procedural roadblock. They cannot imagine a world without such special interest money. They were successful in this intransigence before Enron. Now the winds of change blow strong, and now a majority of this body say, no more.

That is why a bipartisan coalition of Members has forced this bill to the floor with a discharge petition over the objections of the Republican leadership. That we were forced to resort to such a rare parliamentary maneuver speaks volumes about the new urgency in the country.

Make no mistake, those wedded to this corrupt funding system will do all in their power to defeat, alter or contort this bill. They have called consideration of this bill Armageddon. They will attempt to add poison pill amendments that purport to strengthen the bill, but, in fact, are only designed to destroy the delicate bipartisan compromise that the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) have worked hard to put together.

I urge my colleagues to turn these amendments aside so that the President can sign meaningful campaign finance reform, this legislation, into law as soon as possible. The American people are demanding that we clean up this system. The time for reform is now, and in light of recent events, the need has never been greater.

We have in this Chamber tonight a strong and courageous woman, Granny Dee. We see her here and thank her for the long road she has traveled for campaign finance reform. She inspires all of us. I thank her for her hard work. Tomorrow is the day of reckoning.

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

Some say that what killed campaign finance in July was not the Republican leadership, it was the Presidential ambition of some of the leadership in the minority.

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

Mr. FROST. Mr. Speaker, I would inquire as to the time remaining on each side.

The SPEAKER pro tempore (Mr. THORNBERRY). The gentleman from New York (Mr. REYNOLDS) has 7½ minutes remaining. The gentleman from Texas (Mr. FROST) has 11 minutes remaining.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Speaker, I rise today in support of this rule and the Shays-Meehan campaign finance reform bill.

Unlimited contributions are polluting our democratic process. By passing the Shays-Meehan bill, we will even the playing field. We will ensure that people of limited means can come together and send powerful policy messages to their elected officials. The Shays-Meehan will also make our campaign system more transparent.

In my last election a group called Citizens for Better Medicare ran hundreds of TV ads on prescription drug coverage. The problem was that no one knew that these Citizens for Better Medicare were actually pharmaceutical companies. Once Shays-Meehan is signed into law, corporations and large donors will not be able to hide behind these misleading shell groups.

I urge all of my colleagues in this House to vote for real campaign finance reform and pass Shays-Meehan into law.

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, I rise in strong support of this rule and in strong support of the Shays-Meehan bill.

I represent a district north of the Golden Gate bridge right across from San Francisco with an 85 percent voter turnout. My constituents, the people I serve, care about a fair campaign process where their involvement counts. They want to ensure that the men and the women who are elected to head our government are truly accountable to their constituents, not special interests. They support the Shays-Meehan bill because they want big money influence out of the election process.

My constituents want to give our children a democratic election system that they will believe they can be part of, and without real reform, Mr. Speaker, we are telling our kids and young voters that only wealthy contributors have a voice in the political process.

Mr. Speaker, I urge my colleagues to vote for the rule and for Shays-Meehan.

Mr. REYNOLDS. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Speaker, I rise in opposition to the rule. In case you wonder why the big media outlets, NBC, CBS, ABC and others, are such big supporters of the Shays-Meehan bill, it is not very tough to figure out they will be the only ones left standing, the only ones left able to speak within the 60 days before the election.

□ 1830

And if my colleagues think for a minute these media corporations or these corporations that own media outlets are not biased or that they do not have an axe to grind here in Washington, consider for a minute: Microsoft Corporation, which owns MSNBC, $2,311,926 in soft money last year, or in the last cycle, $820,000 in hard money from their PAC. They spent nearly $5 million lobbying the Congress in 1999. Go down the list: Walt Disney, which owns ABC, over $1 million in soft money, $283,000 in hard money, and spent nearly $3.5 million lobbying the Congress in 1999.

Now, these corporations will be able to speak 60 days before the election. Unlike interest groups or unlike individuals or others, they are allowed to speak. They are allowed to say whatever they want, as they should be. But if we are going to curtail the speech of others, then why not at least require disclosure on the part of the large corporate media outlets?

Should Shays-Meehan be the base bill, I have an amendment that I will offer which would require such disclosure. We cannot stand and say that we want campaign finance reform that is so unbalanced. And I say those who want campaign finance reform should want to apply it equally across the board.

Of course, that is not what this is really about. This is about showing our constituents that we really care about campaign finance reform. I think it is a sham, and I would urge rejection of the rule and rejection of the bill.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from New Mexico (Mr. UDALL).

Mr. UDALL of New Mexico. Mr. Speaker, I thank the gentleman from Texas for yielding me this time.

I support the rule. Opponents of campaign finance reform are spreading erroneous information about Shays-Meehan. The opponents say Shays-Meehan violates the first amendment because it prohibits free speech. In order to reach this conclusion, one must assume money equals speech. Therefore, the rich man's wallet overwhelms the poor man's soap box. Not so in America.

Shays-Meehan simply says that special interest television commercials must play by the same rules as Federal candidates. Corporate dollars, union dues, and unlimited dollars from wealthy individuals are prohibited, but groups are allowed to purchase and run television so long as they disclose the hard-dollar contributions.

I urge my colleagues to support Shays-Meehan. It protects our first amendment rights. It protects our democracy.

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

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. LEVIN).

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

Mr. LEVIN. The basic issue before us is not free speech, but the cost to democracy of opening the floodgates to big money. Soft money, unregulated, undisclosed, was originally intended to help parties register and get out the vote. Instead, it is turning political parties into exchangers of money for so-called issue ads. It is swamping the voice of the citizen. It is corroding the legislative process. It has been said that money is the mother's milk of politics. Instead, big money is becoming its poison.

Look, Shays-Meehan prohibits soft money except in a circumscribed instance. Only in this case, when it relates to registering and getting out the vote. Only in those cases, returning soft money to its original purpose.

I say vote for Shays-Meehan. It is originally what was intended by soft money. It is real reform of the political process.

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

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 in support of the rule. Granny Dee did something very innovative, and she is here tonight in this Chamber. She walked across America for 14 months in support of her dream,

campaign finance reform. Tomorrow, we will have an opportunity to give her and other Americans her dream, by passing meaningful reform. The President says he will sign it. The Senate has passed it. All we need to do is keep the poison pill amendments off of it.

Now, Enron was known as a very innovative company. That was their claim to fame before we found out they were really a house of cards. Well, the Enron end game has got to be passing campaign finance reform. It is time for Congress to do something very innovative: to restore public faith in the political system by banning soft money and creating more competitive elections.

This is our Enron end game. Let us pass campaign finance reform and send it to the President for his signature.

Mr. REYNOLDS. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, I thank the gentleman for yielding me this time and belatedly apologize for the fact that I think this was a debate he introduced a few months ago, and we are finally debating it, I think under a very fair rule. It gives both sides the opportunity to present their case.

When Abraham Lincoln addressed this Chamber during the Civil War, when we were losing 10,000 Americans a month, he looked at Congress and said, ''The dogmas of the quiet past are inadequate to the stormy present. The occasion is piled high with difficulty, and we must rise with the occasion. As our case is new, we must think anew and act anew, and then we will save our country.''

I happen to believe what we are going to do tomorrow is about saving our country and our democracy. It is about enforcing the ban on corporate treasury money that took place in 1907; it is about enforcing the ban on union dues money that was passed in 1947; and about making sure that rich individuals cannot buy elections with the law that passed in 1974.

I do not know what the prediction outcome will be tomorrow, but I do know this: we came to this Chamber with a good bill, the Senate took this bill and changed it slightly; and we have taken the Senate changes and incorporated them in our bill with the hope and the prayer that this House will act and pass campaign finance reform and send it back to the Senate for the President's signature.

I do not know if that will happen. But in order for it to happen, we have to kill amendments that gut our proposal. We have to kill amendments that supposedly improve it but break apart the coalition that we have in the House. And we have to make sure that this bill ultimately can be passed by the Senate.

I urge my colleagues to pay attention to this debate, to vote their conscience, and we will all live with the consequences.

Mr. FROST. Mr. Speaker, I would inquire about the time remaining.

The SPEAKER pro tempore (Mr. THORNBERRY). The gentleman from Texas (Mr. FROST) has 6 minutes remaining, and the gentleman from New York (Mr. REYNOLDS) has 3½ minutes remaining.

Mr. FROST. Mr. Speaker, 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. Speaker, Granny Dee would not have walked so many miles if she did not believe in campaign finance reform. The American people believe in campaign finance reform. They want this process and the members of the elected process, the democratic process, to be an open book.

Tomorrow, we can show them that we are by voting for campaign finance reform and not delaying one more moment. This is a complex rule, but it is a fair rule. It will give us an opportunity to debate many issues. I know my local broadcast stations are concerned about one particular issue, impacting on the first amendment. We will be able to debate that. But what we must do and where we must not fail is fail the American people and this democratic process.

We have a lot to export to the world, that is, democracy in its purest sense. The only way we can do so is to support the Shays-Meehan bill tomorrow, have a vigorous debate, and be optimistic about what we need to do to show the American people we do believe their voices can be heard. I ask my colleagues to support Shays-Meehan as well as the rule.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. FORD).

Mr. FORD. I thank the gentleman from Texas for yielding me this time.

Mr. Speaker, I have listened with great delight to my friend from New york and others who have expressed their opposition to this bill. It is almost as if my friend from New York would have us do more than what we are doing. I will be interested in hearing some of the debate tomorrow.

Let me be clear. I support campaign finance reform, because I think when we have liberal Democrats and some conservative Republicans saying something is bad, it is probably a good thing. And we will hear a lot of that tomorrow, not just here in this Chamber but even outside this Chamber.

Any time we can limit the money that companies like IBM and AFL-CIO chiefs and union bosses and Enron chiefs give to this process, it is a good thing for the political process. What is it that we are afraid of, actually having to campaign? What is it that we are afraid of, actually having to go home and ask voters to examine and analyze our records? I submit I am one Congressman not afraid to go home and ask the voters to analyze my record without the help of some of these huge corporate dollars, without the help of some of these union dollars. And I hope the majority of my colleagues will see fit to vote that way tomorrow.

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

I listened carefully to my friend from Tennessee, and he kind of wants it both ways. I am never afraid to go home. I go home every single week to my district in western New York to talk to my voters and listen to what they have to say, as they send me to Washington. But the gentleman cannot have it both ways, to where we ban a little bit but we do not really have a level playing field and we just kind of set up the rules.

That is why I am a cosponsor of Ney-Wynn, because it is pretty straightforward. It is pretty straightforward on reform. It is pretty straightforward on quick and accurate information on what is being raised and spent.

And I listened to Andy Card, the Chief of Staff to the President, when he talked about the credentials that he looked for in a bill: a level playing field, banning soft money on both labor and corporations, paycheck protection and instantaneous reporting.

Mr. FORD. Mr. Speaker, will the gentleman yield?

Mr. REYNOLDS. I yield to the gentleman from Tennessee.

Mr. FORD. Mr. Speaker, under the Ney bill, how much money could Ken Lay have contributed, the former chairman of Enron, to the NRC, the DNC, and all the other parties?

Mr. REYNOLDS. Reclaiming my time, Mr. Speaker, I would respond that I would have to get an expert on that; but I can say that under the Shays-Meehan bill, which the gentleman supports, it could be $30 million to both parties with the State and locals.

Mr. FORD. How much could you give to the national parties, I would ask my friend from New York?

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The time is controlled by the gentleman from New York. Requests must be made for Members to yield. Members may not get into a dialogue with one another absent such yielding.

Mr. REYNOLDS. Mr. Speaker, I believe I have answered the question of the gentleman from Tennessee. The Shays-Meehan bill would provide $30 million to both parties at the State and local level. I do not exactly know what the Ney-Wynn bill would provide in those dollars.

But I can say that the Shays-Meehan bill empowers special interests to use independent expenditures, which I really consider underground money, to influence campaigns while silencing average Americans. Most everyone wants to reform our campaign finance laws, but taking away first amendment rights and limiting free speech is not the way to do it.

Mr. CRENSHAW. Mr. Speaker, I rise to urge my colleagues to support H.R. 3699,

which I introduced to correct a simple clerical error and will not cost any additional funding. Without the fix my legislation provides, numerous homeless outreach providers in Northeast Florida will be subjected to profound and unintended consequences.

In May 2001, The Emergency Services and Homeless Coalition of Jacksonville submitted a consolidated Continuum of Care Application to the Department of Housing and Urban Development (HUD) requesting a maximum grant of $3.5 million. The intent of this application, consistent with HUD's responsibilities under the SuperNOFA program, was to compete for and obtain funding for a total of 11 Jacksonville homeless outreach projects.

Due to a technical error in the way the grant was submitted, the full funding for all 11 projects in Jacksonville was inadvertently granted to one agency—Liberty Center. Unfortunately, due to an interpretation of the HUD Reform Act, HUD personnel cannot make the needed corrections to remedy the technical error—thus requiring this legislative proposal before us today.

As a result, many of the programs listed on the application will cease to exist due to a lack of funding. One of these projects, the ''Quest'' program, operated by the Jacksonville Mental Health Resource Center, requested $293,979 and provides psychiatric medication case management to approximately 200 clients and case management services to several hundred others. There are 5 full-time and 2 part-time employees who will be cut. Without this program, these individuals will not have continuous case management basis and other public service facilities will have to deal with these individuals on a crisis basis. This type of problem will ripple through the region and disrupt years of quality service to these patients.

Mr. Speaker, without action today, another program, Goodwill Industries, will be forced to close its Job Options program, a $431,707 renewal in the continuum. Goodwill run out of funding for this project on February 28, which will result in termination of 9 employees. This is a job training program which puts homeless or near homeless clients into paying jobs and off the dole. This past year there were 852 homeless participants enrolled in the program, of which 534 were placed in employment earning an average of $7.95 per hour. It is a very effective program and saves substantial government dollars, which would otherwise have to be spent in support of these clients, were they unable to obtain jobs.

Mr. Speaker, H.R. 3699 simply corrects an administrative and clerical error in a grant application. My legislation corrects a horrible wrong that would inadvertently de-fund numerous projects. The legislation simply turns back the clock to the date the eleven members of the Coalition sat down together and submitted a consolidated Continuum of Care Application to help Jacksonville's homeless outreach projects. The bill does not authorize any additional funding; it only restores the original intent of the Homeless Coalitions Continuum of Care Application, allowing funding to be restored to all existing projects and to begin funding for the new projects. The Liberty Center would keep $459,600 of the grant and the remaining funds of just over $3 million would be dispersed to the other 10 projects in the priority order they were listed on the grant application.

This legislation will not cost the taxpayers any additional funds, and it will not change the original grant award amount of $3,484,778.

Mr. Speaker, I would like to thank my colleague, Ms. Brown for joining me as an original cosponsor of this legislation and urge all my colleagues to support passage of H.R. 3699.

Mr. HORN. Mr. Speaker, today the House will begin the debate and vote on proposals to reform the way we finance federal election campaigns in this country. Some believe this issue rates very low in public concern, but I believe strongly that the proposals we debate today go to the very heart of our democracy.

This is a debate about the way we will run our elections, which are the foundation and a major safeguard of our republic. It is a debate and a decision about whether every voter will have an equal voice in deciding our nation's future or whether some interests will always have special status because their voices are backed by large financial contributions.

Mr. Speaker, there is nothing wrong with a person providing a financial contribution to a political candidate or committee. It is proper that candidates are supported at the grassroots level through the involvement of friends and neighbors. Each of us is here in large measure because we enjoy and appreciate such support from a wide range of Americans who care about our government and are personally committed to supporting us.

But, there is something wrong with this system when the link between candidates and the grassroots voter—our neighbors and our friends—is broken or bent beyond recognition by an avalanche of big money that comes directly from corporations, labor unions and from a very few, very wealthy individuals. That is the problem we face today.

Direct political contributions from corporations to individual candidates were outlawed in 1907, but today corporations give hundreds of millions of dollars to both parties in the form of ''soft money'' because current federal law has a loophole allowing such contributions for so-called ''party-building activities.'' This loophole now allows enormous contributions—some of $1 million in a single check—that go directly to the political parties rather than individual candidates. Although giving to political parties may lessen the appearance of corruption, the average American understands that Enron, big tobacco companies and other corporations do not give millions of dollars to a political party just to assure good government.

Mr. Speaker, the choices before the House are clear cut. We can again pass a bill that provides genuine, effective reform of the current system—the bill offered by Mr. SHAYS and Mr. MEEHAN. Some of the alternatives before us have the appearance of reform by at least providing some limits on soft money but they lack real substance because the limits are so high and so wide that they change very little in the current situation.

I believe it is essential that the House stand fast on the cause of campaign finance reform, that we again—for the third time—pass the Shays-Meehan bill. In doing so, we will end the soft-money chase. We also will assure that those who engage in campaign advertising that attacks or promotes candidates must fully disclose the sources of their funding to the voters.

The decision we make today is perhaps the most important decision that this Congress will render. The outcome will influence everything else we do on a vast array of issues and concerns. Mr. Speaker, I urge my colleagues to pass real reform so that we send a clear message to the American people that this Congress intends to restore common sense to our campaign laws.

Mr. FROST. Mr. Speaker, I urge adoption of the rule, and I yield back the balance of my time.

Mr. REYNOLDS. 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 SPEAKER pro tempore. The question is on the resolution.

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

Mr. REYNOLDS. 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 motion will be postponed.

The point of no quorum is considered withdrawn.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on motions to suspend the rules and on House Resolution 344, on which further proceedings were postponed earlier today.

Votes will be taken in the following order:

Concur in the Senate amendment to H.R. 2998, by the yeas and nays;

H.R. 3699, by the yeas and nays;

House Resolution 344, de novo;

And House Concurrent Resolution 326 de novo.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

□ 1845

RADIO FREE AFGHANISTAN ACT

The SPEAKER pro tempore (Mr. THORNBERRY). The pending business is the question of suspending the rules and concurring in the Senate amendment to the bill, H.R. 2998.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. HYDE) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 2998, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 421, nays 2, not voting 12, as follows:

[Roll No. 15]

YEAS—421

Abercrombie	Aderholt	Allen
Ackerman	Akin	Andrews

Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boozman
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Combest
Conyers
Costello
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—2

Collins
Paul

NOT VOTING—12

Condit
Cooksey
Cox
Hall (OH)
Hastert
Hefley
Jefferson
Lewis (KY)
Riley
Tauzin
Traficant
Vitter

□ 1905

Mr. THOMPSON of Mississippi changed his vote from ''nay'' to ''yea.''

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendment was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SWEENEY). Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on each additional motion to suspend the rules on which the Chair has postponed further proceedings.

REVISING CERTAIN GRANTS FOR CONTINUUM OF CARE ASSISTANCE FOR HOMELESS INDIVIDUALS AND FAMILIES

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3699.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. GREEN) that the House suspend the rules and pass the bill, H.R. 3699, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 0, not voting 14, as follows:

[Roll No. 16]

YEAS—421

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boozman
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Conyers
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha

Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—14

Condit
Cooksey
Gekas
Hall (OH)
Hastert
Hobson
Jefferson
Lewis (KY)
Peterson (PA)
Riley
Tauzin
Thornberry
Traficant
Vitter

□ 1916

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 2356, BIPARTISAN CAMPAIGN REFORM ACT OF 2001

The SPEAKER pro tempore (Mr. SWEENEY). The pending business is the question de novo on agreeing to the resolution, H. Res. 344.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to section 6 of House Resolution 344, House Resolution 203 is laid on the table.

COMMENDING NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION REGARDING NATIONAL CHILD PASSENGER SAFETY WEEK

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 326.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. PETRI) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 326.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

MODIFYING SPECIAL ORDER FOR COMMITTEE OF WHOLE CONSIDERATION OF H.R. 2356, BIPARTISAN CAMPAIGN REFORM ACT OF 2001

Mr. REYNOLDS. Mr. Speaker, it is my understanding that the minority leader does not intend to offer amendments.

Pursuant to that, I ask unanimous consent that, one, during consideration of H.R. 2356 in the Committee of the Whole pursuant to H. Res. 344, the Chair shall alternate recognition to offer the amendments specified in section 3 between the majority leader or a designee of the majority leader and the gentleman from Connecticut (Mr. SHAYS) or the gentleman from Massachusetts (Mr. MEEHAN) or a designee of either Member only as follows:

□ 1930

The Majority Leader for one amendment;

Representative SHAYS or Representative MEEHAN for one amendment;

The Majority Leader for two amendments in sequence;

Representative SHAYS or Representative MEEHAN for one amendment;

The Majority Leader for two amendments in sequence;

Representative SHAYS or Representative MEEHAN for one amendment;

The Majority Leader for two amendments in sequence;

Representative SHAYS or Representative MEEHAN for one amendment;

The Majority Leader for two amendments in sequence;

Representative SHAYS or Representative MEEHAN for one amendment; and

The Majority Leader for one amendment.

(2) Under section 3(a) of House Resolution 344, a Member listed in section 3(b) may designate another Member to announce, in accordance with section 3(c), the intention to offer any amendment allotted to him under section 3(b).

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 1-minute requests.

CONGRATULATIONS AND THANKS TO LUCY ESPINEL AND REGINE FERNANDEZ-CACIEDO

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

Ms. ROS-LEHTINEN. Mr. Speaker, today I rise to congratulate two constituents of my congressional district, Lucy Espinel and Regine Fernandez-Caciedo, for their selfless work on behalf of the neediest folks in south Florida.

Lucy and Regine oversee, without compensation, the ''Wish Book'' of the Miami Herald charities, featuring those who are not receiving desperately needed assistance.

What is wonderful about the work of these two remarkable women is that they get personally involved with all to understand their unique individual needs. With respect and compassion, Lucy and Regine try to fulfill every wish, whether it be for food, toys for children, medical equipment, medication or furniture.

Lucy and Regine take time out of their work and personal lives; and during these difficult times, when we have been affected in so many ways by tragedies, it is encouraging to know that there are kind individuals like Lucy and Regine to make someone more comfortable.

Mr. Speaker, I wish to extend our congratulations to them; and I thank another constituent of my district, Angel Pardo, for informing me of their work. Please join me in celebrating the contributions of these two humanitarians to our south Florida community, and indeed, to our great Nation.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. CULBERSON). Under the Speaker's announced policy of January 3, 2001, 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 Illinois (Mr. DAVIS) is recognized for 5 minutes.

(Mr. DAVIS of Illinois 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 gentleman from Pennsylvania (Mr. TOOMEY) is recognized for 5 minutes.

(Mr. TOOMEY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

MUSHARRAF'S VISIT TO THE UNITED STATES

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. Mr. Speaker, I rise this evening to discuss my concerns with H. Con. Res. 322, a resolution introduced by the gentleman from Pennsylvania (Mr. PITTS) this afternoon that commends General Musharraf of Pakistan for his leadership and friendship and welcomes him to the United States.

Mr. Speaker, I agree that General Musharraf was faced with a difficult decision when he was asked, and he cooperated, with the United States in the fight against terrorism. There is much civil unrest throughout Pakistan, and I do believe that there was a risk involved when Musharraf decided to side with the United States.

However, there have been some major shortcomings in Musharraf's promises to root out the Taliban, al Qaeda and certain terrorist groups in Kashmir that are linked to al Qaeda. I sent a letter to President Bush today outlining these shortcomings, and I will include that in the RECORD at this point.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 11, 2002.

Hon. GEORGE W. BUSH,
President of the United States, Washington, DC.

DEAR MR. PRESIDENT: I understand that you, along with other officials in your administration, will be meeting with General Pervez Musharraf on Wednesday during his visit to the United States. I am writing to explain why I continue to oppose lifting the ban on military assistance to Pakistan and the proposal in your budget to provide $50 million in such assistance.

Since September 11 and Musharraf's supposed willingness to fight against terrorism, Pakistani-based militant groups have been carrying out violent cross-border terrorist attacks on innocent civilians throughout Kashmir on a daily basis. In addition, the largest symbol of democracy, the Indian Parliament, was attacked on December 13, 2001 by the same terrorist groups operating out of Pakistan near the Kasmir border.

Musharraf has claimed to crack down on terrorists operating in Pakistan since the attack on the Parliament, however it remains my concern that this is not the case. Although he has arrested nearly 1600 individuals, there is no assurance that these individuals are criminals and there is no notice of whether these individuals are terrorist fighters. In addition, there has been no progress on Pakistan's part to quell the violence taking place in Kasmir. In fact, the Kashmir Solidarity Day last week, Musharraf delivered a speech, which I found to incite violence among these terrorist groups that he refers to as ''freedom fighters''. Pakistan has openly acknowledged that it provides logistical and moral support to these groups, however, the support extends beyond that to arms and weapons transfers. It is clear that Musharraf is in fact supporting terrorist activities under the guise of calling these groups ''freedom fighters''.

When you asked Congress last fall to lift the ban on military assistance to Pakistan, there were no plans to provide any such assistance to General Musharraf. State Department representatives appeared before the House International Relations Committee at the time, and in response to my question, stated that no military aid to Pakistan was anticipated.

In your FY 2003 budget proposal you have requested $50 million in military assistance to Pakistan. Frankly, I don't see that the situation has changed in Pakistan to justify such a turnaround. It is alarming that you are proposing military assistance to a country that verbally condemns terrorism on a global level, but that actively supports terrorist activities in its own backyard.

I agree that Pakistan needs extensive aid to rebuild its economy, education system and social structure. However, I cannot support a proposal that funds military assistance to Pakistan given its current leadership under a dictator and its continued backing of militant groups. Historically, U.S. military assistance to Pakistan has been used to arm cross-border terrorists in their attacks on Indian civilians in Kashmir and throughout the nation. There is continued evidence that terrorist groups operating in Pakistan are linked to Al-Qaeda and that their attacks on India are experiments for future attacks on the United States. I do not believe it is in our best interest to provide military assistance to Pakistan, despite their agreement to help in our war on terrorism. South Asia is a very volatile, unstable region and given the current military standoff between Pakistan and India, $50 million worth of U.S. weapons will only aid future conflict in that region.

Thank you for your consideration.

Sincerely,

FRANK PALLONE, JR.

However, tonight, Mr. Speaker, I would like to focus on democracy, or the lack of democracy, in Pakistan. In the Pitts resolution, there is mention of President Musharraf's pursuit of a return to democracy and civil society, in addition to his adherence to the timetable for restoring democratic elections to Pakistan. I do not support this resolution because the opposite is true. Mr. Speaker, Musharraf has made no concrete attempt to restore democracy in Pakistan, and I urge the Congress and the administration to be very wary of any guarantees of a return to civilian rule in Pakistan.

In 1999, General Pervez Musharraf overthrew the civilian-elected government of Pakistan in a military coup and since then has governed Pakistan under military rule. General Musharraf has shown no steps toward returning Pakistan to democratic rule and, in fact, has moved in the opposite direction.

On June 20 of last year, Musharraf declared himself President of Pakistan, which is a clear indication of his desire to maintain a dictatorial stronghold. Musharraf's past actions include dissolving Pakistan's National Assembly, or parliament, and four provincial assemblies. He has claimed that he will hold fair national elections by October of 2002. However, there are no indications that this is likely to occur. October is only 9 months away. As a self-proclaimed president, Musharraf may be seen with more credibility in the eyes of the international community at large, but the fact remains that the people of his nation have never elected him.

Mr. Speaker, on October 16 of last year, the House debated lifting section 508 that would allow military assistance to Pakistan. The United States prohibited the export of U.S. weapons and military assistance under section 508 to countries whose duly elected head of government is deposed.

Today the House debated the Pitts resolution which praises Musharraf for his steps toward returning Pakistan to democracy.

If and when Pakistan exemplifies steps towards establishing a democracy with a civilian-elected government, perhaps then section 508 discussion would have been relevant and perhaps the Pitts resolution would be relevant. But until then, Mr. Speaker, it is crucial for Congress to indicate its support for a restoration to democracy and civilian rule in Pakistan.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. FRELINGHUYSEN) is recognized for 5 minutes.

(Mr. FRELINGHUYSEN 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 Georgia (Ms. MCKINNEY) is recognized for 5 minutes.

(Ms. MCKINNEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

A TRIBUTE TO GENERAL OMAR NELSON BRADLEY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mr. HULSHOF) is recognized for 5 minutes.

Mr. HULSHOF. Mr. Speaker, I rise to pay tribute to one of America's most respected war heroes. In my congressional district, the citizens of Moberly, Missouri, have a lot to be proud of today as they gather to honor the memory of one of its favorite sons, Five Star General Omar Nelson Bradley. It is fitting that at this time of war, we take time out to remember the virtues that he exemplified: honor, dignity, patience, humility, and love of country.

The son of a Randolph County school teacher, Bradley was born on this date, February 12, in 1893 in a log cabin near Moberly, Missouri. After the death of his father when he was 14, Bradley and his mother moved to Moberly where his formative years were spent, and it was during his days at Moberly High School as a star baseball player that Bradley began to develop the leadership skills that would later serve him as a leader of the Allied Forces in World War II.

After he graduated from high school in the spring of 1911, Bradley worked on the Wabash Railroad to earn money to attend the University of Missouri. He was determined to put himself through school until his Sunday school superintendent encouraged him that he might have a chance at receiving a nomination to attend the U.S. Military Academy. So he used what little money he had to catch a train to St. Louis where he took the competitive exams that would determine who from his district would attend West Point. He finished first and was sworn in as a cadet in August of 1911.

During his time at West Point, General Bradley was an above-average student. He graduated 44th out of 164 men in 1915, a class that many have called ''the class stars fell on.'' Nearly 20 of the 1915 graduates achieved the rank of general or higher during World War II. The academy's yearbook, ''The Howitzer,'' predicted that Bradley was destined for great things: ''His most prominent characteristic is 'getting there,' '' proclaimed the yearbook, and ''if he keeps up the clip he's started, some of us will someday be bragging to our grandchildren that 'sure, General Bradley was a classmate of mine.' ''

Perhaps the best account of Bradley during his West Point days came from fellow classmate and future President, Dwight David Eisenhower, who wrote in Bradley's yearbook the following words: ''True merit is like a river; the deeper it is, the less noise it makes.'' The humble Bradley was already getting noticed by his peers for his hard work, his intelligence, and his ability to succeed.

General Bradley was determined to out-think and out-prepare his adversaries. He challenged his troops to ''set our course by the stars, not by the lights of every passing ship.'' This brand of resolve, coupled with a Missouri down-to-earth concern and affection for his troops, made General Bradley extremely popular with all of those he commanded. During World War II, aside from the general's stars on his helmet, Bradley was often indistinguishable from many who served alongside him on the front lines. Because of his style of command, the famous war correspondent Ernie Pyle dubbed him ''the soldier's general.''

General Bradley would demonstrate his tactical and what today we call ''people skills'' with those he commanded, when in January of 1944 he was given command of the 12th Army Group. With a force of over 1.3 million men, Brad, as he was called, established what would become the western front of the war of Europe, following D-Day. Fighting in such famous battles as the Battle of the Bulge, General Bradley won the admiration of the legendary General George Patton and his West Point classmate General Eisenhower. Eisenhower called Bradley ''the master tactician of our forces'' and ''America's foremost battle leader.''

In 1948, Bradley succeeded Eisenhower as Army Chief of Staff and soon became the first chairman of the Joint Chiefs of Staff; and in that capacity, he served both during the beginning of the Korean and Cold Wars. Once he was appointed to be chairman of the Joint Chiefs, Bradley became the last American to receive a fifth general's star.

General Omar Bradley applied the determination, fairness, and care for his fellow man that he learned from his Missouri upbringing. In the process, he became one of our Nation's greatest war heroes, especially to those who served under him. The following statement from the general himself may shed the most light on the character of this man and the inspiration he was to so many, quote: ''This is as true in everyday life as it is in battle. We are given one life and the decision is ours to make up our mind on whether to act and, in acting, to live.''

It is clear that the leadership of great men like General Omar Nelson Bradley over a half century ago allows us to live as we do today. And on this day, we are honored to show a small portion of our thanks and appreciation to this great citizen, soldier, Missourian, and American.

RECOGNIZING BLACK HISTORY MONTH AND PREVENTING AND DECREASING OBESITY, A GROWING EPIDEMIC IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. TOWNS) is recognized for 5 minutes.

Mr. TOWNS. Mr. Speaker, I rise today to recognize the kickoff of Black History Month and all the great accomplishments that African Americans as a whole have contributed to this great Nation.

As we begin this month in honoring these great people, I would like to single out African American physicians and health care providers. These physicians and health care providers were not only the principal guardians of the black community's health, but were servants of humanity as a whole.

This is why I must stand and strongly urge my fellow Members to support the Surgeon General's call to action to prevent and to decrease obesity, a growing epidemic in the United States. I applaud the United States Surgeon General, David Satcher, and Secretary of Health and Human Services, Tommy Thompson's, initiative; and let me add the borough president of Brooklyn's name to that distinguished list, Mr. Marty Markowitz, to ensure that all Americans understand what they can do to combat this serious disease.

This initiative consists of communication with Americans about related health issues, actions to assist Americans in balancing eating right and exercise, research and evaluation to invest in causes, prevention and treatment of overweight and obesity. This is what the Surgeon General calls CARE. Our support is needed now, not later.

My support begins in my own borough of Brooklyn. On March 20, I will be joining forces with Brooklyn's borough president, Marty Markowitz, to kick off a 3-month-long health community campaign promoting diet, exercise, and the Surgeon General's CARE initiative for Americans. As Members of Congress, we need to fully support the Surgeon General's report and findings as his initiative to combat this growing national problem.

The Surgeon General's Call for Action report states that ''obesity has become a national health crisis.''

□ 1945

In addition, the instance of overweight and obesity has almost doubled among America's children and adolescents since 1980. It is estimated that one out of every five American children is now obese.

The National Center for Health Statistics reports that 61 percent of Americans over 20 years of age are overweight or clinically obese. The National Center of Health Statistics conducted research from 1991 to 2000 which supports the finding that this epidemic has significantly affected approximately 300,000 weight-related deaths yearly. In addition, the research also shows great disparities in overweight and obesity prevalence based on race, gender and socioeconomic status. Overall, Hispanic Americans have the highest risk of being overweight and obese, followed by African Americans. And women in both ethnic groups are at the highest risk. Further, women of lower socioeconomic status have a 50 percent higher chance to be obese than women in higher socioeconomic strata.

As this epidemic continues to grow, other health consequences need to be considered such as heart disease type 2 diabetes, with a high prevalence in school-age children, cancer, asthma, high blood pressure, arthritis, childbearing complications, and stroke, which is the third leading cause of death among African Americans.

For the past decade the health community has made great strides in these areas, but specifically with heart disease and cancer research, treatment and prevention. However, if the current overweight and obesity epidemic is not managed, all accomplishments made thus far will be for naught. Our Nation's health would be taking gigantic steps backwards.

Last year I introduced H.R. 1641 that would amend Title XIX of the Social Security Act to require States that provide Medicaid prescription drug coverage to cover drugs medically necessary to treat obesity. At a time of national urgency, this amendment to the Social Security Act is crucial.

As I close, I would like to share with my colleagues that the economic cost of this growing epidemic in our Nation was approximately $117 billion, that is B as in boy, in 2000. We need to support the Surgeon General's initiative against obesity in order to ensure America's health in the present and in the future.

I would like to thank my staff, Michelle Scott and others who put together this report.

TRIBUTE TO OLYMPIAN DEREK PARRA

The SPEAKER pro tempore (Mr. CULBERSON). Under a previous order of the House, the gentleman from California (Mr. BACA) is recognized for 5 minutes.

Mr. BACA. Mr. Speaker, I rise today to pay tribute to one of the America's new Olympic heroes. Like all Americans, I have been watching all of our athletes competing in the 2002 Games with great pride. We love the Olympics. We love international spirit and the thrill of competition, the joy of victory and the stories of struggle. The athletes capture our imagination and our hearts.

I have been watching one athlete with particular pride, speed skater Derek Parra, winner of the silver medal in the 5,000-meter event.

You see, Derek Parra is from my district. He went to school with my son, Joe Baca, Jr., in Rialto, and I attend church with Derek's father, Gilbert Parra, at St. Catherine's in Rialto, California.

Derek's family and friends gathered on Saturday at Graziano's Pizza Restaurant in Colton to watch the San Bernardino native break the world record in the 5,000-meter speed skating race with a time of 6 minutes, 17.98 seconds, beating his own best time by 15 seconds.

Derek's silver medal win surprised the world. At 5 feet, 3½ inches, Derek is a small man in a tall man's sport. He is known by his Nordic competitors as ''The Little Man with the Big Strokes.''

Derek's record-breaking performance and silver medal were a bit of a surprise to even the people who know him best, because the 5,000-meter is not his best race. Friends and family eagerly await his best event, which is the 1,500-meter race on February 19.

Derek grew up in the west side of San Bernardino with his brother and single father. He attended Roosevelt Elementary School and Eisenhower High School. He first learned to skate at the Stardust Roller Rink in Highland, where he became an avid in-line skater.

As a Mexican American youth growing up in southern California, Derek did not set foot on ice until he was 17 years of age. Derek would be 26 years old before he would switch from in-line skating to ice skating in 1996 in order to shoot for the Olympic gold.

Derek's road to the Olympics have not been easy. He and his wife Tiffany have struggled to make ends meet while raising a little girl, Mia Elizabeth, while Derek trained for the Olympics. Unlike most skaters who train full time, Derek worked part time at a Home Depot to help support his family. Derek has doggedly pursued his dream against all odds. When people said he could not do it, he indicated he could do it, and he did do it.

We do not have too many Winter Olympians from San Bernardino. The beauty of the Olympic Games is the opportunity they allow all of us to experience the glory and triumph through our athletes. We feel a connection with them and all the individuals that participated.

The residents of San Bernardino watched their native son with pride as he broke the world record in the 5,000-meter skate to win the silver medal. As the first Mexican American to ever appear in the Winter Olympics, let alone win a medal, Derek has expanded the dreams of millions of Hispanic boys and girls throughout the United States and the world, giving them hope that you have an opportunity to compete in an area where many other individuals do not compete.

Derek Parra is an American hero. One of eight Olympians chosen by fellow teammates to carry the American flag into the opening ceremonies, Derek accepted the honor even though his first race was the next day. While most athletes spend the night before a race resting, Derek jeopardized his medal chances to carry Old Glory.

With two events left in the Games, Derek Parra has already made history and opened the world of possibility for Hispanic Americans. I will be rooting for Derek as he competes in the 1,500- and 10,000-meter races. Bring home the gold medal, Derek. San Bernardino and Rialto are behind you. We all pray for you. Our prayers are with you. We wish you the best. We know you will do the best. You have made us proud.

SUPPORTING CAMPAIGN FINANCE REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. LYNCH) is recognized for 5 minutes.

Mr. LYNCH. Mr. Speaker, we are at an important point in our legislative calendar and at a point that will have great impact on the future of this institution, this House and this Congress. We are also at an important point in the history of our country and what direction we might take.

In the next several hours, in the next several days, we will take up the debate of the Shays-Meehan campaign finance legislation. We will have a singular opportunity, Mr. Speaker, to at last take soft money out of politics. We will have one shining moment to end transactional politics on Capitol Hill, and we will have one chance to actually make sure that working families' voices are heard in the halls outside of this Chamber instead of just the voices of special interest groups and high-powered lobbyists. And I hope that my colleagues will see that opportunity and seize it and join together and pass the Shays-Meehan legislation and bring rational, reasonable campaign finance laws into effect in this Congress.

We are also in an important point in our history in terms of what direction this country will take. And those questions will be answered by our debate around the administration's budget and around our own budgetary initiatives that will be put forward on this floor. And I just want to take a moment to just do a gut check on where we are in this country's history.

We are without question the wealthiest generation of any people that has ever walked this Earth. We have acquired in this generation, my generation, greater wealth and done it faster than any other generations on this planet. We have seen in the past 20 years the average income of the top 1 percent of earners in this country increase by a staggering $414,000 per year. We have seen the number of millionaires in our society increase by 400 percent over the past 10 years. The rate of home ownership is through the roof, never been higher in this country.

We are faced now with several challenges, knowing that we are the wealthiest generation, knowing we have the blessings of generations that have gone before us. We have a couple of challenges, and I think the way we face these challenges is instructive as to the type of people and the type of country that we become.

We are faced with the challenge of financing the cost of this war in Afghanistan. And what is our response? If I can take the instruction from the President's State of the Union Address and the instructions of the majority party, we are saying that we do not want to pay for this war. We do not want to pay for this war. We want our tax cuts. That is what we are saying as a generation. We want our tax cuts. Even though we are the wealthiest generations of Americans, do not phase out our tax cuts. Do not delay them. Give us our tax cuts. And instead, we are saying let us build a deficit, and let us just hand the bill, hand the debt owed for this war to our children and to their children.

And that, Mr. Speaker, I see as just disingenuous and to a certain degree cowardly. We have a responsibility to the next generations. We have a responsibility, especially given the blessings that we have in this country, to face up to our responsibility and to pay for the cost of the prosecution of this war. It is a just war, and I stand with the President in the prosecution of this war, but we must face up to our responsibilities.

I also say the way we are facing our responsibilities to pay for Social Security, to provide a secure and decent requirement and health care for America's greatest generations, and instead, what we hear on the floor in our debate is that we should somehow privatize Social Security, we should somehow suggest curtailing benefits to those who are our most vulnerable and most in need. And, Mr. Speaker, I think we have missed, if that is the direction we have taken, we have missed our mission. We have missed our opportunity

to strike, I think, a true course consistent with the great traditions in this country of meeting the challenges of each generation.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Guam (Mr. UNDERWOOD) is recognized for 5 minutes.

(Mr. UNDERWOOD 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 gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California addressed the House. His remaks will appear hereafter in the Extensions of Remarks).

IN SUPPORT OF THE SHAYS-MEEHAN BILL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Kentucky (Mr. LUCAS) is recognized for 60 minutes as the designee of the minority leader.

Mr. LUCAS of Kentucky. Mr. Speaker, this evening the Blue Dog Coalition is pleased to take this opportunity on the eve of debate regarding the Shays-Meehan campaign finance reform legislation to stand in strong support of this important reform.

Mr. Speaker, I rise tonight as chairman of the Blue Dog Caucus on Campaign Finance Reform to voice my support for the Shays-Meehan bill. This bill represent real reform, and I strongly encourage my colleagues to support it.

□ 2000

The Shays-Meehan bill is the only campaign finance reform bill that effectively deals with soft money and the sham issue ads.

In 1996, $262 million of unregulated soft money was spent on campaigns. Estimates of the 2000 election place that amount of money, soft money, at about one-half billion dollars. That is billion with a B.

This money from unrevealed sources has the effect of drowning out the voice of the average citizen, and it is often used to run the so-called issue ads funded by the wealthy interest groups which oftentimes flood a candidate's district just days before an election. These ads are put together by unknown, unaccountable sources and are often misleading or sometimes simply untrue. Of course, no one knows where the ad came from, so no one is called to task for these misleading, sham issue ads.

As the recent Enron debacle shows, Congress must avoid even the appearance of impropriety. I cannot say whether or not the executives at Enron broke the law or received special interest as a result of the $1,671,000 of soft money they gave in the 2000 election cycle campaign. They do, after all, deserve a fair hearing, and we are about that process now, but I know that the mere suspicion by the public that Enron did receive special treatment erodes public confidence in our government.

There is no question that the campaign finance system is not working well for the American people. An individual or corporation can literally pour thousands of dollars into the system without identifying themselves or what they represent. I believe we can reform the system to shift the balance back to the people and emphasize the voices of average citizens, not special interest groups, reforming a system that will enable us to focus more attention on the needs of all of our citizens, educating our children, passing a real Patients' Bill of Rights and protecting Social Security and Medicare.

Campaign finance reform is the right thing to do. While it is not the be-all, end-all in government reform, it is a major step in the right direction. The confidence of the American people is at stake. We must return our government to the people.

Mr. Speaker, tonight I have several fellow members of my Blue Dog coalition who are here to speak. The first speaker we have in the coalition to join us this evening, the gentleman from Florida (Mr. BOYD), a strong supporter of campaign finance reform since the 105th Congress and the Blue Dog communications chairman. I am happy to yield time to him so he can speak on this subject tonight.

Mr. BOYD. Mr. Speaker, I want to thank my friend, the gentleman from Kentucky (Mr. LUCAS), who has been a strong advocate and leader for campaign finance reform since his election to this Congress, to this U.S. House, in 1998. I also want to recognize the efforts of the gentleman from Texas (Mr. TURNER), who came into this body in the 1996 election, as did I, for his strong leadership, and of course we all, Mr. Speaker, recognize the leaders in this body, the bipartisan leadership that is provided by the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN), who have been strong and long and tireless advocates for campaign finance reform.

Mr. Speaker, I came to this body after the 1996 election, and our freshman class spent some time together developing what we thought was the most important issues that we could work on together. This freshman class was made up of both parties, members of both parties that came in that 1996 election, which chose together in a bipartisan way the issue of campaign finance reform to work on, and so we have been working, trying to get the campaign finance system of this Nation reformed since that 1996 election.

Mr. Speaker, my colleagues know that our democratic system of government works best when the our individual constituents participate in the largest numbers. We have had diminished participation in our government election systems over the last 20 or 30 years, and I think that diminished participation is due in large part to cynicism. The public has become very cynical about campaigns and how they are financed and who controls them and so on.

I think they are cynical because the public believes that the current system is skewed to give the wealthiest people in this country and the largest special interest groups a greater say in shaping our public policy.

The largest culprit in that cynicism, that causes that cynicism, I believe, is a soft money loophole. Closing this soft money loophole will restore public confidence into our campaign financing system in our elections. Grassroots and personal participation, which we all know, the more personal individual participation we have in the electoral process, the better our democratic system works. If we can improve personal participation and grassroots efforts, then we will go a long way toward improving our system and the participation in that system, and our democracy will work much better.

The political parties will once again, Mr. Speaker, become a resource for manpower and strategy rather than a conduit for unregulated money, which they, over the last 30 years since our last major campaign finance reform has happened, and these parties simply in the most part now have become a conduit for large sums of unregulated soft money. The national parties were healthy and vigorous before the onslaught of soft money, and they can be healthy and vigorous again once we eliminate soft money. In fact, many of us believe that soft money has broken down the effectiveness of our national parties because it dilutes the influence to outside organizations.

Mr. Speaker, the time is now to fix this problem. We need to pass a clean bill that fixes our broken campaign finance system. We passed this bill, this U.S. House passed this bill in the 105th Congress, and it passed the bill in the 106th Congress, under the leadership of the people that I have mentioned earlier, but in both cases the other body failed to take up and pass campaign finance reform.

It is time now, Mr. Speaker, that Congress takes the big money out of the elections process and make sure that everyone has equal access to their government. Mr. Speaker, the President has promised if we will send him a reasonable bill, he will sign it, and it is time now that the Congress produce that bill that the President will look favorably upon and restore confidence to the public in our electoral system.

I want to thank the gentleman from Kentucky (Mr. LUCAS) for allowing me to speak.

Mr. LUCAS of Kentucky. Mr. Speaker, I want to thank the gentleman from Florida (Mr. BOYD) for his remarks.

Mr. Speaker, the newest member of the Blue Dog coalition and a valuable advocate of campaign finance reform, the gentleman from New York (Mr. ISRAEL). I am pleased to yield him time.

Mr. ISRAEL. Mr. Speaker, I thank the gentleman from Kentucky (Mr. LUCAS) for yielding, and I want to thank him also for his leadership of the Blue Dog and his leadership on behalf of campaign finance reform.

Mr. Speaker, as the gentleman just alluded to, I am a proud new member of the Blue Dog. I am the only Blue Dog with this New York accent, but certainly no less committed to the vital principles that the Blue Dogs have been fighting for in this House, and that is fiscal responsibility and a strong defense and campaign finance reform.

Mr. Speaker, last summer I stood on the steps of the New York City birthplace of one of the greatest Presidents that our Nation has ever had. He happened to be a Republican. He happened to be from Long Island. He was Theodore Roosevelt, and his greatest distinction was being a crusader for our environment and a crusader for reform.

I stood on those steps, Mr. Speaker, with our colleagues from the other body, Senator MCCAIN and Senator FEINGOLD, and with the sponsors of campaign reform in this House, the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN), and we chose the birthplace of Theodore Roosevelt because he understood the corrupting influence of special interests on our system of government.

Even in the dawn of the 20th century before Enron, before the S&L scandal, before Watergate, Theodore Roosevelt was somebody who understood the corrosive influence of groups who can spend any amount of money they want and say whatever they want, however they want, wherever they want in these unregulated soft money ads.

Theodore Roosevelt said one of the fundamental necessities in a representative government such as ours is to make certain that the men to whom the people delegate their power shall serve the people by whom they are elected and not the special interests. We stood on the steps of his birthplace in defense of that principle, and the best way to deliver on that principle is to pass Shays-Meehan in this House this week.

I cosponsored Shays-Meehan. I signed the discharge petition that is compelling a vote on Shays-Meehan, and we are at a crossroads, and, Mr. Speaker, if anyone needs any evidence of the need for campaign finance reform, let me share with them a conversation I had yesterday in my district in Deer Park with some of the senior citizens I represent.

We were talking about the critical need for a prescription drug benefit for America's seniors, for Long Island seniors. One hundred thousand Long Island seniors have been kicked out of their Medicare HMOs. A million American seniors have lost their prescription drug benefit. And we were talking about that problem, and I was hearing stories from senior citizens who said, I either cut my food bill in half, or I cut my prescription tablets in half because I cannot afford both, and one of the points I made is I have introduced with my colleagues on a bipartisan basis several different resolutions that would provide for Medicare HMO stability, that would answer the crying need of our senior citizens. Some of the people said, well, why cannot we get these things passed; we appreciate your work, but why is not the House of Representatives passing these bills? One woman said to me, her name is Shirley Beja, lives in West Islip, she said, you know, why we do not have campaign finance reform; when we pass campaign finance reform, those other things will become possible.

When we stop the special interests, when people have as much of a voice in this House as the special interests do by flooding our airwaves with unregulated soft money, negative attack ads, that is when people will be put first. When people, regular people, working people have as much influence in this House as the special interests who flood campaign treasuries with unregulated soft money special interests contributions, that is when we will put people first. Maybe that is when we will get a prescription drug benefit.

Mr. Speaker, I want to close by observing some of the debate that I have heard on both sides of the aisle about who Shays-Meehan really helps and who it really hurts. There are some Democrats who believe that Shays-Meehan will help the Republicans, and there are some Republicans who argue adamantly that Shays-Meehan will help the Democrats. Well, Mr. Speaker, how about helping the American people? How about helping America's senior citizens? How about leveling the playing field here on Capitol Hill?

I thank the gentleman from Kentucky (Mr. LUCAS) again for his leadership.

Mr. LUCAS of Kentucky. Mr. Speaker, I thank the gentleman from New York (Mr. ISRAEL) for his comments.

It is my pleasure to recognize my colleague and a fellow Member from the 106th Congress freshman class, the gentleman from Illinois (Mr. PHELPS).

Mr. PHELPS. I want to thank, Mr. Speaker, my good friend and colleague the gentleman from Kentucky (Mr. LUCAS) and the gentleman from Texas (Mr. TURNER) and Shays-Meehan and for all those who have done so much work in regards to getting this issue this far where it should be out in the light of day. We thank them for their leadership.

I join my fellow Blue Dogs in supporting sensible campaign finance reform. I have supported campaign finance reform throughout my entire political career, 14 years in the Illinois State Legislature and now a second term in Congress, and I will continue to do so until laws regarding this issue finally are enacted.

□ 2015

I would like to start off by commending all my colleagues for working hard to bring this issue back to the House floor in such a timely manner, especially, as we mentioned, the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN), as well as everyone who signed the discharge petition.

Remember, the discharge petition is going to extreme efforts to force the leadership to just allow this body, the greatest deliberative body in the world, to do what we are sent here to do: to be able to put these issues out for everyone to understand them, to educate the public of what is going on here, as they compensate our activity. To have to go to the extreme of having the discharge petition in motion reflects that there is a hard, heavy hand on the process that is trying to control true debate, which is really at the base of this issue anyway. So I am glad we are at this particular point.

This is an issue that is important to many of my constituents, so I am pleased that the opportunity has come once again to pass meaningful campaign finance reform legislation. I firmly believe we must reduce the overwhelming influence of money in our political campaigns and return to a system based on healthy debate over candidates' positions on issues.

This means abolishing soft-money contributions to national parties, which includes unregulated, undisclosed contributions by corporations, foreign nationals, labor unions, and wealthy citizens, and restricting soft-money expenditures by State parties in Federal elections. This also means putting a cap on hard-money contributions to national parties by allowing individuals to contribute no more than $57,500 per cycle.

I strongly oppose increasing individual contribution limits, due to the fact that these limits enhance the influence of wealthy individuals at the expense of ordinary citizens. As someone who represents a district in rural southern Illinois, where the per capita income is a little over $11,000 per individual and $22,000 per household, it is extremely important to me that my constituents' concerns are not overshadowed by the large wallets of big business. It is crucial for these people to have a voice in American politics, something I am fighting every day as we face reapportionment, just to have an area down State Illinois, to have a voice in Congress, to speak out on their behalf, even if the majority of them cannot provide a monetary voice, which so often happens with working people.

I have received numerous letters and calls from constituents thanking me for signing the discharge petition and

making an effort to get meaningful campaign finance reform legislation back to this House floor. With the 2000 elections using over $450 million in unregulated soft-money contributions, there is no question that the campaign finance system has gotten way out of hand. We need to pass this much-needed campaign finance reform legislation before these record amounts have a chance to once again be broken, if you can imagine that.

Back home in southern Illinois, people just want the issues to be genuinely, fairly debated; and they want to hear from the candidates, where they stand on issues and policies that affect them. They do not like disguised, sneaky methods of advertising, ways that promote negative, name-calling, character destruction and remarks that are hidden behind some technicality or strategy to smear some candidate without even knowing who is paying for the ads or who has designed them or who is responsible for them.

It is time we passed this legislation, and I urge Congress to join me and my Blue Dog colleagues as we make this effort tomorrow.

Mr. LUCAS of Kentucky. I thank the gentleman from Illinois for those comments.

Now it is my pleasure to introduce a committed promoter of campaign finance reform, the only Member of the House from the State of Kansas to sign the discharge petition, a friend of mine, the gentleman from Kansas (Mr. MOORE).

Mr. MOORE. Mr. Speaker, I want to thank the gentleman from Kentucky for his leadership, and I want to thank the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) for their leadership in fighting the long fight here in the House for campaign finance reform. I think we also need to extend our sincere thanks to people in the other body, Senator JOHN MCCAIN and Senator RUSS FEINGOLD, for their long fight and leadership on behalf of campaign finance reform in this country.

On July 30, the Blue Dog coalition, of which I am a member, initiated a discharge petition to force a vote on the bipartisan Shays-Meehan campaign finance reform bill. I wish the House leadership would have provided Members a fair opportunity to vote on Shays-Meehan without that discharge petition last July. But we finally got 218 signatures, which is the magic number, that requires the leadership to bring this to a vote on the House floor. Now we will have our chance for that vote. Now we will have our chance for campaign finance reform.

Mr. Speaker, there is in this country a national crisis of confidence in our election system as a result of the huge sums of money in Federal campaigns. This Shays-Meehan campaign finance bill is nothing more than a reasonable attempt to clean up our campaign system.

There is in this country a widely held belief that special interests and the very wealthiest campaign contributors have way too much influence in our political system. This belief discourages citizen participation in our democracy. A ban on soft money and limitations on issue ads, together with new disclosure requirements, will make our campaigns and elections more open and, hopefully, will counter a growing cynicism in our country towards politics and political candidates. I also hope, Mr. Speaker, that full disclosure and banning huge sums of soft money will increase participation in the political process. At a time when nearly half of all eligible voters do not vote, we need desperately to find new ways to encourage citizen participation. I believe passage of Shays-Meehan will do just that.

There are people, Mr. Speaker, in our country's history who fought and died for the opportunity to vote for the people who would represent them in their government. There are people, Mr. Speaker, around the world who would give anything they could and would fight and die for the opportunity to be able to elect their leaders, to be able to criticize their leaders. We have that opportunity in this country; and yet only about half of the people vote because of the cynicism, because they are so discouraged about our political process, because of all the unregulated soft money in our political process.

During the 106th Congress, Mr. Speaker, I sponsored legislation to require so-called section 527, political organizations, to disclose the names of contributors and expenditures. Full disclosure should be the rule. Passage of Shays-Meehan will continue the important process of implementing disclosure requirements that will expose political donations to the light of day.

The negative impact of huge sums of money on our political system can be seen in the rapid expansion of so-called issue ads, Mr. Speaker. During the 1999–2000 election cycle, about 130 groups ran issue ads at a cost of more than $500 million. What are they getting for that money? Did Enron get more influence than they were entitled to in our political system because of all their contributions? Hearings will answer that question, hopefully.

The amount of money spent on issue ads, which can be paid for with unlimited amounts of money not subject to disclosure amounts, increased by nearly 500 percent between the 1995–1996 and 1999–2000 election cycles. There is no telling, Mr. Speaker, how far spending on issue ads will spin out of control in the years to come.

Television viewers in the third district of Kansas, which I represent, in the Kansas City media market, were subject to more issue ads, a total of 12,028, than any other media market in the country, with the exception of Detroit. These issue ads, run by organizations with innocent sounding names, like Citizens for Better Medicare, presented themselves to voters across the country as disinterested advocates of sound public policy. They are not.

In fact, these and other groups are funded by special interest money, and viewers at home often have no way of telling who paid for these issue ads. The American people have a right to make an informed decision; and the only way that can happen, Mr. Speaker, is by full disclosure, and special interests should not be afraid to disclose their funding of issue ad groups.

The House has passed the bipartisan Shays-Meehan bill twice before. I urge my colleagues on both sides of the aisle to pass this bipartisan legislation tomorrow for the third and final time. I hope and believe that if this goes to the President's desk, the President will sign this into law. If that happens, the Democrats do not win, the Republicans do not win. The true winners in our system, Mr. Speaker, will be the American people.

As Senator JOHN MCCAIN has said on many occasions, it will either be the special interests or the people's interests that will be represented in Congress. We need to come down hard on the side of the American people.

Mr. LUCAS of Kentucky. I thank the gentleman for those comments, my good friend from Kansas.

Mr. Speaker, it is now my pleasure to recognize the gentleman from Crockett, Texas (Mr. TURNER), the House sponsor of the discharge petition and the policy Chair of the Blue Dog coalition. I am pleased to yield to this gentleman for his statement.

Mr. TURNER. I thank the gentleman from Kentucky.

We are at a historic moment in the House of Representatives because we have the opportunity once and for all to end the contributions of large sums of soft money to the political process, a practice which was never intended by those who sought to reform the campaign finance system in the early 1970s. But smart lawyers figured out how to get around those reforms; and we are left today awash in soft money pouring in, $25,000, $50,000, and $100,000 at a time, from special interests.

The connection between those who give hundreds of thousands of dollars to the political process and the shaping of public policy should be apparent to every American. Those of us who have fought for campaign finance reform do so because we believe that the current system is destroying the public's faith and confidence in the legislative process and because we believe that it is time to end the hundreds of thousands of dollar contributions that are polluting this political process.

Enron, we know, contributed over $1.6 million in the last election cycle. We do not know for sure what all they got for that $1.6 million, but we certainly know from our own experience of common sense that they expected something if they were contributing money in the sums of $1.6 million. The American people understand that those with the big bucks speak louder in these halls than the ordinary citizen. That is inconsistent with representative democracy. That is inconsistent

with building the kind of government that every American can be proud of and have confidence that when we meet in these halls we work for the public interest rather than the special interest.

Yesterday, I had the opportunity to be a part of a press event hosted by a group called Committee for Economic Development, CED for short.

□ 2030

Mr. Speaker, this is a group who came to Washington to fight for campaign finance reform. No, it was not a group of reformers, those who are on the outside looking in wanting the system to change. These were people who had been on the inside, who had seen the system work. They were a group representing over 300 business leaders who have advocated forcefully for the abolishment of soft money and for the passage of sound campaign finance reform legislation.

The business leaders that came yesterday included a wide range of very well-respected leaders from across our country. We had people like Ed Kangas, the former CEO of Deloitte Touche Tohmatsu, an accounting firm, a man who stated very forcefully that he has seen the system work. He stated, ''When government is too intertwined with money, Americans will view it as suspect, and at worst corrupt. Businesses should not have to pay a toll to have their case heard in Washington. There are many times when CEOs feel like the pressure to contribute soft money is nothing less than a shakedown.''

That is from a former CEO of a major accounting firm who has made the contributions in soft money, and he is ready to see the system changed.

Other business leaders who gathered here in the Capitol yesterday to speak out in favor of campaign finance reform, including people like Frank Doyle, CED chairman; and Warren Buffett, the chairman of the board of Berkshire Hathaway, Incorporated. We had George Rupp, President of Columbia University and cochair of the CED subcommittee that wrote their report on campaign finance reform. We had Harry Freeman, the former executive vice president of American Express, and dozens of other business leaders speaking out in favor of campaign finance reform.

On the list of supporters of campaign finance reform as published by the Committee for Economic Development, we had a former Vice President; former Republican Secretaries of Defense, Treasury and Labor; a former United States Senator and Republican National Committee chairman; and a former Securities and Exchange Commission Chairman. These men and women understand the way that this system has come to work, and they believe it is corrupt and that it is time for a change.

Charles Cobb, the president of the Committee for Economic Development, had this to say: ''The old canard that the business community supports the status quo and fears reform has been demolished. Business leaders know that the current broken system is not good for them or for our democracy. It gives politicians and corporate America a black eye, and it skews the decision-making process. More importantly, it damages our democratic system, and that is not good for our economy, American business or our Nation's future.''

That is what America's business leaders had to say about the current system. It is broken. It must change, and tomorrow on the floor of this House we have an historic opportunity to bring about that change.

The bill to be introduced, the Shays-Meehan legislation, has already passed the United States Senate in the form of legislation sponsored by Senator JOHN MCCAIN and Senator RUSS FEINGOLD. Senator MCCAIN was present at the press event yesterday joining with these business leaders for passage of the Shays-Meehan, McCain-Feingold legislation.

All of us who have been involved in the political process understand the difficulty that we all face in raising money for political campaigns, but we have a set of rules that were adopted in the early 1970s that will work quite well. They specify that there are limits, caps, on the amount that individuals can give to political campaigns. We have in the law caps that special interest groups can give to political campaigns. This legislation is designed to make those limits real again by taking away the loopholes that have been created over time by smart lawyers who have told their clients and politicians that you can get around the rules simply by being sure that you are not contributing in a way that could be perceived as coordinating that with a political candidate.

As a consequence, the American people watch during each election cycle a slew of political ads on television paid for by the political parties and special interest groups that are paid for not with regulated contributions, the source of which can be clearly ascertained by anyone who wants to examine the report of a political candidate, but which are hidden from public view by a system that has evolved over time, allowing contributions of soft money in unlimited amounts.

This is a system that we want to change tomorrow on the floor of this House. Let there be no mistake about it, one of the alternatives being offered, the so-called Ney-Wynn substitute, does not clean up the current system. It does not ban soft money from the political process. In fact, Enron could have given 80 percent of the money they gave if the Ney-Wynn substitute becomes law tomorrow.

The only true reform legislation on this floor tomorrow is the Shays-Meehan bill. This is the right bill for America. It is the right bill for this Congress, and it will return political power to the people of this country, to the average citizen who does not have the thousands of dollars to pour in in campaign contributions and special interest money to this process.

When those who are leaned on to give this money in the business community are willing to stand up and tell this Congress they are ready for the system to change, and when many of us who joined together signing the discharge petition which allows us to have this debate when the leadership of this House refused to bring a fair rule to this floor, when the politicians and the business leaders are joining together and saying the system ought to be changed, it seems to me that the system certainly deserves to be changed.

Those who take the money and those who give the money are saying the system is wrong, corrupt, and it is destroying the public's confidence in the political process. We hope every Member of this House will join us tomorrow.

There are many reasons for Members of this House to have questions about this change in campaign finance because many on both sides of the aisle have become addicted to this soft money. They raise it, and by raising it, they secure their positions of power and influence. They know that those that they call to make those big contributions understand that even though maybe unspoken, there is an understanding that those who give the money have the access to the front door of this Congress.

We believe that is wrong. We believe the American people believe it is wrong. We believe it is time to change the system. We look forward tomorrow to having a victory for the American people on the floor of this House.

Mr. LUCAS of Kentucky. Mr. Speaker, in closing this body will have a unique opportunity to restore a voice to our constituents tomorrow when it takes up this campaign finance reform bill. The American system of government is too precious to allow soft money to limit the power of ideas.

In the 2000 election cycle, 980 companies and individuals gave over $100,000 of soft money into that process. The type of reform that we are talking about will protect the ability of individuals and grassroots organizations to build on the power of their ideas and not be overwhelmed by this big money. I believe that is the way our forefathers intended our system to work.

As one of our friends in the other body often says, because of the lack of reform, the big money sits in the front row, and the average citizen sits in the back. We need campaign finance reform, and we need it now.

Mr. Speaker, I hope my colleagues here in this House will do the right thing, stand up for their constituents and pass the Shays-Meehan campaign finance bill.

CAMPAIGN FINANCE REFORM; IMMIGRATION REFORM

The SPEAKER pro tempore (Mr. BROWN of South Carolina). Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. TANCREDO) is recognized for 60 minutes as the designee of the majority leader.

Mr. TANCREDO. Mr. Speaker, I rise tonight to talk on a subject that often brings me to the floor of the House, and that is immigration and immigration reform.

Before I do that, I have had the opportunity to sit here and listen to my colleagues on the other side of the aisle discuss the upcoming legislation referred to as campaign finance reform or the Shays-Meehan bill which we will be discussing tomorrow.

It strikes me that some other viewpoints may need to be made this evening. First of all, it is intriguing in the way that we can actually identify a piece of legislation to fit our personal desires, as the Members that have introduced it have done. Certainly I have done it. I introduced the Sudan Peace Act. I hope if it passes, eventually we will have peace; but I have no hope that it will happen immediately, or the day after.

Nonetheless, it is interesting how we characterize pieces of legislation here with terms and titles and phrases that we want to put it in a certain light, and we call this thing that we will be discussing tomorrow campaign finance reform.

But, Mr. Speaker, it is anything but that, as many of us know. I have often had the opportunity to discuss this issue and to refer to a game that I am aware of. When I was much younger, I used to work at an amusement park in Denver, Colorado, called Elitch Gardens. I started there as a sweeper when I was 16 years old, and stayed every summer. Pretty soon I was the rides manager of the park and then the summer manager of the park. It put me through college. It was a great place to work.

One of the things that we had in that amusement park was a game, and it was called Whack a Mole. It is a game which at that time the player put in a quarter and took a little hammer out, and the game started. Little mole heads would start popping up. The player would hit the mole here, and it went down, and then the player would hit it over here. And then it started moving faster and faster and faster, and the player tried to keep up with it. And pretty soon the player realized they probably were not going to win. The player probably could not win because it would keep popping up faster. You never could actually beat it.

Mr. Speaker, every time I hear a debate on campaign finance reform, I think of that game because really that is what we are talking about here. We are talking about trying to stop the flow of money into the process of politics. Living in a free society, living in a society governed by the rule of law and the Constitution, in this case the Constitution of the United States which equates and has said over and over again, in politics money is speech; and, therefore, we have a right to free speech, we will never, ever, ever, stop the flow of money into politics.

Now, let us recognize that at the beginning of this discussion. It is never going to happen. If there is anyone out there who thinks it is, and anyone who thinks that it happens anywhere else in the world under any system, let me disabuse that Member of that idea. Money does flow into politics. Is it all because there are people who want to work their way with the Congress of the United States? Undoubtedly some people contribute for that purpose. But the fact is for this country's history, far more, millions more people contribute to the political process with their money not because they want to get something special, not because they want to buy off the politician that they are giving the money to, but because they are supporting people who feel as they feel about issues. It is as simple as that.

Mr. Speaker, in my last campaign I was trying to recollect what we raised, and it was over a million dollars, I know that. I cannot remember the exact amount right now. But I also know when we averaged out the contributions to the campaign, it came to something like $55 per person.

□ 2045

I assure you that the literally thousands of people that contributed to my campaign in amounts of $1, $2, $3, $5, $10, $25, I do not think any of them really believed they were buying my vote on any particular thing. As a matter of fact, I do not believe that most of the people who gave me $1,000 believed they were buying my vote and that if they gave me $1,000, which is the maximum, that somehow I would change who I am, what I believe and what I think and vote for them, for their way, for their attitude and idea.

Mr. Speaker, what really and truly I have to say to the people in this body, to the people listening this evening: if there is a single Member of this body who in their whole career on this floor or in this House has ever cast a vote against their conscience and because a large donor wanted that vote, then they should vote for Shays-Meehan. Because, Mr. Speaker, they need that kind of rationalization, they need to salve their conscience maybe. They need to somehow get out from this feeling that they are being bought. I have heard colleagues stand up here, and in the other body, and say, ''The system is corrupt, we're all bought, we're all paid for,'' and that sort of thing. Maybe they are. Maybe they are. But I must tell you, Mr. Speaker, they do not speak for me.

There are issues on which I feel very strongly. I express them here on the floor. I express them in my vote. In the conference I try to convince my colleagues to see things as I see them, to vote my way. Yes, I came here because I believe in issues. I love the debate. But I should tell you, Mr. Speaker, that people support me, I think, not because they are hoping to change my opinion but because they like my opinion. They want that opinion expressed.

As an example, I am known in, certainly Colorado, for being a very strong critic of the public school system, especially the monopoly system that runs the public schools, not for the teachers themselves, not for the people who work so hard trying to accomplish a task, but the teachers union. I attack it all the time because I think they are an obstacle to education reform. The teachers union, the NEA, the National Education Association, has never given me a dime, not a penny. Nor should they. And I am positive that this thought has never crossed their mind, that maybe if we give Tom Tancredo $1,000 or $5,000 from their PAC, he will start voting on our side on this issue. They know that is not true. They do not give me money. No matter how much money they gave me, I would not vote on that side of the issue. And they know it. That is the way, I am sure, that most of my colleagues are.

We came here with a set of principles, a set of ideas that we want to advance and we tell our constituents what we are and who we are and what we believe in. And they elect us or they do not. And if they elect us, then they expect us to come here and be as forceful as we can, to advocate those positions. And because some people give me money for my campaign who happen to also believe what I believe, would I not be doing them a disservice if I did not try my best to advance those issues?

But I again say, if you are afraid of this, if somehow or other you feel you have been bought and that you cannot withstand the pressure of a large donor that is maybe wanting you to vote for something you do not believe in your conscience, vote for Shays-Meehan. Maybe somehow that will get you off the hook. But I assure you, Mr. Speaker, it will not really change the process. We will once again hit the mole on the head, and it will go down; but it will pop up here and there and everywhere. As you know, Mr. Speaker, when they talk about soft money and hard money, for the most part I think most Americans have not the foggiest idea what we are talking about here. But they maybe like the sound of it: ''We're going to stop soft money from coming into the Congress.'' ''Oh, right, good, great. That's exactly what I hope they do.''

The reality is, of course, even in this bill that is being brought forward, and it will be brought forward tomorrow afternoon, we do not stop soft money. We do not stop even really the contribution of hard money. We will still have millions of dollars flowing into the system. They will find other ways

to come up. The mole's head will come up in a variety of other holes, and it will come into the system.

I say, look, who cares? Eliminate this charade that we are playing here. Forget about it. I really wish we would remove all restrictions and just say we report every dime. Mr. Speaker, on my campaigns, I report every single penny that comes in, as long as we can identify it. If somebody sends $5 without a name, I guess we cannot. But if someone tells me who they are and they contribute to my campaign, we post it, even though we are not required by law to do that; I think it is anything less than $200. But I post it all, every single penny. Then people can make their own decisions. They can look and say, gee whiz, look, he got all this money from Enron, which I did not get any money from Enron; but from any of these organizations or people, let them make their own conclusions as to whether or not that influenced my vote. Does that change who I am because they gave this to me?

Frankly, Mr. Speaker, it is a charade. That is what is so discouraging. Many of my colleagues stood up in the previous hour and they talked about how cynical people are about the system, that the American public, I think that is the word they used over and over again, that they are cynical. I can understand that. I can understand that. Because if you listened to what was said tonight, you may come away, if you are not really perhaps well aware of the way the process works, you may come away from the debate, you may have come away from our colleagues and said, you know, I think if we pass this bill, there will be no more, quote, ''soft money,'' and that we will have reformed the system, no one here will come to this body influenced by contributions. If they think that, and if we pass this piece of legislation and then a year from now, two years from now we will read accounts of millions of dollars being spent, hundreds of thousands, we will say, ''Gee whiz, I thought they took care of that. Wasn't that called Shays-Meehan campaign finance reform? Wasn't that supposed to have taken care of it?'' Lo and behold, it did not.

If you want to make people cynical, Mr. Speaker, then pretend that we are going to be doing something incredibly significant here tomorrow, eliminating the influence of money in this body. You and I, and I think even Members of the other side, well, both sides who support this certainly know in their heart of hearts that really things are not going to change that much except they can claim some sort of rationalization later on and say, ''Well, we voted for Shays-Meehan.''

In a couple of years, Common Cause, other organizations, whatever, other Members of the body will be up here saying we have to stop this hole that this mole's head is coming out of; and there will be a great hue and cry, there will be a big battle between both sides and the press will get into this because, remember, in any way, shape or form could we ever stop them. Of course the press is all in favor of reducing our ability or the ability of other people to have an influence and have their say in government; but you never hear them talking about reducing their own freedoms. And I do not want to. There is the first amendment which, of course, is going to make most of Shays-Meehan unconstitutional, anyway. But the reality is this, that we should not be so focused, we should not get carried away, we should not place more emphasis on all this than it warrants, and it warrants very little, because it really, really and truly will not change much except it very well may do exactly what the proponents suggest is the problem today, it may exacerbate that and make people even more cynical about this process.

But I will tell you, Mr. Speaker, that I will be a ''no'' vote on that bill, as I was the last time around. Maybe I should not be, because as an incumbent, maybe we should support this kind of legislation, because it does put more of a burden on somebody else to raise money. After all, I have got the advantage of incumbency, I have got the advantage of name recognition and all the things that come with it; and so maybe I should just vote for this bill because it puts us in a better situation, vis-a-vis some opponent who comes and tries to get elected without the benefit of personal money. Because if you are not personally wealthy, it may be harder for you to get your name out, to get known, to get people to understand your position on issues under this kind of legislation. That is true.

If you are wealthy enough, of course, you cannot be stopped. There is a provision in this that says something like if you put more than a certain amount of your own money in, the other limits are raised or whatever; but the reality is, Mr. Speaker, that the Supreme Court has ruled over and over again, you cannot limit someone's ability to put their own money into their own campaign. It is impossible.

There are Senators who, of course, as we know put 30 million or more dollars in; but there are other people who put in millions of dollars and lost. I am not personally a wealthy person. I could never fund my own campaigns out of my pocket. No way. Impossible. I cannot do it. So I have to rely on contributions from other people. Every time I have run, I have run against someone far more wealthy than I, and God bless them for it. That is not a crime. I wish I were in that situation. But I am not. And so I have to rely on the contributions of others to help me level that playing field. That is never going to change. If you want to turn this place into a body of the wealthiest of us, who have the ability to fund their own campaigns, who are not the slightest bit concerned about corporate or political or any other kind of PAC, then fine, Shays-Meehan helps you accomplish that goal. But it does not improve this process, and it does not improve the body as a whole. I worry, because I do think people become cynical. Undeniably, they become cynical.

As I mentioned, Mr. Speaker, that was not the original purpose of my requesting this hour, but as often happens while I sit here and wait for my turn at the plate, I do have the desire to respond to some of the things that I have heard. I am sure there will be others tomorrow who will be more articulate in their observations, in expressing their observations about this bill; but this is the opportunity I have selected for tonight.

Let me get on for a few more minutes and discuss another topic. Here we are 5 months and 1 day from the tragic events of September 11, 5 months and 1 day in which an enormous amount of activity has occurred. The Nation has gone through a gut-wrenching experience. We have responded in ways and as a result of the leadership of our President; we have really risen to the challenge in many respects. In a little over 5 months, we have deployed American forces halfway around the world, we have stopped and defeated a terrorist regime in Afghanistan, we have probably identified terrorists and stopped actions that would have been taken up to this point in time.

We are on the way to the next series of steps in that particular war, although I hesitate to call it war. We have not actually declared war. I wish we had done that. But the fact is that we have done an enormous number of things and to our credit, to the credit of this Nation, to the people of this Nation, to the President of the United States, to the men and women in our Armed Forces, God bless them all. I am proud of them, I am sure, as almost every American is in their heart of hearts. They are proud of what we have been able to accomplish in a relatively short time, with such little bloodshed, especially on our part, on the part of American servicemen and women, but even, quite frankly, on the part of the aggressors in Afghanistan. The reality is that far fewer of them were injured or killed than would have been the case in almost any other conflict of this nature, because our technology and our will is such that we are able to confine the damage to a relatively small area and identify our targets carefully and that sort of thing.

So again, I am proud, I am happy that we have accomplished what we have accomplished. But, Mr. Speaker, we could in fact bomb Afghanistan into dust, into rubble. We could do the same thing in a variety of other countries. We can use our military might and that of our allies to help stop aggression, to help stop terrorism in other countries around the world, and I expect that we may be doing that.

□ 2100

It is covertly now, overtly in some time to come, and I am completely

supportive of those efforts. But one thing we have failed to do, one horrible, terrible failure, is that we have failed as of this point in time, 5 months and 1 day, we have failed to secure our own borders.

Mr. Speaker, as I have said on this floor so many times, the defense of this Nation begins at the defense of our borders. We can do everything we are doing all around the world to try and protect American citizens from the threat of terrorism, but, in reality, we must deal with the issue of the defense of our borders, securing our borders, because everything we do externally, everything we do around the world, will never actually work to stop that one ultimate threat, and that is of somebody coming across our borders for the purpose of doing us harm; coming across our borders without us knowing it, without us knowing exactly who they are, what they are intent on doing here, how long they are going to stay here, what they do or are doing while they are here. We have done nothing really to change that. It is amazing.

We have, even in this House, attempted to pass one piece of legislation to address this issue specifically, and that is a bill called the Feinstein-Kyl bill, a Senate bill we passed on the House side, which has been bottled up in the Senate by one Member from West Virginia, one Member of the Senate over there.

They have these strange rules in the other body, as you know, Mr. Speaker, that allows this person to work his or her will over that of the majority, and because this one Member of the Senate has chosen to put a hold on that bill, we have not even been able to pass a piece of legislation that deals with the issue of student visas and tightening up the regulations and requirements on student visas. For heaven's sake, that one thing has not been able to pass.

Needless to say, we have not been able to do an even more important thing. We have not been able to reform the Immigration and Naturalization Service, referred to as the INS. This is the body in which we entrust the responsibility of protecting our borders and determining who is, in fact, here illegally and removing them from this Nation. We have not done that.

We have entrusted that body, but, unfortunately, that organization, the INS, is absolutely incompetent, incapable of doing what we ask of them in the area of enforcement of immigration law. They are both incapable and unwilling, and that is a problem that is very difficult to deal with, because if they had the heart for it, then we could address the issue with resources. If they wanted to do it, then it would be up to us to say, let us see what can we do in this body to make sure you can get the job done. How many dollars will it take? How many field agents will you need? How many people will you need? Tell us, and we will try to address the issue.

But, unfortunately, that is not the real problem. Money is not the problem. In fact, Mr. Speaker, the INS budget from 1993 to the year 2002 went from $1.5 billion to $5.6 billion. It almost quadrupled. The President's budget for 2003 has another $1.2 billion increase, to a total of $6.8 billion.

In all that time and with all that amount of resources available to it, the INS has been incapable and unwilling to defend our borders and to secure internally in the United States our system and our people against the activities of people who come here, terrorists who come here illegally, and also they have not been able to do even the minimum, and that is to actually stop the flow of illegal immigrants across the borders, both north and south, and that is a shame. That is not just a shame, it is a travesty, because, of course, we gave them the money. They chose to use it someplace else.

Now, there are two sides to INS. It is divided into two parts. One is what I call the immigration social worker side, and this is the side that is supposed to help people get their green cards; help people come here and immigrate into the country legally and make sure that they are provided with benefits and that sort of thing and show them how the system works and help them get through it. They do not do that very well either. That is where their heart is and where almost all of their resources go.

The other thing they are supposed to be involved with is enforcement, the actual enforcement of immigration law. But, of course, we know that they turn a blind eye to people coming across this border illegally, so much so that to this point in time we now believe there are at least 11 million, I think it is even higher than that, but at least 11 million people here in this country illegally. They did not come through the process, we do not know who they are, we do not know what they are doing here, and we certainly do not know if they ever go back to wherever they came from. We do not know anything about it.

In fact, when we ask the INS, that is the answer we get for almost every single question; when we pose a question to them, they say, ''I am not sure.''

I have suggested on more than one occasion a new logo for the INS, on their Web site, printed on all their stationary, a new logo, just a person going like this, Mr. Speaker, a shrug of the shoulders. ''I do not know.'' Because that is all you get from them. ''I am not sure.'' ''I do not know.'' ''How many people? We are not positive.'' ''Where are they? We do not know.'' Let me ask you, do you know how many people are here in the United States who have overstayed their visa? ''Oh, a lot. Millions.'' ''I am not sure.''

After a while you just realize there is not really any purpose to ask, because this the answer you get: ''I do not know.'' ''I am not sure.'' ''I have no idea.''

We think so little of this agency, and it really and truly has been sort of one of those stepchildren that you just go, you know, let us not really pay a lot of attention to it, to the point where we have actually appointed someone as the new Director.

Now, this is a time when, as I say, we are facing an enormous, enormous challenge, not just from the possibility of terrorists coming across the border that we do not know about and we do not know who they are and that sort of thing, coming in here illegally, but we are, of course, in the middle of a flood of illegal immigrants, and that has incredible implications for our society. Infrastructure costs, political, economic, you name it, there are going to be massive implications as a result of the huge numbers of people coming into the United States, both legally and illegally. Yet the INS we know to be incapable of dealing with it, and we have known for some time.

In many ways there are many people in this body who really and truly do not care. They want to kind of cast a blind eye to it, to say, ''Oh, well, that is true. Millions are coming across, but we need the help, we need the labor, we need the people to work in certain areas.'' Plus, of course, there are political issues on the Democratic side of the aisle. They recognize that massive immigration eventually translates into votes for them. On our side of the aisle we believe that massive numbers of low-wage earners and low-skill workers will, of course, keep wages down, supply employers with a large pool of potential workers.

So everybody wants to turn a blind eye, and everybody wants the vote. They want the vote of these people coming in. And so we are afraid. We are very, very uptight about this. It makes us very skittish to talk about immigration reform, about reducing the numbers of illegal immigrants. To talk about trying to do something about illegal immigration makes people skittish, let alone reduce the number of legal immigrants, which I believe firmly we should do.

But, nonetheless, we have chosen to ignore it, to pretend it does not exist, to look the other way for political reasons, and so, therefore, we have not paid much attention to the INS, and we really do not care that they are as incompetent as they are and unwilling to do their job, and we keep giving them money, and they keep, of course, misusing it or transferring it to activities that have nothing to do with enforcement.

We have even gotten to the point, Mr. Speaker, if you can believe this, but we just appointed a new Director, a new Director of the INS. This agency, of course, oversees a budget of $6.8 billion. Thousands of people work for it. It has the responsibility of one of the most serious activities of the Federal Government, one of the few responsibilities that is uniquely Federal Government. We debate education issues

here and welfare issues here, none of which is truly a Federal responsibility, but this area of immigration, that is uniquely Federal.

We take an organization like that, an organization to which we give $6.8 billion, and we appointed an individual as head of it whose only experience in this particular arena in terms of identifying who is coming and going across borders and that sort of thing is who is coming and going in the door of the other body, because it was the Sergeant at Arms for a lot of years. A nice guy, I am sure. He is the head of the INS.

Maybe we should not be too surprised when people in the INS say things like Fred Alexander, Deputy Director for the Immigration and Naturalization Service, publicly told a group of ''undocumented day laborers,'' this is the Deputy Director for INS, talking to a group of illegal aliens, right, who he should, of course, have had arrested, but, no, he is speaking to them, like at a rally. But, of course, they had nothing to worry about. They were, I am sure, all applauding and having a great time, because he said to them, Mr. Speaker, believe it or not, this is on the list we have on our Web site, we have a list called unbelievable but true immigration stories, and some of them I will go through, because they are astounding. Fred Alexander publicly told a group of ''undocumented day laborers'' that ''it is not a crime to be in the U.S. illegally.'' It is not a crime to be in the U.S. illegally. ''It is a violation,'' he says, ''of civil law.''

Oh, heck. Well, gee, you know, I do not know why I was so confused by the words ''law'' and ''legal'' and stuff like that. Here he is, ''Hey, do not worry. It is not against the law. Come on in.'' This is the Deputy Director of the INS.

I mean, this would be a joke. It would be a Saturday Night Live skit. It would be great, wonderful. There are lots of them, believe me. If the producers of Saturday Night Live are looking for any sort of material, just go to our Web site, the immigration reform Web site on our Tancredo Web site, and you will see we have, what have I got here, 54 little vignettes so far, and, believe me, they keep coming in every single day, things just as bizarre as that.

The INS spent $31.2 million on a computer system to track down whether visa holders overstayed their visa. The system does not work. They say they need an additional $57 million for the system. Believe me, if we gave them $570 million, or $5 billion, they could not make it work. It is not the hardware that is the problem here.

So I guess again it would not be surprising that we take the Sergeant at Arms from the other body and make him the head of the INS. Who cares, he is a nice guy, a friend of a lot of people in the other body, and, why not? He probably wanted to be appointed to something. Why not the INS? Certainly we do not care. It is no big issue, no big deal.

Well, Mr. Speaker, it is a big deal. It is a very big deal. And it is incredible almost to me that we treat it with such, I do not know, disdain is not the word, I treat it with disdain because it deserves it, but we treat it in a way that it does not reflect its importance to the Nation.

It should be completely reformed. When I say reformed, Mr. Speaker, I do not mean just some cosmetic attempt to pretend like we have actually separated the two sides out, and now we will have one guy that is just the head of enforcement and one guy the head of the social services.

□ 2115

No, we need something far more than that. Right now, Mr. Speaker, we have to actually reform the INS in a way that means abolishing that part of the INS that does any work in immigration enforcement. We have to take its responsibility away from INS; we have to take the responsibility away from the Coast Guard, from Agriculture, from DEA, from all of the other agencies that presently have some role to play.

By the way, I have been on the border, and I have witnessed firsthand the work that our border folks do, that the Border Patrol does; and to them I give all the credit in the world. They work as hard as they can. It is not their fault. Please do not get me wrong in that there are people listening tonight, Mr. Speaker, that have friends, relatives or are themselves employed by the INS. For the most part, they are doing everything they can. We hear from them every day. People call my office every day. INS, people who are agents and have been agents for 30 years, some of them want to speak without going on the record, some of them are willing to become whistleblowers; but almost to a person, they talk about their frustration in trying to do a job that they are incapable of doing as a result of an incompetent administration, as a result of a whole bunch of stupid rules that this Congress has passed.

Come to think of it, and I am sure it is on here in our list of ''Amazing But True,'' and it goes to show you it is not all entirely the INS that is goofball in this area, as I have described, but other groups play a role. On the INS Web site, one can go to it today, tonight, and one can pull up a temporary visa application form. About the third or fourth question that one has to fill out if one is trying to come into the country is one that says, and I am paraphrasing because I do not have it in front of me, it says, are you a terrorist? Have you ever belonged to an organization that has expressed a desire to commit acts of terror in the United States? Are you a member of the Nazi Party? Did you ever do anything in the concentration camps? Answer yes or no. There is this little box that one checks. And one thinks to themselves, well, okay, goofy as that sounds, maybe we are using that if somebody checked no, but then comes in and does something wrong, we can say, we caught you because you lied on your form. We can make the case that is necessary.

But get this: as a result of a member of the other body, a gentleman from Massachusetts who has been around a long time, and he happens to be also the chairman of the immigration committee in the Senate today, he added a provision in 1990 to this that said, by the way, if you check ''yes'' up here to that question, do not worry, because that is not a reason to keep you out of the United States.

So, as I say, they are confronted with a lot of very, very difficult, the INS, even the people who are trying to do their job, are confronted with a variety of mixed messages. Strange, but true, as I say. Incredible, but true. Please believe me, there are so many stories like that, I do not even know where to begin. But they are all metaphors, in a way. I use them as a metaphor for the whole problem, the whole situation we face.

That one form, that front page of that temporary visitor visa; and here is another one, Mr. Speaker. We were down on the border in El Paso about a month and a half ago, I guess; and we were watching people come through, and we have now set up, and we have paid a lot of money to have a card given to all of the people coming through, especially for just day trips or something like that, and we paid a lot of money for these machines so that the border agent can swipe the card through the machine, and on the screen it will come up and say who this person is, whether or not we know something about them that we do not like. It gives some information and background. Logical. Good idea.

Well, of course, there are so many people coming across, the line goes up over the bridge and into Mexico, and there are literally thousands; I cannot even imagine how many thousands of people were waiting to come across. There are like four or five stations with a Border Patrol agent there. But the crush of humanity is so great that they simply do not swipe the card. The person coming in holds the card up next to their face and walks by, and the agent is like this saying, I am sure that face goes with that card, oh, yes, absolutely. Of course, it is a joke. It is ridiculous. But again, that is a metaphor for the whole system. I am not even saying that this is a bad idea; I am just saying it is another one of those kind of amazing but true things.

But they showed us a door frame. Now, that is all it was, Mr. Speaker, a door frame on wheels. And periodically they would wheel this thing out, and on it in Spanish it is written ''drug-sniffing door frame.'' And they wheel this thing out, and they wait to see if anybody sort of balks at going through it. Excuse me, but the picture always does make me laugh; it is sort of humorous. In a way, listen, they are trying anything. If it works, it works, okay. But it is a metaphor for this

whole system. It is completely and totally shot. This thing does not work, Mr. Speaker. It does not work. The best thing we got going for us is a door frame that says ''automatic drug-sniffing door frame.'' Oh, my goodness.

But the people do try. They are overwhelmed. They are overwhelmed. One of the things they told us while we were down there, the people were really working as hard as they could. They knew that the task ahead of them was incredible. They said, you know, the only thing we ask is please do not do something up there that is going to make this job even more difficult. I said, well, like what? And they said, well, for instance, every time you guys start talking about amnesty for all of the people who are here illegally, they said. Do you know what that does here? I mean, the numbers swell. We are trying to hold back a flood; and if you give amnesty again like we did in 1986, telling everybody who came here illegally, oh, that is all right, all is forgiven, of course the flood turns into a tidal wave. Why would we think anything else? Why would we imagine that that would not be the case? That is exactly what would happen. Yet, we still talk about it here.

The night before we adjourned in the last session, we almost passed an amendment to that visa bill I mentioned earlier, the Feinstein-Kyle bill, that would have been an extension of 245(i), which is legalese for amnesty. We almost did it. Thanks to an outcry by literally thousands of people across this country who e-mailed their Congressman or Congresswoman and told them that they really and truly were not excited about that possibility, thanks to doing that, it was pulled; and we did not, in fact, pass an extension of 245(i).

But, Mr. Speaker, I will tell my colleagues what that is. It is another game. I assure my colleagues that it is going to come up again. I assure my colleagues that there are people here in this body, certainly even in the administration, who are trying to figure out a way, along with the President of Mexico and the Government of Mexico, they are trying to figure out a way to bring back 245(i) extension.

This is wrongheaded for a wide variety of reasons, of course, not the least of which is the fact that we could not possibly in a million years, the agency we presently have that we call the INS, could not begin to handle the flood of applications that they would get almost immediately from people that they will not be able to tell; now, the applications will come in and it will say, yes, I have been here a long time and here are some receipts from my rent and whatever, but of course they could be fake; and we will never know exactly who these people are, because we will not have time to do any background checks.

Just like the last time around, we let so many people in and then the last administration, the Clinton administration, pushed to get as many as they could made citizens as quickly as they could; and we ended up making thousands, if memory serves me right, it was something like 60,000 people became citizens of the United States under that process who were felons, because we did not know about it. We could not find out. We did not have time.

So that is one problem, saying, for instance, that within the next 4 months, everybody who is here illegally, come in, get some paperwork in and we will verify it, quote, ''verify it,'' and if we do, you will be given amnesty and on the road to becoming a citizen.

Mr. Speaker, I believe that citizenship in this country is more important and it means more than simply stepping over a line that separates two countries. There is much more to it than that. We should be much more concerned about who we let in, how many we let in, and what they are coming here for. Like every other country on the planet who understands that it is their sovereign right to actually determine who comes into the country and when, how many, and what for. We have abandoned that for a variety of reasons, some political, some idealistic in terms of what people think the world should look like, a place without borders.

But I can assure my colleagues that the consequences of a borderless society are significant and dramatic. Some of them can be characterized by the kind of events we experienced on September 11. But that is, nonetheless, the elimination of the borders, that is exactly where many people want to go; people here in this body, some people in the administration, certainly people in the administrations of other countries for their own reasons and for their own purposes.

Mr. Speaker, there are many, there are legitimate reasons, there are legitimate debates that can be held about whether or not borders should be eliminated; and I have many times suggested that that be the basis of any debate on the issue of immigration; that everyone, everyone should ask themselves, everyone here, everyone in the United States should ask themselves this question, and try to answer it as honestly as they possibly can: Do you believe that borders are necessary in the Nation? Is there a reason for it? Now, some may say, oh, well, that is silly, of course. No, no, listen. Believe me, there are people who would suggest that borders are not necessary, that they are anachronisms, that they prohibit the free flow of trade, of money, and of people, and therefore should simply be eliminated, as is happening. Frankly, the European Union is based on this model that will essentially eliminate borders and all the things that separate countries, establish a common currency, a new governmental system, a European Parliament, and who knows how far that will go; but that is the new world order. And again, it is a legitimate debate topic, but I just want to have the debate.

I want us in this body to actually enter into a debate on that one very basic idea: Do we need borders or not? If Members come down on the side of wanting borders, needing borders, believing that they are necessary, then, of course, we must decide what that means. If we have a border between a country, what do we do about that? Do we actually defend it? Do we actually try to stop people from coming across without permission? Do we provide resources to make sure that the border is meaningful or not? Because if we do not, then of course we should simply side with the group that says eliminate them. After all, we are spending $6.8 billion in just the INS, let alone all the other agencies that have some responsibility for border enforcement. Let us stop this wasteful expenditure. Let us go ahead and say we do not need borders, we do not want them, we just want people to come and go as they please and not spend the money on borders.

Now, I happen to be totally opposed to that concept, but there are people in this body who believe in it. The people at the Cato Institute, a very influential think tank here in this town, who believe in it.

There are, as I said before, there are members of the administration, there are people we have spoken in other countries, specifically Mexico, who absolutely believe in it. One member of the Mexican Government, a gentleman by the name of Juan Hernandez, he is appointed to the newest agency, just been created, and it is a cabinet level agency in Mexico, and his title translates into something like Minister in Charge of Mexicans Living Outside of Mexico.

□ 2130

Interesting job. Interesting job title.

Mr. Hernandez happens to be, by the way, an American citizen and also a Mexican citizen. He lives part of the time in Texas and part of the time in Mexico City. He was a teacher at a college in Mexico and a very, very interesting gentleman. Very pleasant individual to speak to, very intelligent. He has a great command of the language. He is a good representative of his particular point of view.

In our discussions when we were in Mexico, several Members and I were meeting with him, and he kept using the word ''migration'' to describe this process of people coming across the border. By the way, that is typical. Many, many people today have chosen to use the word ''migration'' to explain the phenomena of people coming across the border into the United States at their will. And so I always stop people when they are doing that, and I stopped this gentleman at the time and I said, you are like many people who talk about this, but you are really incorrectly using the word ''migration.'' It is not migration. Migration is when

people move through a country, but when they reach the border of that country and cross it, it is called immigration, and when they do so without the permission of the host country to which they are coming, it is called illegal immigration.

Mr. Hernandez turned to me and the other two Members that were with me and said, Congressman, we are really not talking about two countries here. It is just a region. It is just a region. That was a very, very interesting statement, and a very candid one on his part. And that is what I appreciate about Mr. Hernandez. He was up front with us the whole time. He essentially agreed with the proposition that the United States public policy is. He understands it is made as a result of voting blocs. He wants public policy in the United States to change vis-a-vis Mexico. How do you do that?

Well, you have millions of people here in the United States who have cultural and linguistic ties to Mexico and who will vote for a policy shift in the United States. I mean, he was absolutely clear about it. This is not just some sort of, I do not know, hypothetical that he was talking about. It is not a conspiracy with deep, dark secrets. He was explaining exactly. It is a very logical political strategy if you think about it.

There was a time especially in Mexico that people leaving Mexico were thought of in derogatory and spoken of derogatorily as people who were abandoning their homes, but that has changed. But now they are encouraged, in fact, to do so, but remain connected somehow linguistically, politically to Mexico.

These are interesting facets of the problem we face, and they are part of what should be the debate that goes on in this body and throughout the country over whether or not we should eliminate borders. But if we are going to maintain borders, or at least the facade of a border, then it behooves us, I think, Mr. Speaker, to try and do everything we can to provide integrity to the process.

The first thing we need to do is abolish the INS or that portion of it that deals with enforcement. The first thing we need to do is create a brand new, a brand new agency. We can call it a lot of things. I would suggest that it would be something that would be attached to Governor Ridge's Office of Homeland Security. But whatever we do, we need a brand new structure, one that has a clear line of authority, that has a singleness of purpose, that is given the resources necessary.

We should take away the responsibility from Customs and from the Agricultural Department and all the other agencies that now get in each other's way essentially at the border trying to do their job which sometimes conflicts with the other agencies' jobs and makes it easier for people to come across the border here.

Here is another one of those amazing but true things I was telling you about earlier, Mr. Speaker, another interesting point. Because we have so many different agencies handling our border security, they are assigned each one of stations that people are coming through in their cars. One may be run by Customs. One may be run by Agriculture. One may be run by INS, but each of them have different responsibilities, and different ways of dealing with the issue, and different questions they ask and different things they are looking for.

So people actually will sit on the hills observing this situation down on the border, people coming through; and they will watch through binoculars to see which line is being managed by which agencies. And if you are smuggling people in, you will want to come in through this line. And if you are smuggling drugs through, you will want to come through that line because they have a different sort of emphasis. Amazing, but true.

We have to stop that. We have to combine the agencies, take the responsibilities away and create a brand new one. That is not easy to do here. As you know, Mr. Speaker, this body and the government is not set up to allow tough issues to advance very far. Everybody gets very jealous, very, very guarded about their little kingdom, their little piece of the action here. So when recently Governor Ridge and his staff developed a white paper on border security, and it said that we needed to do exactly what I have just described, it said we must take all of these responsibilities away from the other agencies, we must create one new agency with a singleness of purpose, a clear line of authority and all the rest of it, it set off a firestorm of protest. I think that is the way the article characterized it, a firestorm of protests within the administration, within all the agencies that would be affected.

So we called over there. My office called the Office of Homeland Security; and we said, we were reading an article in the New York Times about this white paper. They said, we do not know what you are talking about. They are taking on the INS logo. I do not know. I am not sure. And we do not know. We said we are reading, we have a white paper that talks about how we should create the new border control agency. They said, no, no, it is all theoretical. Nothing is on paper. Of course, that is not true.

As a matter of fact, maybe I am breaking the news here to the Office of Homeland Security, but the paper is out. The media has it. The one you say does not exist exists. So you might as well 'fess up to it and let us get on with it. Let us try to do it regardless of whether or not the INS gets mad, regardless of whether or not the Department of Agriculture gets mad, regardless of whether or not Treasury gets upset because some sort of their little bailiwick will be affected. Who cares? Who cares?

The job of this body is not to protect any particular agency. The job of this body is to protect the United States of America. And it is impossible to do in this way on the particular system we have created and it is being maintained.

So now we are seeing one or two bills that will come to the floor, and we will try to tinker with it and pretend the rest of it is not a problem. And if we separate the agency into the two parts, enforcement and social services, everything will be okay. But it will not, Mr. Speaker. It will not be okay at all.

The problems will remain, and what we will have done here so many times is create an illusion, created an illusion. We have fixed the problem with INS, we will say. It will not be fixed. People will still stream across the border illegally. Thousands upon thousands of people will be here. Right now there are at least 300,000 people who are here in this country who have been ordered deported. They have actually somehow gotten arrested.

Now, be sure and understand, Mr. Speaker, we are not talking about people who overstayed their visa and we somehow found out about it. I mean, the INS was out there doing their job and said, you know what? I think so-and-so may have overstayed their visa. Let us go find them. No. No. That is not what happened, of course.

What happened was so-and-so violated a law, broke a law, broke some other law. They violated one law because they overstayed their visa, but then many times they also robbed somebody, they raped somebody, they murdered somebody, whatever, but they have been found. They have been brought to trial.

Mr. Speaker, I ask my colleagues to once again consider the importance of this issue of immigration reform and treat it with the respect that it deserves and do not just create another illusion.

RECESS

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

Accordingly (at 9 o'clock and 40 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2207

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CANTOR) at 10 o'clock and 7 minutes p.m.

ANNOUNCEMENT OF INTENTION TO OFFER AMENDMENTS TO H.R. 2356, CAMPAIGN REFORM ACT OF 2001

Mr. SHAYS. Mr. Speaker, pursuant to House Resolution 344, I hereby announce my intention that the following amendments be offered by the following designees: Amendment No. 10 to

be offered by the gentlewoman from West Virginia (Mrs. CAPITO); Amendment No. 11 to be offered by the gentleman from Texas (Mr. GREEN); and Amendment No. 12 to be offered by the gentleman from Tennessee (Mr. WAMP).

In addition, we have provided an amendment in the nature of a substitute to H.R. 2356 as reported, offered by myself and the gentleman from Massachusetts (Mr. MEEHAN).

CAMPAIGN FINANCE REFORM

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

Mr. SHAYS. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MEEHAN).

Mr. MEEHAN. Mr. Speaker, will the gentleman yield?

Mr. SHAYS. I yield to the gentleman from Massachusetts.

Mr. MEEHAN. Mr. Speaker, I concur with these substitutes and amendments. I thank the gentleman from Connecticut and members of the Republican Conference who have worked diligently over a period of the last several months on this bill. I think we have an historic opportunity to make a fundamental change in the way elections in America are carried out. I thank the gentleman for his cooperation. I also thank the minority leader, the gentleman from Missouri (Mr. GEPHARDT), and all of the Members from both sides of the aisle who have been part of this historic process over the last few months.

Mr. SHAYS. Mr. Speaker, I thank the members of the Democratic Caucus who have worked so diligently on this for so many years, and also to thank the gentleman from Missouri (Mr. GEPHARDT), and the gentleman from Illinois (Mr. HASTERT) for acknowledging the petition of 218 Members and allowing this to proceed under the spirit of the petition, but basically without having to call it out on a particular second or fourth Monday. We thank the leadership on both sides of the aisle.

RECESS

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

Accordingly (at 10 o'clock and 10 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 0034

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CANTOR) at 12 o'clock and 34 minutes a.m.

ANNOUNCEMENT OF INTENTION TO OFFER AMENDMENTS TO H.R. 2356, CAMPAIGN REFORM ACT OF 2001

Mr. SESSIONS. Mr. Speaker, pursuant to the House Resolution 344 and the latter order of the House today, I rise as the designee of the majority leader to announce the following amendments:

If H.R. 2356 is the original bill, for the purpose of further amendments I hereby announce amendment 15 through amendment 24.

If the amendment in the nature of a substitute offered by the gentleman from Connecticut (Mr. SHAYS) becomes the original bill, for the purpose of further amendment I hereby announce amendment 25 through amendment 34.

If the amendment in the nature of a substitute offered by the majority leader becomes the original bill, for the purpose of further amendment I hereby announce amendment 35 through amendment 44.

If the amendment in the nature of a substitute offered by the gentleman from Ohio (Mr. NEY) becomes the original bill, for the purpose of further amendment I hereby announce amendment 45 through 54.

HOUSE BILLS AND JOINT RESOLUTIONS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills and joint resolutions of the following titles:

January 24, 2002:

H.R. 3392. An act to name the national cemetery in Saratoga, New York, as the Gerald B.H. Solomon Saratoga National Cemetery, and for other purposes.

January 23, 2002:

H.R. 2884. An act to amend the Internal Revenue Code of 1986 to provide tax relief for victims of the terrorist attacks against the United States, and for other purposes.

H.R. 3447. An act to amend title 38, United States Code, to enhance the authority of the Secretary of Veterans Affairs to recruit and retain qualified nurses for the Veterans Health Administration, to provide an additional basis for establishing the inability of veterans to defray expenses of necessary medical care, to enhance certain health care programs of the Department of Veterans Affairs, and for other purposes.

January 17, 2002:

H.R. 2873. An act to extend and amend the program entitled Promoting Safe and Stable Families under title IV–B, subpart 2 of the Social Security Act, and to provide new authority to support programs for mentoring children of incarcerated parents; to amend the Foster Care Independent Living program under title IV–E of that Act to provide for educational and training vouchers for youths aging out of foster care, and for other purposes.

January 16, 2002:

H.R. 1088. An act to amend the Securities Exchange Act of 1934 to reduce fees collected by the Securities and Exchange Commission, and for other purposes.

H.R. 2277. An act to provide for work authorization of nonimmigrant spouses of treaty traders and treaty investors.

H.R. 2278. An act to provide for work authorization for nonimmigrant spouses of intracompany transferees, and to reduce the period of time during which certain intracompany transferees have to be continuously employed before applying for admission to the United States.

H.R. 2336. An act to extend for 4 years, through December 31, 2005, the authority to redact financial disclosure statements of judicial employees and judicial officers.

H.R. 2751. An act to authorize the President to award a gold medal on behalf of the Congress to General Henry H. Shelton and to provide for the production of bronze duplicates of such medal for sale to the public.

January 16, 2002:

H.R. 3030. An act to extend the basic pilot program for employment eligibility verification, and for other purposes.

H.R. 3248. An act to designate the facility of the United States Postal Service located at 65 North Main Street in Cranbury, New Jersey, as the ''Todd Beamer Post Office Building''.

H.R. 3334. An act to designate the Richard J. Guadagno Headquarters and Visitors Center at Humboldt Bay National Wildlife Refuge, California.

H.R. 3346. An act to amend the Internal Revenue Code of 1986 to simplify the reporting requirements relating to higher education tuition and related expenses.

H.R. 3348. An act to designate the National Foreign Affairs Training Center as the George P. Shultz National Foreign Affairs Training Center.

January 11, 2002:

H.R. 2869. An act to provide certain relief for small businesses from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and to amend such act to promote the cleanup and reuse of brownfields, to provide financial assistance for brownfields revitalization, to enhance State response programs, and for other purposes.

January 10, 2002:

H.R. 2506. An act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes.

H.R. 3061. An act making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

H.R. 3338. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes.

January 8, 2002:

H.R. 1. An act to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind.

H.R. 643. An act to reauthorize the African Elephant Conservation Act.

H.R. 645. An act to reauthorize the Rhinoceros and Tiger Conservation Act of 1994.

H.R. 2199. An act to amend the National Capital Revitalization and Self-Government Improvement Act of 1997 to permit any Federal law enforcement agency to enter into a cooperative agreement with the Metropolitan Police Department of the District of Columbia to assist the Department in carrying out crime prevention and law enforcement activities in the District of Columbia if deemed appropriate by the Chief of the Department and the United States Attorney for the District of Columbia, and for other purposes.

H.R. 2657. An act to amend title 11, District of Columbia Code, to redesignate the Family Division of the Superior Court of the District of Columbia as the Family Court of the Superior Court, to recruit and retain trained and experienced judges to serve in the Family Court, to promote consistency and efficiency in the assignment of judges to the

Family Court and in the consideration of actions and proceedings in the Family Court, and for other purposes.

December 28, 2001:

H.R. 2883. An act to authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

H.R. 3442. An act to establish the National Museum of African American History and Culture Plan for Action Presidential Commission to develop a plan of action for the establishment and maintenance of the National Museum of African American History and Culture in Washington, DC, and for other purposes.

December 27, 2001:

H.R. 483. An Act regarding the use of the trust land and resources of the Confederated Tribes of the Warm Springs Reservation of Oregon.

H.R. 1291. An Act to amend title 38, United States Code, to modify and improve authorities relating to education benefits, compensation and pension benefits, housing benefits, burial benefits, and vocational rehabilitation benefits for veterans, to modify certain authorities relating to the United States Court of Appeals for Veterans Claims, and for other purposes.

H.R. 2559. An Act to amend chapter 90 of title 5, United States Code, relating to Federal long-term care insurance.

H.R. 3323. An Act to ensure that covered entities comply with the standards for electronic health care transactions and code sets adopted under part C of title XI of the Social Security Act, and for other purposes.

December 21, 2001:

H.R. 10. An Act to modernize the financing of the railroad retirement system and to provide enhanced benefits to employees and beneficiaries.

H.R. 1230. An Act to provide for the establishment of the Detroit River International Wildlife Refuge in the State of Michigan, and for other purposes.

H.R. 1761. An Act to designate the facility of the United States Postal Service located at 8588 Richmond Highway in Alexandria, Virginia, as the ''Herb Harris Post Office Building''.

H.R. 2061. An Act to amend the charter of Southeastern University of the District of Columbia.

H.R. 2540. An Act to amend title 38, United States Code, to provide a cost-of-living adjustment in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of such veterans.

H.R. 2716. An Act to amend title 38, United States Code, to revise, improve, and consolidate provisions of law providing benefits and services for homeless veterans.

H.R. 2944. An Act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2002, and for other purposes.

H.J. Res. 79. Joint Resolution making further continuing appropriations for the fiscal year 2002, and for other purposes.

H.J. Res. 80. Joint Resolution appointing the day for the convening of the second session of the One Hundred Seventh Congress.

December 18, 2001:

H.J. Res. 71. Joint Resolution amending title 36, United States Code, to designate September 11 as Patriot Day.

H.R. 717. An Act to amend the Public Health Service Act to provide for research with respect to various forms of muscular dystrophy, including Duchenne, Becker, limb girdle, congenital, facioscapulohumeral, myotonic, oculopharyngeal, distal, and Emery-Dreifuss muscular dystrophies.

H.R. 1766. An Act to designate the facility of the United States Postal Service located at 4270 John Marr Drive in Annandale, Virginia, as the ''Stan Parris Post Office Building''.

H.R. 2261. An Act to designate the facility of the United States Postal Service located at 2853 Candler Road in Decatur, Georgia, as the ''Earl T. Shinhoster Post Office''.

H.R. 2299. An Act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

H.R. 2454. An Act to redesignate the facility of the United States Postal Service located at 5472 Crewshaw Boulevard in Los Angeles, California, as the ''Congressman Julian C. Dixon Post Office''.

December 15, 2001:

H.J. Res. 78. Joint Resolution making further continuing appropriations for the fiscal year 2002, and for other purposes.

December 14, 2001:

H.R. 2291. An Act to extend the authorization of the Drug-Free Communities Support Program for an additional 5 years, to authorize a National Community Antidrug Coalition Institute, and for other purposes.

December 7, 2001:

H.J. Res. 76. Joint Resolution making further continuing appropriations for the fiscal year 2002, and for other purposes.

November 28, 2001:

H.R. 1042. An Act to prevent the elimination of certain reports.

H.R. 1552. An Act to extend the moratorium enacted by the Internet Tax Freedom Act through November 1, 2003, and for other purposes.

H.R. 2330. An Act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes.

H.R. 2500. An Act making appropriations for the Department of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

H.R. 2924. An Act to provide authority to the Federal Power Marketing Administration to reduce vandalism and destruction of property, and for other purposes.

November 26, 2001:

H.R. 2620. An Act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes.

November 20, 2001:

H.R. 768. An Act to amend the Improving America's Schools Act of 1994 to extend the favorable treatment of need-based educational aid under the antitrust laws, and for other purposes.

November 17, 2001:

H.J. Res. 74. Joint Resolution making further continuing appropriations for the fiscal year 2002, and for other purposes.

SENATE BILLS AND A JOINT RESOLUTION APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills and a joint resolution (of the Senate) of the following titles:

January 15, 2002:

S. 1202. An Act to amend the Ethics in Government Act of 1978 (5 U.S.C. App.) to extend the authorization of appropriations for the Office of Government Ethics through fiscal year 2006.

S. 1714. An Act to provide for the installation of a plaque to honor Dr. James Harvey Early in the Williamsburg, Kentucky Post Office Building.

S. 1741. An Act to amend title XIX of the Social Security Act to clarify that Indian women with breast or cervical cancer who are eligible for health services provided under a medical care program of the Indian Health Service or of a tribal organization are included in the optional medicaid eligibility category of breast or cervical cancer patients added by the Breast and Cervical Cancer Prevention and Treatment Act of 2000.

S. 1793. An Act to provide the Secretary of Education with specific waiver authority to respond to conditions in the national emergency declared by the President on September 14, 2001.

January 4, 2002:

S. 1789. An Act to amend the Federal Food, Drug, and Cosmetic Act to improve the safety and efficacy of pharmaceuticals for children.

December 28, 2001:

S. 1438. An Act to authorize appropriations for fiscal year 2002 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.

December 21, 2001:

S. 494. An Act to provide for a transition to democracy and to promote economic recovery in Zimbabwe.

S. 1196. An Act to amend the Small Business Investment Act of 1958, and for other purposes.

S.J. Res. 26. Joint Resolution providing for the appointment of Patricia Q. Stonesifer as citizen regent of the Board of Regents of the Smithsonian Institution.

December 12, 2001:

S. 1459. An Act to designate the Federal building and United States courthouse located at 550 West Fort Street in Boise, Idaho, as the ''James A. McClure Federal Building and United States Courthouse''.

S. 1573. An Act to authorize the provision of educational and health care assistance to the women and children of Afghanistan.

November 19, 2001:

S. 1447. An Act to improve aviation security, and for other purposes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JEFFERSON (at the request of Mr. GEPHARDT) for today on account of airplane equipment problems.

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. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. MCKINNEY, for 5 minutes, today.

Mr. TOWNS, for 5 minutes, today.

Mr. BACA, for 5 minutes, today.

Mr. LYNCH, for 5 minutes, today.

Mr. UNDERWOOD, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

(The following Members (at the request of Mr. HULSHOF) to revise and extend their remarks and include extraneous material:)

Mr. TOOMEY, for 5 minutes, today.

Mr. FRELINGHUYSEN, for 5 minutes, today.

Mr. HULSHOF, for 5 minutes, today.

ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 82. Joint resolution recognizing the 91st birthday of Ronald Reagan.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 737. An act to designate the facility of the United States Postal Service located at 811 South Main Street in Yerington, Nevada, as the ''Joseph E. Dini, Jr. Post Office''.

S. 970. An act to designate the facility of the United States Postal Service located at 39 Tremont Street, Paris Hill, Maine, as the ''Horatio King Post Office Building''.

S. 1026. An act to designate the United States Post Office located at 60 Third Avenue in Long Branch, New Jersey, as the ''Pat King Post Office Building''.

ADJOURNMENT

Mr. SESSIONS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 36 minutes a.m.), the House adjourned until today, Wednesday, February 13, 2002, 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:

5457. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—1,2–Ethanediamine, Polymer with Methyl Oxirane and Oxirane; Tolerance Exemption [OPP–301214; FRL–6821–9] (RIN: 2070–AB78) received February 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5458. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Tetraethoxysilane Polymer with Hexamethyldisiloxane; Tolerance Exemption [OPP–301216; FRL–6822–4] (RIN 2070–AB78) received February 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5459. A letter from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Section 8 Housing Assistance Payments Program-Contract Rent Annual Adjustment Factors, Fiscal Year 2002 [Docket No. FR–4715–N–01] received February 1, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5460. A letter from the Secretary, Division of Market Regulation, Securities and Exchange Commission, transmitting the Commission's final rule—Exemption of Transactions in Certain Options and Futures on Security Indexes from Section 31 of the Exchange Act [Release No. 34–45371] received January 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5461. A letter from the Acting General Counsel, Consumer Product Safety Commission, transmitting the Commission's final rule—Child-Resistant Packaging for Certain Over-the-Counter Drug Products; Correction—received February 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5462. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Integrated Safety Management System Guide—received February 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5463. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Revisions to the Ozone Maintenance Plan for the Huntington-Ashland Area [WV059–6018; FRL–7141–1] received February 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5464. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans Reinstatement of Redesignation of Area for Air Quality Planning Purposes; Kentucky Portion of the Cincinnati-Hamilton Area [KY–116; KY–119–200214a; FRL–7141–9] received February 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5465. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Kansas [KS 0147–1147; FRL–7141–7] received February 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5466. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation plans; State of Missouri [MO 0148–1148; FRL–7141–6] received February 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5467. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—NESHAP: Standards for Hazardous Air Pollutants for Hazardous Waste Combustors (Final Amendments Rule) [FRL–7143–4] (RIN: 2050–AE79) received February 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5468. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—NESHAP: Interim Standards for Hazardous Air Pollutants for Hazardous Waste Combustors (Interim Standards Rule) [FRL–7143–3] (RIN: 2050–AE79) received February 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5469. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District [CA 071–0 309; FRL–7134–2] received February 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5470. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, South Coast Air Quality Management District [CA246–0313; FRL–7137–6] received February 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5471. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Huntsville, La Porte, Nacogdoches, and Willis, Texas, and Lake Charles, Louisiana) [MM Docket No. 01–31, RM–10035] received January 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5472. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations (Grants, Milan, and Shiprock, New Mexico) [MM Docket No. 01–118, RM–10106]; (Van Mert and Columbus Grove, Ohio) [MM Docket No. 01–119, RM–10127]; (Lebanon and Hamilton, Ohio and Fort Thomas, Kentucky)[MM Docket No. 01–122, RM–10130] received January 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5473. A letter from the Deputy Chief Financial Officer, National Aeronautics and Space Administration, transmitting the Administration's report on mixed waste, pursuant to 42 U.S.C. 6965; to the Committee on Energy and Commerce.

5474. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance (LOA) to Republic of Korea for defense articles and services (Transmittal No. 02–09), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

5475. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance (LOA) to the Taipei Economic and Cultural Representative Office in the United States for defense articles and services (Transmittal No. 02–11), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

5476. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–267, ''Housing Act of 2002'' received February 12, 2002, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

5477. A letter from the Secretary, Department of the Treasury, transmitting two Semiannual Reports which were prepared separately by Treasury's Office of Inspector General (OIG) and the Treasury Inspector General for Tax Administration (TIGTA) for the period through September 30, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5478. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Privacy Act; Implementation (RIN: 1901–AA69) received February 1, 2002; to the Committee on Government Reform.

5479. A letter from the Principal Deputy Associate Administrator, Environmental

Protection Agency, transmitting the Agency's final rule—Acquisition Regulation: Empower Procurement Officials and Miscellaneous Technical Amendments [FRL 7128–7] received January 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5480. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Kentucky Regulatory Program [KY–220–FOR] received January 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5481. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Alabama Regulatory Program [AL–071–FOR] received January 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5482. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Individual Civil Penalties—Change of Address for Appeals (RIN: 1029–AC02) received January 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5483. A letter from the Director, Foreign Terrorist Tracking Task Force, Department of Justice, transmitting the Department's final rule—Provision of Aviation Training to Certain Alien Trainees—received January 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5484. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Flight Operational Quality Assurance Program [Docket No. FAA–2000–7554; Amendment No. 13–30] (RIN: 2120–AF04) received January 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5485. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Dayton, TN [Airspace Docket No. 01–ASO–13] received January 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5486. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Peninsula Regional Medical Center Heliport, Fruitland, MD [Airspace Docket No. 01–AEA–23FR] received January 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5487. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of a Class E Enroute Domestic Airspace Area, Iron Mountain, CA [Airspace Docket No. 01–AWP–27] received January 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5488. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Dayton, TN [Airspace Docket No. 01–ASO–13] received January 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5489. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of a Class E Enroute Domestic Airspace Area, Bristol Mountains, CA [Airspace Docket No. 01–AWP–28] received January 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5490. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30286; Amdt. No. 2085] received January 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5491. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30287; Amdt. No. 2086] received January 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5492. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30285; Amdt. No. 2084] received January 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5493. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30288; Amdt. No. 2087] received January 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5494. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–8 Series Airplanes [Docket No. 2000–NM–280–AD; Amendment 39–12565; AD 2001–26–01] (RIN 2120–AA64) received January 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5495. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rolls-Royce, plc RB211 Trent 800 Series Turbofan Engines [Docket No. 98–ANE–33–AD; Amendment 39–12575; AD 2001–26–11] (RIN: 2120–AA64) received January 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5496. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9–10, –20, –30, and –40 Series Airplanes and C–9 Airplanes [Docket No. 2001–NM–104–AD; Amendment 39–12542; AD 2001–24–25] (RIN: 2120–AA64) received January 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5497. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pilatus Aircraft Ltd Models PC–12 and PC–12/45 Airplanes [Docket No. 2000–CE–77–AD; Amendment 39–12563; AD 2001–25–10] (RIN: 2120–AA64) received January 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5498. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 B2 Series Airplanes and Model A300 B4–2C, B4–103, and B4–203 Series Airplanes [Docket No. 2000–NM–247–AD; Amendment 39–12572; AD 2001–26–08] (RIN: 2120–AA64) received January 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5499. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes [Docket No. 2002–NM–01–AD; Amendment 39–12608; AD 2002–01–14] (RIN: 2120–AA64) received January 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5500. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model CL–600–2B19 Series Airplanes [Docket No. 2001–NM–383–AD; Amendment 39–12577; AD 2001–26–51] (RIN: 2120–AA64) received January 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5501. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Turbomeca S.A. Arrius 1A Turboshaft Engines [Docket No. 2001–NE–41–AD; Amendment 39–12593; AD 2002–01–02] (RIN: 2120–AA64) received January 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5502. A letter from the Secretary, Department of Health and Human Services, transmitting the progress on the Department's report that was due on August 5, 2001 regarding the findings from a study of the quality and cost of providing Program of All-inclusive Care for the Elderly (PACE) program services as a permanent Medicare program and a Medicaid State plan option and a study of a demonstration of PACE using for-profit providers, pursuant to 42 U.S.C. 1395eee note. Pub.L. 105—33 section 4804 (b)(1) (111 Stat. 551); jointly to the Committees on Ways and Means and Energy and Commerce.

5503. A letter from the Director, Office of Management and Budget, transmitting a report that identifies accounts containing unvouchered expenditures that are potentially subject to audit by the Comptroller General, pursuant to 31 U.S.C. 3524(b); jointly to the Committees on the Budget, Appropriations, and Government Reform.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. HASTINGS of Florida:

H.R. 3714. A bill to amend the Immigration and Nationality Act to facilitate entry into the United States by nonimmigrant aliens for brief temporary stays for the serious illness or death of a member of the alien's immediate family; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 3715. A bill to amend section 4531(c) of the Balanced Budget Act of 1997 to permit payment for ALS intercept services furnished in areas other than rural areas, and for other purposes; to the Committee on Energy and Commerce, 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. GOODLATTE:

H.R. 3716. A bill to amend title 18, United States Code, to provide a defense against certain criminal prosecutions for interactive computer service providers; to the Committee on the Judiciary.

By Mr. BACHUS (for himself, Mr. OXLEY, Mr. GILLMOR, Mr. LEACH, Mrs.

ROUKEMA, Mr. ROYCE, Mr. NEY, Mr. KING, Mr. WELDON of Florida, Mr. RILEY, Mr. JONES of North Carolina, Mr. MANZULLO, Mr. TIBERI, Mrs. BIGGERT, Mr. THUNE, and Ms. HART):

H.R. 3717. A bill to reform the Federal deposit insurance system, and for other purposes; to the Committee on Financial Services.

By Mrs. BONO:

H.R. 3718. A bill to authorize a right-of-way through Joshua Tree National Park, and for other purposes; to the Committee on Resources.

By Mrs. DAVIS of California (for herself, Mr. EVANS, and Mr. REYES):

H.R. 3719. A bill to amend title 38, United States Code, to increase maximum the amount of a home loan guarantee available to a veteran; to the Committee on Veterans' Affairs.

By Mr. FALEOMAVAEGA:

H.R. 3720. A bill to require the National Oceanic and Atmospheric Administration to establish a tsunami hazard mitigation program for all United States coastal States and insular areas; to the Committee on Resources.

By Mr. GEKAS:

H.R. 3721. A bill to amend the Federal Election Campaign Act of 1971 to require the Federal Election Commission to establish and administer an escrow account for certain campaign contributions that a political committee intends to return to the contributor, and for other purposes; to the Committee on House Administration, and in addition to the Committee on the Judiciary, 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 Ms. HART:

H.R. 3722. A bill to require the Director of the Office of Management and Budget to include an outlying county in a metropolitan statistical area if the county meets certain requirements; to the Committee on Government Reform.

By Ms. HART:

H.R. 3723. A bill to direct the Secretary of the Army to establish a program to provide environmental assistance to non-Federal interests in western Pennsylvania, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HINCHEY:

H.R. 3724. A bill to amend the Internal Revenue Code of 1986 to allow a $1,000 refundable credit for individuals who are active members of volunteer firefighting and emergency medical service organizations; to the Committee on Ways and Means.

By Mr. OWENS:

H.R. 3725. A bill to require disclosure of the sale of securities by insiders of issuers of the securities to be made available to the Commission and to the public in electronic form before the transaction is conducted, and for other purposes; to the Committee on Financial Services.

By Mr. OXLEY:

H.R. 3726. A bill to amend title 18, United States Code, to prohibit video voyeurism in the special maritime and territorial jurisdiction of the United States; to the Committee on the Judiciary.

By Mr. PETERSON of Minnesota (for himself, Mr. MCHUGH, Mr. SAXTON, Mr. GREEN of Wisconsin, Mr. PICKERING, Mr. WALSH, Mr. THOMPSON of California, Mr. STUPAK, and Mr. ROSS):

H.R. 3727. A bill to direct the Secretary of the Interior to issue regulations under the Migratory Bird Treaty Act that authorize States to establish hunting seasons for double-crested cormorants; to the Committee on Resources.

By Mr. REHBERG:

H.R. 3728. A bill to amend the Internal Revenue Code of 1986 to extend section 29 to other facilities; to the Committee on Ways and Means.

By Mr. STRICKLAND (for himself, Mr. NEY, Ms. DEGETTE, Mrs. MORELLA, Mr. CROWLEY, Ms. WATERS, Mr. MCNULTY, Mr. BLAGOJEVICH, Mr. TOWNS, Mr. WYNN, Mr. WAXMAN, Mr. SCHIFF, Mr. PASCRELL, Mr. GREEN of Texas, Mr. STUPAK, Mr. FROST, Ms. ESHOO, Mr. RUSH, Mr. EVANS, Mr. DOOLEY of California, Mr. CONYERS, Mr. OWENS, Mrs. CHRISTENSEN, Mr. CAPUANO, Mr. LAFALCE, and Mr. BRADY of Pennsylvania):

H.R. 3729. A bill to amend titles XIX and XXI of the Social Security Act to improve the health benefits coverage of infants and children under the Medicaid and State children's health insurance program, and for other purposes; to the Committee on Energy and Commerce.

By Ms. WOOLSEY:

H.R. 3730. A bill to expand educational opportunities for recipients of assistance under the program of block grants to States for temporary assistance for needy familiies; to the Committee on Ways and Means, 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. PITTS (for himself, Mr. HYDE, and Mr. LANTOS):

H. Con. Res. 324. Concurrent resolution commending President Pervez Musharraf of Pakistan for his leadership and friendship and welcoming him to the United States; to the Committee on International Relations. considered and agreed to.

By Mr. NEY (for himself, Mr. HOYER, Mr. LATOURETTE, Mr. FROST, Mr. GILMAN, Mr. FATTAH, Mr. CANNON, Mr. DAVIS of Florida, Mr. LANTOS, and Mr. CANTOR):

H. Con. Res. 325. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust; to the Committee on House Administration. considered and agreed to.

By Mr. CAMP (for himself, Mr. ROGERS of Michigan, and Mr. KNOLLENBERG):

H. Con. Res. 326. Concurrent resolution commending the National Highway Traffic Safety Administration for their efforts to remind parents and care givers to use child safety seats and seat belts when transporting children in vehicles and for sponsoring National Child Passenger Safety Week; to the Committee on Transportation and Infrastructure. considered and agreed to.

By Mr. WEXLER (for himself, Mr. CRENSHAW, Mr. MORAN of Virginia, and Mr. FOLEY):

H. Con. Res. 327. Concurrent resolution commending the Republic of Turkey and the State of Israel for the continued strengthening of their political, economic, cultural, and strategic partnership and for their actions in support of the war on terrorism; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 128: Mr. SABO and Ms. MCCOLLUM.
H.R. 133: Ms. ESHOO.
H.R. 183: Mrs. CAPPS.
H.R. 232: Mr. BOSWELL.
H.R. 536: Mr. MARKEY.
H.R. 600: Mr. CALVERT, Mr. THOMPSON of California, Ms. LOFGREN, and Mr. KOLBE.
H.R. 633: Ms. MCCOLLUM.
H.R. 658: Mr. KERNS.
H.R. 826: Mr. HALL of Texas.
H.R. 832: Mr. VITTER and Mr. FORBES.
H.R. 876: Mr. COYNE and Mr. SIMPSON.
H.R. 902: Mr. HOLT and Mr. LEWIS of Kentucky.
H.R. 912: Mrs. JOHNSON of Connecticut.
H.R. 914: Mr. COX.
H.R. 952: Mr. COSTELLO.
H.R. 997: Mr. KILDEE.
H.R. 1097: Mr. PASTOR.
H.R. 1109: Mr. THORNBERRY, Mr. COBLE, Mr. CANNON, and Mr. BOOZMAN.
H.R. 1110: Mr. PLATTS.
H.R. 1116: Mr. PALLONE and Mr. FRELINGHUYSEN.
H.R. 1155: Ms. MCCOLLUM.
H.R. 1214: Ms. PRYCE of Ohio.
H.R. 1262: Mr. LYNCH.
H.R. 1265: Mr. DEFAZIO.
H.R. 1304: Mr. SOUDER.
H.R. 1331: Mr. BURTON of Indiana.
H.R. 1360: Mr. DELAHUNT and Mr. GRUCCI.
H.R. 1433: Mrs. MINK of Hawaii.
H.R. 1434: Mr. DELAHUNT.
H.R. 1436: Mr. CLEMENT.
H.R. 1460: Mr. YOUNG of Alaska.
H.R. 1474: Mr. CALVERT.
H.R. 1475: Mr. HOLDEN, Mr. ENGEL, Mr. NEAL of Massachusetts, and Mr. HINOJOSA.
H.R. 1520: Ms. MCCOLLUM, Ms. VELAZQUEZ, Ms. PELOSI, Mr. MARKEY, Mr. UDALL of New Mexico, Mr. KENNEDY of Rhode Island, Mr. LEACH, Mr. THOMPSON of California, Ms. LOFGREN, and Ms. MCCARTHY of Missouri.
H.R. 1522: Mrs. JONES of Ohio.
H.R. 1581: Mr. PETERSON of Minnesota.
H.R. 1582: Mr. TOWNS.
H.R. 1609: Mr. CAMP and Mr. HALL of Ohio.
H.R. 1613: Mr. PASCRELL.
H.R. 1701: Mr. LINDER.
H.R. 1711: Mr. SIMPSON.
H.R. 1759: Mr. PASTOR.
H.R. 1759: Mr. PENCE, Mr. EHLERS, Mr. WYNN, Ms. PRYCE of Ohio, Mr. GORDON, and Mr. PETERSON of Pennsylvania.
H.R. 1796: Mr. TRAFICANT and Mr. JEFFERSON.
H.R. 1904: Mr. GONZALEZ, Mr. MCDERMOTT, and Mr. WAXMAN.
H.R. 1935: Mr. PALLONE, Mr. MEEHAN, Mr. KERNS, Mr. TURNER, Mr. PAYNE, Mr. KILDEE, Mr. CAPUANO, Mr. HORN, Mr. POMEROY, and Mr. BERRY.
H.R. 1943: Ms. ROS-LEHTINEN.
H.R. 1951: Mr. DOYLE.
H.R. 1956: Mr. STUMP, Mr. BLUMENAUER, and Mr. FORBES.
H.R. 1978: Mr. PAUL.
H.R. 1979: Mr. WILSON of South Carolina.
H.R. 2108: Mr. ANDREWS.
H.R. 2125: Mr. SAWYER, Mr. WILSON of South Carolina, Ms. LOFGREN, Mr. MASCARA, Mr. SESSIONS, Mr. AKIN, and Mr. LEWIS of Kentucky.
H.R. 2148: Mr. BRADY of Pennsylvania.
H.R. 2219: Mrs. MORELLA and Ms. ROS-LEHTINEN.
H.R. 2254: Mr. WYNN and Mr. KENNEDY of Rhode Island.
H.R. 2258: Mr. KENNEDY of Rhode Island.
H.R. 2349: Mr. CLYBURN and Mr. DOYLE.
H.R. 2357: Mr. PENCE.
H.R. 2380: Mr. FRANK, Mr. KILDEE, and Mr. DINGELL.
H.R. 2521: Mr. WYNN, Mr. CUNNINGHAM, Mr. KILDEE, Mr. TIAHRT, and Mr. KNOLLENGERG.
H.R. 2570: Mrs. MORELLA, Ms. ROYBAL-ALLARD, and Mr. KILDEE.
H.R. 2592: Mr. FARR of California.
H.R. 2611: Mr. BROWN of Ohio.
H.R. 2613: Mr. KENNEDY of Rhode Island.
H.R. 2627: Ms. WATSON.
H.R. 2692: Mr. DINGELL, Mr. BISHOP, and Mr. LYNCH.

H.R. 2787: Mr. MCGOVERN, Mr. KUCINICH, Ms. NORTON, and Mr. BRADY of Pennsylvania.

H.R. 2820: Mr. SCHIFF and Mr. LARSEN of Washington.

H.R. 2868: Mr. STUPAK and Mrs. MEEK of Florida.

H.R. 2908: Mr. LYNCH.

H.R. 2957: Mr. CALVERT.

H.R. 3113: Mr. BECERRA, Mr. RUSH, Mr. RODRIGUEZ, and Mr. SANDERS.

H.R. 3185: Mr. PRICE of North Carolina.

H.R. 3231: Mr. SUNUNU, Mr. PENCE, Mr. CALVERT, and Mr. GILLMOR.

H.R. 3233: Mr. SERRANO and Mr. GUTIERREZ.

H.R. 3246: Mr. CAMP, Mr. KENNEDY of Rhode Island, and Mr. PLATTS.

H.R. 3267: Mr. NADLER.

H.R. 3280: Mr. KILDEE.

H.R. 3305: Mr. SHAYS, Ms. SCHAKOWSKY, Mr. WALSH, and Mr. BACHUS.

H.R. 3321: Ms. ROS-LEHTINEN, Mr. UNDERWOOD, Ms. BROWN of Florida, and Mr. PUTNAM.

H.R. 3337: Ms. WATSON, Mr. PASCRELL, Mr. TURNER, Mr. LUCAS of Kentucky, and Mr. FRANK.

H.R. 3389: Mr. GRUCCI, Mr. DEUTSCH, Mr. MCHUGH, Mr. ACKERMAN, Mr. HORN, Mr. RANGEL, Mrs. MEEK of Florida, and Mr. ANDREWS.

H.R. 3414: Mr. BAIRD and Mr. BRADY of Pennsylvania.

H.R. 3424: Mr. CLAY, Mr. MCHUGH, Mr. WALSH, Mr. STEARNS, and Ms. KAPTUR.

H.R. 3431: Ms. BALDWIN, Mr. BLAGOJEVICH, Mr. SHAW, Mr. DOYLE, Mr. PASTOR, and Mr. BLUNT.

H.R. 3443: Ms. HART and Mr. KILDEE.

H.R. 3462: Mr. DOYLE, Mr. PASTOR, Mr. LANGEVIN, and Ms. ROS-LEHTINEN.

H.R. 3473: Mr. GUTKNECHT and Mrs. CUBIN.

H.R. 3478: Mr. FALEOMAVAEGA.

H.R. 3512: Mr. STENHOLM.

H.R. 3524: Ms. LOFGREN.

H.R. 3532: Mr. LYNCH.

H.R. 3594: Mr. STUPAK and Mrs. MALONEY of New York.

H.R. 3618: Mr. THOMPSON of Mississippi, Mr. LEWIS of Georgia, and Mr. BISHOP

H.R. 3630: Mr. DEUTSCH.

H.R. 3640: Mr. MCDERMOTT and Mr. BALDACCI.

H.R. 3642: Ms. RIVERS and Mr. ABERCROMBIE.

H.R. 3657: Mr. HASTINGS of Florida, Mr. KILDEE, Mr. BALDACCI, Mr. LIPINSKI, and Mr. PALLONE.

H.R. 3661: Mr. DOYLE, Mr. ROGERS of Michigan, Mr. EHRLICH, Mr. REYNOLDS, and Mr. GILLMOR.

H.R. 3670: Mr. LANGEVIN, Mrs. THURMAN, Mr. BRADY of Pennsylvania, Mr. PRICE of North Carolina, Mr. KLECZKA, Mr. FORD, Mr. MCNULTY, Mr. DOOLEY of California, Mr. SAWYER, Mr. CARSON of Oklahoma, Mr. MOORE, Mr. LIPINSKI, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KIND, Mr. REYES, Mr. FRANK, Mr. HINOJOSA, Mr. VISCLOSKY, Mr. KANJORSKI, Ms. HARMAN, and Ms. KILPATRICK.

H.R. 3685: Mr. HEFLEY.

H.R. 3686: Mr. SOUDER, Mr. BARCIA, and Mr. BURTON of Indiana.

H.R. 3698: Mr. HOEKSTRA.

H.R. 3710: Mr. GORDON.

H.R. 3713: Mr. HANSEN, Mr. PAUL, Mr. SHIMKUS, Mr. DOYLE, Mr. TIBERI, and Mr. CANTOR.

H.J. Res. 6: Mr. MEEKS of New York.

H.J. Res. 23: Mrs. MYRICK.

H. Con. Res. 77: Mr. PALLONE, Mr. BROWN of Ohio, and Ms. WATSON of California.

H. Con. Res. 177: Mr. KILDEE and Mr. UNDERWOOD.

H. Con. Res. 180: Ms. CARSON of Indiana and Mr. SMITH of Washington.

H. Con. Res. 216: Mr. PASTOR, Mr. FROST, and Mr. CLAY.

H. Con. Res. 220: Mr. KERNS.

H. Con. Res. 265: Mr. POMEROY, Ms. GRANGER, Mr. PENCE, and Mr. SESSIONS.

H. Con. Res. 304: Mr. MEEKS of New York, Mr. JEFFERSON, Mr. LANTOS, Mr. RANGEL, Mr. WYNN, Mr. HASTINGS of Florida, and Mr. CONYERS.

H. Con. Res. 311: Mr. MCNULTY, Mr. FROST, Mr. BARR of Georgia, Mr. CUNNINGHAM, Ms. HOOLEY of Oregon, and Mr. KILDEE.

H. Con. Res. 313: Mr. SMITH of Michigan.

H. Res. 197: Mr. BURTON of Indiana.

H. Res. 225: Mr. BRYANT and Mr. MEEKS of New York.

H. Res. 265: Mr. BARTLETT of Maryland, Mr. FLAKE, Mr. CHABOT, Mr. SAM JOHNSON of Texas, Mr. SHADEGG, Mr. TOOMEY, Ms. HART, Mr. GUTKNECHT, Mr. TANCREDO, Mr. PITTS, Mr. AKIN, Mr. HERGER, Mr. HILLEARY, Mr. DEMINT, and Mr. WILSON of South Carolina.

H. Res. 339: Mr. HOYER, Mr. BALLENGER, Mr. BEREUTER, Mr. PENCE, Mr. BLAGOJEVICH, and Mr. KING.

H. Res. 346: Mr. BRADY of Texas, Mr. BURTON of Indiana, Mr. SHIMKUS, Mr. PICKERING, Mr. SMITH of New Jersey, Mr. MOLLOHAN, Mr. DEMINT, Mr. FORBES, Mr. SCHAFFER, Mr. RYUN of Kansas, Mr. WYNN, Mr. BRADY of Pennsylvania, Mr. SHOWS, Mr. TIBERI, Mr. MANZULLO, and Mr. TIAHRT.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2356

OFFERED BY: MR. FLAKE

[Shays Substitute]

AMENDMENT NO. 4: Add at the end the following new title:

TITLE VI—DISCLOSURE OF EXEMPT IN-KIND MEDIA EXPENDITURES

SEC. 601. DISCLOSURE OF EXEMPT IN-KIND MEDIA EXPENDITURES

(a) DISCLOSURE REQUIRED FOR EXEMPT IN-KIND MEDIA EXPENDITURES.—Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434), as amended by sections 103, 201, 212, and 309(b), is further amended by adding at the end the following new subsection:

''(i) REQUIRING BROADCASTER DISCLOSURE OF EXPENDITURES FOR VOLUNTARY PERSONAL APPEARANCES BY FEDERAL CANDIDATES.—

''(1) IN GENERAL.—A broadcast network or station which is a corporate media outlet shall file a disclosure report under this subsection with respect to each media expenditure communication described in paragraph (2) (including a communication described in such paragraph which is rebroadcast by the network or station). For purposes of this paragraph, a broadcast network shall be considered to have aired such a communication if the network or any station affiliated with the network airs the communication.

''(2) MEDIA EXPENDITURE COMMUNICATION DESCRIBED.—A media expenditure communication described in this paragraph is a broadcast, cable, or satellite communication—

''(A) which features or depicts a clearly identified candidate for Federal office in a voluntary appearance by the candidate (including but not limited to an interview with the candidate); and

''(B) which is aired by the network or station during the 60-day period (or, in the case of a primary election, during the 30-day period) which ends on the date of the election for the office sought by the candidate.

''(3) DEADLINE FOR FILING DISCLOSURE REPORT.—Reports under this subsection shall be filed with the Commission not later than 10 days after the network or station airs the media expenditure communication involved.

''(4) CONTENTS OF REPORT.—A report filed by a broadcasting network or station under this subsection with respect to a media expenditure communication shall contain the following information:

''(A) The identification of the network or station.

''(B) The name of candidate featured or depicted in the communication.

''(C) The date on which the communication aired and the duration of the appearance of the candidate in the communication, including the appearance of the candidate in any promotional communications aired by the network or station with respect to the communication.

''(D) The value of the exempt in-kind media expenditure (as calculated in accordance with paragraph (5)) derived from the airing of the communication, itemized separately (in the case of a network) by each station affiliated with the network.

''(E) All other costs and expenses paid by the network or station which are associated with the appearance of the candidate in the communication, including (but not limited to) transportation of the Federal candidate, makeup, extraordinary production or transmission costs, promotions, and website broadcasts, itemized separately by each such category.

''(5) DETERMINING VALUE OF EXEMPT IN-KIND MEDIA EXPENDITURES.—

''(A) IN GENERAL.—The value of the exempt in-kind media expenditure derived from the airing of a media expenditure communication described in paragraph (2) by a broadcasting network or station shall be equal to the product of the per unit cost of the advertising sold by the network or station for the time during which the communication is aired and the duration of the appearance of the candidate involved in the communication.

''(B) SPECIAL RULE FOR NATIONAL BROADCASTS.—In the case of a communication which is aired on a nationwide broadcast—

''(i) the broadcasting network from which the broadcast originates shall be responsible for calculating the value of exempt in-kind media expenditures under subparagraph (A); and

''(ii) the value derived from the airing of the communication by the network shall be increased by the value derived from the airing of the communication (as determined under subparagraph (A)) by each station affiliated with the network.

''(6) CORPORATE MEDIA OUTLET DEFINED.—In this subsection, the term 'corporate media outlet' means a corporation—

''(A) which is owned, operated, or controlled by any other corporation, entity, or holding company;

''(B) which derives income from any service, product, enterprise, or source other than advertising which appears within the media broadcast outlet involved;

''(C) which receives funds directly or indirectly from any level of government; or

''(D) which retains, employs, or otherwise engages the services (directly or indirectly) of any lobbyist who represents the corporation as a registered lobbyist at any level of government.''.

(b) LOSS OF EXEMPTION FROM TREATMENT AS EXPENDITURE FOR COMMUNICATIONS AIRED BY BROADCASTERS FAILING TO FILE REPORTS.—Section 301(9)(B)(i) of such Act (2 U.S.C. 431(9)(B)(i)) is amended by striking the semicolon at the end and inserting the following: '', except that if a broadcast network or station which is a corporate media outlet (as defined in section 304(i)) fails to meet the requirements of section 304(i) with respect to the airing of an media expenditure communication described in section 304(i)(2), this clause shall not apply with respect to

the communication, and the airing of the communication shall be treated as an in-kind contribution by the corporate media outlet to the candidate featured or depicted in the communication (in an amount equal to the value determined in accordance with such section);''.

H.R. 2356

OFFERED BY: MR. GOODLATTE

[Ney Substitute]

AMENDMENT NO. 5: Insert after title III the following:

TITLE IV—DISCLOSURE OF INFORMATION BY PERSONS CONDUCTING POLLS

SEC. 401. DISCLOSURE OF INFORMATION BY PERSONS CONDUCTING POLLS DURING FEDERAL ELECTION CAMPAIGNS.

(a) IN GENERAL.—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:

''DISCLOSURE OF INFORMATION BY PERSONS CONDUCTING POLLS BY TELEPHONE

''SEC. 324. (a) DISCLOSURES TO RESPONDENTS.—Any person who conducts a Federal election poll shall disclose to each respondent the identity of the person sponsoring the poll or paying the expenses associated with the poll, except that if the poll is conducted more than 30 days before the date of the election, the person shall only disclose such information upon the request of the respondent.

''(b) DISCLOSURES TO COMMISSION.—Any person who conducts a Federal election poll—

''(1) shall report to the Commission the number of households contacted and include with such report a copy of the poll questions; and

''(2) in the case of a poll for which the results are not to be made public, shall report to the Commission the total cost of the poll and all sources of funds for the poll.

''(c) DEFINITION.—In this section, the term 'Federal election poll' means a survey conducted by telephone or electronic means—

''(1) in which the respondents are interviewed on opinions relating to an election for Federal office;; and

''(2) in which not fewer than 1,200 respondents are surveyed.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to elections occurring after the date of the enactment of this Act.

H.R. 2356

OFFERED BY: MR. GOODLATTE

AMENDMENT NO. 6: Add at the end of title III the following:

SEC. 323. DISCLOSURE OF INFORMATION BY PERSONS CONDUCTING POLLS DURING FEDERAL ELECTION CAMPAIGNS.

(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, 319, and 322, is further amended by adding at the end the following new section:

''DISCLOSURE OF INFORMATION BY PERSONS CONDUCTING POLLS BY TELEPHONE

''SEC. 326. (a) DISCLOSURES TO RESPONDENTS.—Any person who conducts a Federal election poll shall disclose to each respondent the identity of the person sponsoring the poll or paying the expenses associated with the poll, except that if the poll is conducted more than 30 days before the date of the election, the person shall only disclose such information upon the request of the respondent.

''(b) DISCLOSURES TO COMMISSION.—Any person who conducts a Federal election poll—

''(1) shall report to the Commission the number of households contacted and include with such report a copy of the poll questions; and

''(2) in the case of a poll for which the results are not to be made public, shall report to the Commission the total cost of the poll and all sources of funds for the poll.

''(c) DEFINITION.—In this section, the term 'Federal election poll' means a survey conducted by telephone or electronic means—

''(1) in which the respondents are interviewed on opinions relating to an election for Federal office;; and

''(2) in which not fewer than 1,200 respondents are surveyed.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to elections occurring after the date of the enactment of this Act.

H.R. 2356

OFFERED BY: MR. GOODLATTE

[Armey Substitute]

AMENDMENT NO. 7: Add at the end the following:

TITLE ____—DISCLOSURE OF INFORMATION BY PERSONS CONDUCTING POLLS

SEC. ____. DISCLOSURE OF INFORMATION BY PERSONS CONDUCTING POLLS DURING FEDERAL ELECTION CAMPAIGNS.

(a) IN GENERAL.—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:

''DISCLOSURE OF INFORMATION BY PERSONS CONDUCTING POLLS BY TELEPHONE

''SEC. 323. (a) DISCLOSURES TO RESPONDENTS.—Any person who conducts a Federal election poll shall disclose to each respondent the identity of the person sponsoring the poll or paying the expenses associated with the poll, except that if the poll is conducted more than 30 days before the date of the election, the person shall only disclose such information upon the request of the respondent.

''(b) DISCLOSURES TO COMMISSION.—Any person who conducts a Federal election poll—

''(1) shall report to the Commission the number of households contacted and include with such report a copy of the poll questions; and

''(2) in the case of a poll for which the results are not to be made public, shall report to the Commission the total cost of the poll and all sources of funds for the poll.

''(c) DEFINITION.—In this section, the term 'Federal election poll' means a survey conducted by telephone or electronic means—

''(1) in which the respondents are interviewed on opinions relating to an election for Federal office;; and

''(2) in which not fewer than 1,200 respondents are surveyed.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to elections occurring after the date of the enactment of this Act.

H.R. 2356

OFFERED BY: MR. GOODLATTE

[Shays Substitute]

AMENDMENT NO. 8: Add at the end of title III the following:

SEC. 320. DISCLOSURE OF INFORMATION BY PERSONS CONDUCTING POLLS DURING FEDERAL ELECTION CAMPAIGNS.

(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 and 319, is further amended by adding at the end the following new section:

''DISCLOSURE OF INFORMATION BY PERSONS CONDUCTING POLLS BY TELEPHONE

''SEC. 325. (a) DISCLOSURES TO RESPONDENTS.—Any person who conducts a Federal election poll shall disclose to each respondent the identity of the person sponsoring the poll or paying the expenses associated with the poll, except that if the poll is conducted more than 30 days before the date of the election, the person shall only disclose such information upon the request of the respondent.

''(b) DISCLOSURES TO COMMISSION.—Any person who conducts a Federal election poll—

''(1) shall report to the Commission the number of households contacted and include with such report a copy of the poll questions; and

''(2) in the case of a poll for which the results are not to be made public, shall report to the Commission the total cost of the poll and all sources of funds for the poll.

''(c) DEFINITION.—In this section, the term 'Federal election poll' means a survey conducted by telephone or electronic means—

''(1) in which the respondents are interviewed on opinions relating to an election for Federal office;; and

''(2) in which not fewer than 1,200 respondents are surveyed.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to elections occurring after the date of the enactment of this Act.

H.R. 2356

OFFERED BY: MR. SHAYS

AMENDMENT NO. 9. 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 ''Bipartisan Campaign Reform Act of 2002''.

(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 limit for State committees of political parties.
Sec. 103. Reporting requirements.

TITLE II—NONCANDIDATE CAMPAIGN EXPENDITURES

Subtitle A—Electioneering Communications

Sec. 201. Disclosure of electioneering communications.
Sec. 202. Coordinated communications as contributions.
Sec. 203. Prohibition of corporate and labor disbursements for electioneering communications.
Sec. 204. Rules relating to certain targeted electioneering communications.

Subtitle B—Independent and Coordinated Expenditures

Sec. 211. Definition of independent expenditure.
Sec. 212. Reporting requirements for certain independent expenditures.
Sec. 213. Independent versus coordinated expenditures by party.
Sec. 214. Coordination with candidates or political parties.

TITLE III—MISCELLANEOUS

Sec. 301. Use of contributed amounts for certain purposes.
Sec. 302. Prohibition of fundraising on Federal property.
Sec. 303. Strengthening foreign money ban.
Sec. 304. Modification of individual contribution limits in response to expenditures from personal funds.
Sec. 305. Television media rates.
Sec. 306. Limitation on availability of lowest unit charge for Federal candidates attacking opposition.

Sec. 307. Software for filing reports and prompt disclosure of contributions.
Sec. 308. Modification of contribution limits.
Sec. 309. Donations to Presidential inaugural committee.
Sec. 310. Prohibition on fraudulent solicitation of funds.
Sec. 311. Study and report on Clean Money Clean Elections laws.
Sec. 312. Clarity standards for identification of sponsors of election-related advertising.
Sec. 313. Increase in penalties.
Sec. 314. Statute of limitations.
Sec. 315. Sentencing guidelines.
Sec. 316. Increase in penalties imposed for violations of conduit contribution ban.
Sec. 317. Restriction on increased contribution limits by taking into account candidate's available funds.
Sec. 318. Clarification of right of nationals of the United States to make political contributions.
Sec. 319. Prohibition of contributions by minors.

TITLE IV—SEVERABILITY; EFFECTIVE DATE

Sec. 401. Severability.
Sec. 402. Effective date.
Sec. 403. Judicial review.

TITLE V—ADDITIONAL DISCLOSURE PROVISIONS

Sec. 501. Internet access to records.
Sec. 502. Maintenance of website of election reports.
Sec. 503. Additional disclosure reports.
Sec. 504. Public access to broadcasting records.

TITLE I—REDUCTION OF SPECIAL INTEREST INFLUENCE

SEC. 101. SOFT MONEY OF POLITICAL PARTIES.

(a) IN GENERAL.—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:

"SEC. 323. SOFT MONEY OF POLITICAL PARTIES.

''(a) NATIONAL COMMITTEES.—

''(1) IN GENERAL.—A national committee of a political party (including a national congressional campaign committee of a political party) may not solicit, receive, or direct to another person a contribution, donation, or transfer of funds or any other thing of value, or spend any funds, that are not subject to the limitations, prohibitions, and reporting requirements of this Act.

''(2) APPLICABILITY.—The prohibition established by paragraph (1) applies to any such national committee, any officer or agent acting on behalf of such a national committee, and any entity that is directly or indirectly established, financed, maintained, or controlled by such a national committee.

''(b) STATE, DISTRICT, AND LOCAL COMMITTEES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), an amount that is expended or disbursed for Federal election activity 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), or by an association or similar group of candidates for State or local office or of individuals holding State or local office, shall be made from funds subject to the limitations, prohibitions, and reporting requirements of this Act.

''(2) APPLICABILITY.—

''(A) IN GENERAL.—Notwithstanding clause (i) or (ii) of section 301(20)(A), and subject to subparagraph (B), paragraph (1) shall not apply to any amount expended or disbursed by a State, district, or local committee of a political party for an activity described in either such clause to the extent the amounts expended or disbursed for such activity are allocated (under regulations prescribed by the Commission) among amounts—

''(i) which consist solely of contributions subject to the limitations, prohibitions, and reporting requirements of this Act (other than amounts described in subparagraph (B)(iii)); and

''(ii) other amounts which are not subject to the limitations, prohibitions, and reporting requirements of this Act (other than any requirements of this subsection).

''(B) CONDITIONS.—Subparagraph (A) shall only apply if—

''(i) the activity does not refer to a clearly identified candidate for Federal office;

''(ii) the amounts expended or disbursed are not for the costs of any broadcasting, cable, or satellite communication, other than a communication which refers solely to a clearly identified candidate for State or local office;

''(iii) the amounts expended or disbursed which are described in subparagraph (A)(ii) are paid from amounts which are donated in accordance with State law and which meet the requirements of subparagraph (C), except that no person (including any person established, financed, maintained, or controlled by such person) may donate more than $10,000 to a State, district, or local committee of a political party in a calendar year for such expenditures or disbursements; and

''(iv) the amounts expended or disbursed are made solely from funds raised by the State, local, or district committee which makes such expenditure or disbursement, and do not include any funds provided to such committee from—

''(I) any other State, local, or district committee of any State party,

''(II) the national committee of a political party (including a national congressional campaign committee of a political party),

''(III) any officer or agent acting on behalf of any committee described in subclause (I) or (II), or

''(IV) any entity directly or indirectly established, financed, maintained, or controlled by any committee described in subclause (I) or (II).

''(C) PROHIBITING INVOLVEMENT OF NATIONAL PARTIES, FEDERAL CANDIDATES AND OFFICEHOLDERS, AND STATE PARTIES ACTING JOINTLY.—Notwithstanding subsection (e) (other than subsection (e)(3)), amounts specifically authorized to be spent under subparagraph (B)(iii) meet the requirements of this subparagraph only if the amounts—

''(i) are not solicited, received, directed, transferred, or spent by or in the name of any person described in subsection (a) or (e); and

''(ii) are not solicited, received, or directed through fundraising activities conducted jointly by 2 or more State, local, or district committees of any political party or their agents, or by a State, local, or district committee of a political party on behalf of the State, local, or district committee of a political party or its agent in one or more other States.

''(c) FUNDRAISING COSTS.—An amount spent by a person described in subsection (a) or (b) to raise funds that are used, in whole or in part, for expenditures and disbursements for 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—

''(1) 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 for determination of tax exempt status under such section) and that makes expenditures or disbursements in connection with an election for Federal office (including expenditures or disbursements for Federal election activity); or

''(2) an organization described in section 527 of such Code (other than a political committee, a State, district, or local committee of a political party, or the authorized campaign committee of a candidate for State or local office).

''(e) FEDERAL CANDIDATES.—

''(1) IN GENERAL.—A candidate, individual holding Federal office, agent of a candidate or an individual holding Federal office, or an entity directly or indirectly established, financed, maintained or controlled by or acting on behalf of 1 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), (2), and (3) of section 315(a); and

''(ii) are not from sources prohibited by this Act from making contributions in connection with an election for Federal office.

''(2) STATE LAW.—Paragraph (1) does not apply to the solicitation, receipt, or spending of funds by an individual described in such paragraph who is or was also a candidate for a State or local office solely in connection with such election for State or local office if the solicitation, receipt, or spending of funds is permitted under State law and refers only to such State or local candidate, or to any other candidate for the State or local office sought by such candidate, or both.

''(3) FUNDRAISING EVENTS.—Notwithstanding paragraph (1) or subsection (b)(2)(C), a candidate or an individual holding Federal office may attend, speak, or be a featured guest at a fundraising event for a State, district, or local committee of a political party.

''(4) PERMITTING CERTAIN SOLICITATIONS.—

''(A) GENERAL SOLICITATIONS.—Notwithstanding any other provision of this subsection, an individual described in paragraph (1) may make a general solicitation of funds on behalf of any 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 for determination of tax exempt status under such section) (other than an entity whose principal purpose is to conduct activities described in clauses (i) and (ii) of section 301(20)(A)) where such solicitation does not specify how the funds will or should be spent.

''(B) CERTAIN SPECIFIC SOLICITATIONS.—In addition to the general solicitations permitted under subparagraph (A), an individual

described in paragraph (1) may make a solicitation explicitly to obtain funds for carrying out the activities described in clauses (i) and (ii) of section 301(20)(A), or for an entity whose principal purpose is to conduct such activities, if—

''(i) the solicitation is made only to individuals; and

''(ii) the amount solicited from any individual during any calendar year does not exceed $20,000.

''(f) STATE CANDIDATES.—

''(1) IN GENERAL.—A candidate for State or local office, individual holding State or local office, or an agent of such a candidate or individual may not spend any funds for a communication described in section 301(20)(A)(iii) unless the funds are subject to the limitations, prohibitions, and reporting requirements of this Act.

''(2) EXCEPTION FOR CERTAIN COMMUNICATIONS.—Paragraph (1) shall not apply to an individual described in such paragraph if the communication involved is in connection with an election for such State or local office and refers only to such individual or to any other candidate for the State or local office held or sought by such individual, or both.''.

(b) DEFINITIONS.—Section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431) is amended by adding at the end thereof the following:

''(20) 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);

''(iii) a public 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 that promotes or supports a candidate for that office, or attacks or opposes a candidate for that office (regardless of whether the communication expressly advocates a vote for or against a candidate); or

''(iv) services provided during any month by an employee of a State, district, or local committee of a political party who spends more than 25 percent of that individual's compensated time during that month on activities in connection with a Federal election.

''(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) a public communication that refers solely to a clearly identified candidate for State or local office, if the communication is not a Federal election activity described in subparagraph (A)(i) or (ii);

''(ii) a contribution to a candidate for State or local office, provided the contribution is not designated 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; and

''(v) the cost of constructing or purchasing an office facility or equipment for a State, district, or local committee.

''(21) GENERIC CAMPAIGN ACTIVITY.—The term 'generic campaign activity' means a campaign activity that promotes a political party and does not promote a candidate or non-Federal candidate.

''(22) PUBLIC COMMUNICATION.—The term 'public communication' means a communication by means of any broadcast, cable, or satellite communication, newspaper, magazine, outdoor advertising facility, mass mailing, or telephone bank to the general public, or any other form of general public political advertising.

''(23) MASS MAILING.—The term 'mass mailing' means a mailing by United States mail or facsimile of more than 500 pieces of mail matter of an identical or substantially similar nature within any 30-day period.

''(24) TELEPHONE BANK.—The term 'telephone bank' means more than 500 telephone calls of an identical or substantially similar nature within any 30-day period.''.

SEC. 102. INCREASED 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 which, in the aggregate, exceed $10,000.''.

SEC. 103. REPORTING REQUIREMENTS.

(a) REPORTING REQUIREMENTS.—Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) is amended by adding at the end 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.—

''(A) IN GENERAL.—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 section 301(20)(A), unless the aggregate amount of such receipts and disbursements during the calendar year is less than $5,000.

''(B) SPECIFIC DISCLOSURE BY STATE AND LOCAL PARTIES OF CERTAIN NONFEDERAL AMOUNTS PERMITTED TO BE SPENT ON FEDERAL ELECTION ACTIVITY.—Each report by a political committee under subparagraph (A) of receipts and disbursements made for activities described in section 301(20)(A) shall include a disclosure of all receipts and disbursements described in section 323(b)(2)(A) and (B).

''(3) ITEMIZATION.—If a political committee has receipts or disbursements to which this subsection applies from or to 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)(4)(B).''.

(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 (xv) as clauses (viii) through (xiv), respectively.

TITLE II—NONCANDIDATE CAMPAIGN EXPENDITURES

Subtitle A—Electioneering Communications

SEC. 201. DISCLOSURE OF ELECTIONEERING COMMUNICATIONS.

(a) IN GENERAL.—Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434), as amended by section 103, is amended by adding at the end the following new subsection:

''(f) DISCLOSURE OF ELECTIONEERING COMMUNICATIONS.—

''(1) STATEMENT REQUIRED.—Every person who makes a disbursement for the direct costs of producing and airing electioneering communications in an aggregate amount in excess of $10,000 during any calendar year shall, within 24 hours of each disclosure date, file with the Commission a statement containing the information described in paragraph (2).

''(2) CONTENTS OF STATEMENT.—Each statement required to be filed under this subsection shall be made under penalty of perjury and shall contain the following information:

''(A) The identification of the person making the disbursement, of any person sharing or exercising direction or control over the activities of such person, and of the custodian of the books and accounts of the person making the disbursement.

''(B) The principal place of business of the person making the disbursement, if not an individual.

''(C) The amount of each disbursement of more than $200 during the period covered by the statement and the identification of the person to whom the disbursement was made.

''(D) The elections to which the electioneering communications pertain and the names (if known) of the candidates identified or to be identified.

''(E) If the disbursements were paid out of a segregated bank account which consists of funds contributed solely by individuals who are United States citizens or nationals or lawfully admitted for permanent residence as defined in section 1101(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(2)) directly to this account for electioneering communications, the names and addresses of all contributors who contributed an aggregate amount of $1,000 or more to that account during the period beginning on the first day of the preceding calendar year and ending on the disclosure date. Nothing in this subparagraph is to be construed as a prohibition on the use of funds in such a segregated account for a purpose other than electioneering communications.

''(F) If the disbursements were paid out of funds not described in subparagraph (E), the names and addresses of all contributors who contributed an aggregate amount of $1,000 or more to the person making the disbursement during the period beginning on the first day of the preceding calendar year and ending on the disclosure date.

''(3) ELECTIONEERING COMMUNICATION.—For purposes of this subsection—

''(A) IN GENERAL.—(i) The term 'electioneering communication' means any broadcast, cable, or satellite communication which—

''(I) refers to a clearly identified candidate for Federal office;

''(II) is made within—

''(aa) 60 days before a general, special, or runoff election for the office sought by the candidate; or

''(bb) 30 days before a primary or preference election, or a convention or caucus of a political party that has authority to nominate a candidate, for the office sought by the candidate; and

''(III) in the case of a communication which refers to a candidate for an office other than President or Vice President, is targeted to the relevant electorate.

''(ii) If clause (i) is held to be constitutionally insufficient by final judicial decision to support the regulation provided herein, then the term 'electioneering communication' means any broadcast, cable, or satellite communication which promotes or supports a candidate for that office, or attacks or opposes a candidate for that office (regardless of whether the communication expressly advocates a vote for or against a candidate) and which also is suggestive of no plausible meaning other than an exhortation to vote for or against a specific candidate. Nothing in this subparagraph shall be construed to affect the interpretation or application of section 100.22(b) of title 11, Code of Federal Regulations.

''(B) EXCEPTIONS.—The term 'electioneering communication' does not include—

''(i) a communication appearing in a news story, commentary, or editorial distributed through the facilities of any broadcasting station, unless such facilities are owned or controlled by any political party, political committee, or candidate;

''(ii) a communication which constitutes an expenditure or an independent expenditure under this Act;

''(iii) a communication which constitutes a candidate debate or forum conducted pursuant to regulations adopted by the Commission, or which solely promotes such a debate or forum and is made by or on behalf of the person sponsoring the debate or forum; or

''(iv) any other communication exempted under such regulations as the Commission may promulgate (consistent with the requirements of this paragraph) to ensure the appropriate implementation of this paragraph, except that under any such regulation a communication may not be exempted if it meets the requirements of this paragraph and is described in section 301(20)(A)(iii).

''(C) TARGETING TO RELEVANT ELECTORATE.—For purposes of this paragraph, a communication which refers to a clearly identified candidate for Federal office is 'targeted to the relevant electorate' if the communication can be received by 50,000 or more persons—

''(i) in the district the candidate seeks to represent, in the case of a candidate for Representative in, or Delegate or Resident Commissioner to, the Congress; or

''(ii) in the State the candidate seeks to represent, in the case of a candidate for Senator.

''(4) DISCLOSURE DATE.—For purposes of this subsection, the term 'disclosure date' means—

''(A) the first date during any calendar year by which a person has made disbursements for the direct costs of producing or airing electioneering communications aggregating in excess of $10,000; and

''(B) any other date during such calendar year by which a person has made disbursements for the direct costs of producing or airing electioneering communications aggregating in excess of $10,000 since the most recent disclosure date for such calendar year.

''(5) CONTRACTS TO DISBURSE.—For purposes of this subsection, a person shall be treated as having made a disbursement if the person has executed a contract to make the disbursement.

''(6) COORDINATION WITH OTHER REQUIREMENTS.—Any requirement to report under this subsection shall be in addition to any other reporting requirement under this Act.

''(7) COORDINATION WITH INTERNAL REVENUE CODE.—Nothing in this subsection may be construed to establish, modify, or otherwise affect the definition of political activities or electioneering activities (including the definition of participating in, intervening in, or influencing or attempting to influence a political campaign on behalf of or in opposition to any candidate for public office) for purposes of the Internal Revenue Code of 1986.''.

(b) RESPONSIBILITIES OF FEDERAL COMMUNICATIONS COMMISSION.—The Federal Communications Commission shall compile and maintain any information the Federal Election Commission may require to carry out section 304(f) of the Federal Election Campaign Act of 1971 (as added by subsection (a)), and shall make such information available to the public on the Federal Communication Commission's website.

SEC. 202. COORDINATED COMMUNICATIONS AS CONTRIBUTIONS.

Section 315(a)(7) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(7)) is amended —

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

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

''(C) if—

''(i) any person makes, or contracts to make, any disbursement for any electioneering communication (within the meaning of section 304(f)(3)); and

''(ii) such disbursement is coordinated with a candidate or an authorized committee of such candidate, a Federal, State, or local political party or committee thereof, or an agent or official of any such candidate, party, or committee;

such disbursement or contracting shall be treated as a contribution to the candidate supported by the electioneering communication or that candidate's party and as an expenditure by that candidate or that candidate's party; and''.

SEC. 203. PROHIBITION OF CORPORATE AND LABOR DISBURSEMENTS FOR ELECTIONEERING COMMUNICATIONS.

(a) IN GENERAL.—Section 316(b)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b(b)(2)) is amended by inserting ''or for any applicable electioneering communication'' before '', but shall not include''.

(b) APPLICABLE ELECTIONEERING COMMUNICATION.—Section 316 of such Act is amended by adding at the end the following:

''(c) RULES RELATING TO ELECTIONEERING COMMUNICATIONS.—

''(1) APPLICABLE ELECTIONEERING COMMUNICATION.—For purposes of this section, the term 'applicable electioneering communication' means an electioneering communication (within the meaning of section 304(f)(3)) which is made by any entity described in subsection (a) of this section or by any other person using funds donated by an entity described in subsection (a) of this section.

''(2) EXCEPTION.—Notwithstanding paragraph (1), the term 'applicable electioneering communication' does not include a communication by a section 501(c)(4) organization or a political organization (as defined in section 527(e)(1) of the Internal Revenue Code of 1986) made under section 304(f)(2)(E) or (F) of this Act if the communication is paid for exclusively by funds provided directly by individuals who are United States citizens or nationals or lawfully admitted for permanent residence as defined in section 1101(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(2)). For purposes of the preceding sentence, the term 'provided directly by individuals' does not include funds the source of which is an entity described in subsection (a) of this section.

''(3) SPECIAL OPERATING RULES.—

''(A) DEFINITION UNDER PARAGRAPH (1).—An electioneering communication shall be treated as made by an entity described in subsection (a) if an entity described in subsection (a) directly or indirectly disburses any amount for any of the costs of the communication.

''(B) EXCEPTION UNDER PARAGRAPH (2).—A section 501(c)(4) organization that derives amounts from business activities or receives funds from any entity described in subsection (a) shall be considered to have paid for any communication out of such amounts unless such organization paid for the communication out of a segregated account to which only individuals can contribute, as described in section 304(f)(2)(E).

''(4) DEFINITIONS AND RULES.—For purposes of this subsection—

''(A) the term 'section 501(c)(4) organization' means—

''(i) an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code; or

''(ii) an organization which has submitted an application to the Internal Revenue Service for determination of its status as an organization described in clause (i); and

''(B) a person shall be treated as having made a disbursement if the person has executed a contract to make the disbursement.

''(5) COORDINATION WITH INTERNAL REVENUE CODE.—Nothing in this subsection shall be construed to authorize an organization exempt from taxation under section 501(a) of the Internal Revenue Code of 1986 to carry out any activity which is prohibited under such Code.''.

SEC. 204. RULES RELATING TO CERTAIN TARGETED ELECTIONEERING COMMUNICATIONS.

Section 316(c) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b), as added by section 203, is amended by adding at the end the following:

''(6) SPECIAL RULES FOR TARGETED COMMUNICATIONS.—

''(A) EXCEPTION DOES NOT APPLY.—Paragraph (2) shall not apply in the case of a targeted communication that is made by an organization described in such paragraph.

''(B) TARGETED COMMUNICATION.—For purposes of subparagraph (A), the term 'targeted communication' means an electioneering communication (as defined in section 304(f)(3)) that is distributed from a television or radio broadcast station or provider of cable or satellite television service and, in the case of a communication which refers to a candidate for an office other than President or Vice President, is targeted to the relevant electorate.

''(C) DEFINITION.—For purposes of this paragraph, a communication is 'targeted to the relevant electorate' if it meets the requirements described in section 304(f)(3)(C).''.

Subtitle B—Independent and Coordinated Expenditures

SEC. 211. 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.—The term 'independent expenditure' means an expenditure by a person—

''(A) expressly advocating the election or defeat of a clearly identified candidate; and

''(B) that is not made in concert or cooperation with or at the request or suggestion of such candidate, the candidate's authorized political committee, or their

agents, or a political party committee or its agents.''.

SEC. 212. REPORTING REQUIREMENTS FOR CERTAIN INDEPENDENT EXPENDITURES.

(a) IN GENERAL.—Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) (as amended by section 201) is amended—

(1) in subsection (c)(2), by striking the undesignated matter after subparagraph (C); and

(2) by adding at the end the following:

''(g) 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.

''(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.

''(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.''.

(b) CONFORMING AMENDMENT.—Section 304(a)(5) of such Act (2 U.S.C. 434(a)(5)) is amended by striking '', or the second sentence of subsection (c)(2)''.

SEC. 213. INDEPENDENT VERSUS COORDINATED EXPENDITURES BY PARTY.

Section 315(d) of the Federal Election Campaign Act of 1971 (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, no committee of the political party may make—

''(i) any coordinated expenditure under this subsection with respect to the candidate during the election cycle at any time after it makes any independent expenditure (as defined in section 301(17)) with respect to the candidate during the election cycle; or

''(ii) any independent expenditure (as defined in section 301(17)) with respect to the candidate during the election cycle at any time after it makes any coordinated expenditure under this subsection with respect to the candidate during the election cycle.

''(B) APPLICATION.—For 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.

''(C) TRANSFERS.—A committee of a political party that makes coordinated expenditures under this subsection 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. 214. COORDINATION WITH CANDIDATES OR POLITICAL PARTIES.

(a) IN GENERAL.—Section 315(a)(7)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(7)(B)) is amended—

(A) by redesignating clause (ii) as clause (iii); and

(B) by inserting after clause (i) the following new clause:

''(ii) expenditures made by any person (other than a candidate or candidate's authorized committee) in cooperation, consultation, or concert, with, or at the request or suggestion of, a national, State, or local committee of a political party, shall be considered to be contributions made to such party committee; and''.

(b) REPEAL OF CURRENT REGULATIONS.—The regulations on coordinated communications paid for by persons other than candidates, authorized committees of candidates, and party committees adopted by the Federal Election Commission and published in the Federal Register at page 76138 of volume 65, Federal Register, on December 6, 2000, are repealed as of the date by which the Commission is required to promulgate new regulations under subsection (c) (as described in the second sentence of section 402(c)).

(c) REGULATIONS BY THE FEDERAL ELECTION COMMISSION.—The Federal Election Commission shall promulgate new regulations on coordinated communications paid for by persons other than candidates, authorized committees of candidates, and party committees. The regulations shall not require agreement or formal collaboration to establish coordination. In addition to any subject determined by the Commission, the regulations shall address—

(A) payments for the republication of campaign materials;

(B) payments for the use of a common vendor;

(C) payments for communications directed or made by persons who previously served as an employee of a candidate or a political party; and

(D) payments for communications made by a person after substantial discussion about the communication with a candidate or a political party.

(d) 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)(2)) 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—MISCELLANEOUS

SEC. 301. 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:

''SEC. 313. USE OF CONTRIBUTED AMOUNTS FOR CERTAIN PURPOSES.

''(a) PERMITTED USES.—A contribution accepted by a candidate, and any other donation 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 otherwise authorized 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 donation 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 donation 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 office, 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. 302. 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. It shall be unlawful for an individual who is an officer or employee of the Federal Government, including the President, Vice President, and Members of Congress, to solicit or receive 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. 303. STRENGTHENING FOREIGN MONEY BAN.

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 contribution or donation of money or other thing of value, or to make an express or implied promise to make a contribution or donation, in connection with a Federal, State, or local election;

''(B) a contribution or donation to a committee of a political party; or

''(C) an expenditure, independent expenditure, or disbursement for an electioneering communication (within the meaning of section 304(f)(3)); or

''(2) a person to solicit, accept, or receive a contribution or donation described in subparagraph (A) or (B) of paragraph (1) from a foreign national.''.

SEC. 304. MODIFICATION OF INDIVIDUAL CONTRIBUTION LIMITS IN RESPONSE TO EXPENDITURES FROM PERSONAL FUNDS.

(a) INCREASED LIMITS FOR INDIVIDUALS.—Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a) is amended—

(1) in subsection (a)(1), by striking ''No person'' and inserting ''Except as provided in subsection (i), no person''; and

(2) by adding at the end the following:

''(i) INCREASED LIMIT TO ALLOW RESPONSE TO EXPENDITURES FROM PERSONAL FUNDS.—

''(1) INCREASE.—

''(A) IN GENERAL.—Subject to paragraph (2), if the opposition personal funds amount with respect to a candidate for election to the office of Senator exceeds the threshold amount, the limit under subsection (a)(1)(A) (in this subsection referred to as the 'applicable limit') with respect to that candidate shall be the increased limit.

''(B) THRESHOLD AMOUNT.—

''(i) STATE-BY-STATE COMPETITIVE AND FAIR CAMPAIGN FORMULA.—In this subsection, the threshold amount with respect to an election cycle of a candidate described in subparagraph (A) is an amount equal to the sum of—

''(I) $150,000; and

''(II) $0.04 multiplied by the voting age population.

''(ii) VOTING AGE POPULATION.—In this subparagraph, the term 'voting age population' means in the case of a candidate for the office of Senator, the voting age population of the State of the candidate (as certified under section 315(e)).

''(C) INCREASED LIMIT.—Except as provided in clause (ii), for purposes of subparagraph (A), if the opposition personal funds amount is over—

''(i) 2 times the threshold amount, but not over 4 times that amount—

''(I) the increased limit shall be 3 times the applicable limit; and

''(II) the limit under subsection (a)(3) shall not apply with respect to any contribution made with respect to a candidate if such contribution is made under the increased limit of subparagraph (A) during a period in which the candidate may accept such a contribution;

''(ii) 4 times the threshold amount, but not over 10 times that amount—

''(I) the increased limit shall be 6 times the applicable limit; and

''(II) the limit under subsection (a)(3) shall not apply with respect to any contribution made with respect to a candidate if such contribution is made under the increased limit of subparagraph (A) during a period in which the candidate may accept such a contribution; and

''(iii) 10 times the threshold amount—

''(I) the increased limit shall be 6 times the applicable limit;

''(II) the limit under subsection (a)(3) shall not apply with respect to any contribution made with respect to a candidate if such contribution is made under the increased limit of subparagraph (A) during a period in which the candidate may accept such a contribution; and

''(III) the limits under subsection (d) with respect to any expenditure by a State or national committee of a political party shall not apply.

''(D) OPPOSITION PERSONAL FUNDS AMOUNT.—The opposition personal funds amount is an amount equal to the excess (if any) of—

''(i) the greatest aggregate amount of expenditures from personal funds (as defined in section 304(a)(6)(B)) that an opposing candidate in the same election makes; over

''(ii) the aggregate amount of expenditures from personal funds made by the candidate with respect to the election.

''(2) TIME TO ACCEPT CONTRIBUTIONS UNDER INCREASED LIMIT.—

''(A) IN GENERAL.—Subject to subparagraph (B), a candidate and the candidate's authorized committee shall not accept any contribution, and a party committee shall not make any expenditure, under the increased limit under paragraph (1)—

''(i) until the candidate has received notification of the opposition personal funds amount under section 304(a)(6)(B); and

''(ii) to the extent that such contribution, when added to the aggregate amount of contributions previously accepted and party expenditures previously made under the increased limits under this subsection for the election cycle, exceeds 110 percent of the opposition personal funds amount.

''(B) EFFECT OF WITHDRAWAL OF AN OPPOSING CANDIDATE.—A candidate and a candidate's authorized committee shall not accept any contribution and a party shall not make any expenditure under the increased limit after the date on which an opposing candidate ceases to be a candidate to the extent that the amount of such increased limit is attributable to such an opposing candidate.

''(3) DISPOSAL OF EXCESS CONTRIBUTIONS.—

''(A) IN GENERAL.—The aggregate amount of contributions accepted by a candidate or a candidate's authorized committee under the increased limit under paragraph (1) and not otherwise expended in connection with the election with respect to which such contributions relate shall, not later than 50 days after the date of such election, be used in the manner described in subparagraph (B).

''(B) RETURN TO CONTRIBUTORS.—A candidate or a candidate's authorized committee shall return the excess contribution to the person who made the contribution.

''(j) LIMITATION ON REPAYMENT OF PERSONAL LOANS.—Any candidate who incurs personal loans made after the effective date of the Bipartisan Campaign Reform Act of 2002 in connection with the candidate's campaign for election shall not repay (directly or indirectly), to the extent such loans exceed $250,000, such loans from any contributions made to such candidate or any authorized committee of such candidate after the date of such election.''.

(b) NOTIFICATION OF EXPENDITURES FROM PERSONAL FUNDS.—Section 304(a)(6) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(6)) is amended—

(1) by redesignating subparagraph (B) as subparagraph (E); and

(2) by inserting after subparagraph (A) the following:

''(B) NOTIFICATION OF EXPENDITURE FROM PERSONAL FUNDS.—

''(i) DEFINITION OF EXPENDITURE FROM PERSONAL FUNDS.—In this subparagraph, the term 'expenditure from personal funds' means—

''(I) an expenditure made by a candidate using personal funds; and

''(II) a contribution or loan made by a candidate using personal funds or a loan secured using such funds to the candidate's authorized committee.

''(ii) DECLARATION OF INTENT.—Not later than the date that is 15 days after the date on which an individual becomes a candidate for the office of Senator, the candidate shall file a declaration stating the total amount of expenditures from personal funds that the candidate intends to make, or to obligate to make, with respect to the election that will exceed the State-by-State competitive and fair campaign formula with—

''(I) the Commission; and

''(II) each candidate in the same election.

''(iii) INITIAL NOTIFICATION.—Not later than 24 hours after a candidate described in clause (ii) makes or obligates to make an aggregate amount of expenditures from personal funds in excess of 2 times the threshold amount in connection with any election, the candidate shall file a notification with—

''(I) the Commission; and

''(II) each candidate in the same election.

''(iv) ADDITIONAL NOTIFICATION.—After a candidate files an initial notification under clause (iii), the candidate shall file an additional notification each time expenditures from personal funds are made or obligated to be made in an aggregate amount that exceed $10,000 with—

''(I) the Commission; and

''(II) each candidate in the same election.

Such notification shall be filed not later than 24 hours after the expenditure is made.

''(v) CONTENTS.—A notification under clause (iii) or (iv) shall include—

''(I) the name of the candidate and the office sought by the candidate;

''(II) the date and amount of each expenditure; and

''(III) the total amount of expenditures from personal funds that the candidate has made, or obligated to make, with respect to an election as of the date of the expenditure that is the subject of the notification.

''(C) NOTIFICATION OF DISPOSAL OF EXCESS CONTRIBUTIONS.—In the next regularly scheduled report after the date of the election for which a candidate seeks nomination for election to, or election to, Federal office, the candidate or the candidate's authorized committee shall submit to the Commission a report indicating the source and amount of any excess contributions (as determined under paragraph (1) of section 315(i)) and the manner in which the candidate or the candidate's authorized committee used such funds.

''(D) ENFORCEMENT.—For provisions providing for the enforcement of the reporting requirements under this paragraph, see section 309.''.

(c) DEFINITIONS.—Section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431), as amended by section 101(b), is further amended by adding at the end the following:

''(25) ELECTION CYCLE.—The term 'election cycle' means the period beginning on the day after the date of the most recent election for the specific office or seat that a candidate is seeking and ending on the date of the next election for that office or seat. For purposes of the preceding sentence, a primary election and a general election shall be considered to be separate elections.

''(26) PERSONAL FUNDS.—The term 'personal funds' means an amount that is derived from—

''(A) any asset that, under applicable State law, at the time the individual became a candidate, the candidate had legal right of access to or control over, and with respect to which the candidate had—

''(i) legal and rightful title; or

''(ii) an equitable interest;

''(B) income received during the current election cycle of the candidate, including—

''(i) a salary and other earned income from bona fide employment;

''(ii) dividends and proceeds from the sale of the candidate's stocks or other investments;

''(iii) bequests to the candidate;

''(iv) income from trusts established before the beginning of the election cycle;

''(v) income from trusts established by bequest after the beginning of the election cycle of which the candidate is the beneficiary;

''(vi) gifts of a personal nature that had been customarily received by the candidate prior to the beginning of the election cycle; and

''(vii) proceeds from lotteries and similar legal games of chance; and

''(C) a portion of assets that are jointly owned by the candidate and the candidate's spouse equal to the candidate's share of the asset under the instrument of conveyance or ownership, but if no specific share is indicated by an instrument of conveyance or ownership, the value of ½ of the property.''.

SEC. 305. TELEVISION MEDIA RATES.

(a) LOWEST UNIT CHARGE.—Subsection (b) of section 315 of the Communications Act of 1934 (47 U.S.C. 315) is amended—

(1) by striking ''(b) The charges'' and inserting the following:

''(b) CHARGES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the charges'';

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively; and

(3) by adding at the end the following:

''(2) TELEVISION.—The charges made for the use of any television broadcast station, or by a provider of cable or satellite television service, to any person who is a legally qualified candidate for any public office in connection with the campaign of such candidate for nomination for election, or election, to such office shall not exceed, during the periods referred to in paragraph (1)(A), the lowest charge of the station (at any time during the 180-day period preceding the date of the use) for the same amount of time for the same period.''.

(b) RATE AVAILABLE FOR NATIONAL PARTIES.—Section 315(b)(2) of such Act (47 U.S.C. 315(b)(2), as added by subsection (a)(3), is amended by inserting '', or to a national committee of a political party making expenditures under section 315(d) of the Federal Election Campaign Act of 1971 on behalf of such candidate in connection with such campaign,'' after ''such office''.

(c) PREEMPTION.—Section 315 of such Act (47 U.S.C. 315) is amended—

(1) by redesignating subsections (c) and (d) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (b) the following new subsection:

''(c) PREEMPTION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), a licensee shall not preempt the use of a television broadcast station, or a provider of cable or satellite television service, by an eligible candidate or political committee of a political party who has purchased and paid for such use pursuant to subsection (b)(2).

''(2) CIRCUMSTANCES BEYOND CONTROL OF LICENSEE.—If a program to be broadcast by a television broadcast station, or a provider of cable or satellite television service, is preempted because of circumstances beyond the control of the station, any candidate or party advertising spot scheduled to be broadcast during that program may also be preempted.''.

(d) RANDOM AUDITS.—Section 315 of such Act (47 U.S.C. 315), as amended by subsection (c), is amended by inserting after subsection (c) the following new subsection:

''(d) RANDOM AUDITS.—

''(1) IN GENERAL.—During the 45-day period preceding a primary election and the 60-day period preceding a general election, the Commission shall conduct random audits of designated market areas to ensure that each television broadcast station, and provider of cable or satellite television service, in those markets is allocating television broadcast advertising time in accordance with this section and section 312.

''(2) MARKETS.—The random audits conducted under paragraph (1) shall cover the following markets:

''(A) At least 6 of the top 50 largest designated market areas (as defined in section 122(j)(2)(C) of title 17, United States Code).

''(B) At least 3 of the 51–100 largest designated market areas (as so defined).

''(C) At least 3 of the 101–150 largest designated market areas (as so defined).

''(D) At least 3 of the 151–210 largest designated market areas (as so defined).

''(3) BROADCAST STATIONS.—Each random audit shall include each of the 3 largest television broadcast networks, 1 independent network, and 1 cable network.''.

(e) DEFINITION OF BROADCASTING STATION.—Subsection (e)(1) of section 315 of such Act (47 U.S.C. 315(e)(1)), as redesignated by subsection (c)(1) of this section, is amended by inserting '', a television broadcast station, and a provider of cable or satellite television service'' before the semicolon.

(f) STYLISTIC AMENDMENTS.—Section 315 of such Act (47 U.S.C. 315) is amended—

(1) in subsection (a), by inserting ''IN GENERAL.—'' before ''If any'';

(2) in subsection (e), as redesignated by subsection (c)(1) of this section, by inserting ''DEFINITIONS.—'' before ''For purposes''; and

(3) in subsection (f), as so redesignated, by inserting ''REGULATIONS.—'' before ''The Commission''.

SEC. 306. LIMITATION ON AVAILABILITY OF LOWEST UNIT CHARGE FOR FEDERAL CANDIDATES ATTACKING OPPOSITION.

(a) IN GENERAL.—Section 315(b) of the Communications Act of 1934 (47 U.S.C. 315(b)), as amended by this Act, is amended by adding at the end the following:

''(3) CONTENT OF BROADCASTS.—

''(A) IN GENERAL.—In the case of a candidate for Federal office, such candidate shall not be entitled to receive the rate under paragraph (1)(A) or (2) for the use of any broadcasting station unless the candidate provides written certification to the broadcast station that the candidate (and any authorized committee of the candidate) shall not make any direct reference to another candidate for the same office, in any broadcast using the rights and conditions of access under this Act, unless such reference meets the requirements of subparagraph (C) or (D).

''(B) LIMITATION ON CHARGES.—If a candidate for Federal office (or any authorized committee of such candidate) makes a reference described in subparagraph (A) in any broadcast that does not meet the requirements of subparagraph (C) or (D), such candidate shall not be entitled to receive the rate under paragraph (1)(A) or (2) for such broadcast or any other broadcast during any portion of the 45-day and 60-day periods described in paragraph (1)(A), that occur on or after the date of such broadcast, for election to such office.

''(C) TELEVISION BROADCASTS.—A candidate meets the requirements of this subparagraph if, in the case of a television broadcast, at the end of such broadcast there appears simultaneously, for a period no less than 4 seconds—

''(i) a clearly identifiable photographic or similar image of the candidate; and

''(ii) a clearly readable printed statement, identifying the candidate and stating that the candidate has approved the broadcast and that the candidate's authorized committee paid for the broadcast.

''(D) RADIO BROADCASTS.—A candidate meets the requirements of this subparagraph if, in the case of a radio broadcast, the broadcast includes a personal audio statement by the candidate that identifies the candidate, the office the candidate is seeking, and indicates that the candidate has approved the broadcast.

''(E) CERTIFICATION.—Certifications under this section shall be provided and certified as accurate by the candidate (or any authorized committee of the candidate) at the time of purchase.

''(F) DEFINITIONS.—For purposes of this paragraph, the terms 'authorized committee' and 'Federal office' have the meanings given such terms by section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431).''.

(b) CONFORMING AMENDMENT.—Section 315(b)(1)(A) of the Communications Act of 1934 (47 U.S.C. 315(b)(1)(A)), as amended by this Act, is amended by inserting ''subject to paragraph (3),'' before ''during the forty-five days''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to broadcasts made after the effective date of this Act.

SEC. 307. SOFTWARE FOR FILING REPORTS AND PROMPT DISCLOSURE OF CONTRIBUTIONS.

Section 304(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)) is amended by adding at the end the following:

''(12) SOFTWARE FOR FILING OF REPORTS.—

''(A) IN GENERAL.—The Commission shall—

''(i) promulgate standards to be used by vendors to develop software that—

''(I) permits candidates to easily record information concerning receipts and disbursements required to be reported under this Act at the time of the receipt or disbursement;

''(II) allows the information recorded under subclause (I) to be transmitted immediately to the Commission; and

''(III) allows the Commission to post the information on the Internet immediately upon receipt; and

''(ii) make a copy of software that meets the standards promulgated under clause (i) available to each person required to file a designation, statement, or report in electronic form under this Act.

''(B) ADDITIONAL INFORMATION.—To the extent feasible, the Commission shall require vendors to include in the software developed under the standards under subparagraph (A) the ability for any person to file any designation, statement, or report required under this Act in electronic form.

''(C) REQUIRED USE.—Notwithstanding any provision of this Act relating to times for filing reports, each candidate for Federal office (or that candidate's authorized committee) shall use software that meets the standards promulgated under this paragraph once such software is made available to such candidate.

''(D) REQUIRED POSTING.—The Commission shall, as soon as practicable, post on the Internet any information received under this paragraph.''.

SEC. 308. MODIFICATION OF CONTRIBUTION LIMITS.

(a) INCREASE IN INDIVIDUAL LIMITS FOR CERTAIN CONTRIBUTIONS.—Section 315(a)(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(1)) is amended—

(1) in subparagraph (A), by striking ''$1,000'' and inserting the following: ''$2,000

(or, in the case of a candidate for Representative in or Delegate or Resident Commissioner to the Congress, $1,000)''; and

(2) in subparagraph (B), by striking ''$20,000'' and inserting ''$25,000''.

(b) INCREASE IN ANNUAL AGGREGATE LIMIT ON INDIVIDUAL CONTRIBUTIONS.—Section 315(a)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(3)) is amended to read as follows:

''(3) During the period which begins on January 1 of an odd-numbered year and ends on December 31 of the next even-numbered year, no individual may make contributions aggregating more than—

''(A) $37,500, in the case of contributions to candidates and the authorized committees of candidates;

''(B) $57,500, in the case of any other contributions, of which not more than $37,500 may be attributable to contributions to political committees which are not political committees of national political parties.''.

(c) INCREASE IN SENATORIAL CAMPAIGN COMMITTEE LIMIT.—Section 315(h) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(h)) is amended by striking ''$17,500'' and inserting ''$35,000''.

(d) INDEXING OF CONTRIBUTION LIMITS.—Section 315(c) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(c)) is amended—

(1) in paragraph (1)—

(A) by striking the second and third sentences;

(B) by inserting ''(A)'' before ''At the beginning''; and

(C) by adding at the end the following:

''(B) Except as provided in subparagraph (C), in any calendar year after 2002—

''(i) a limitation established by subsections (a)(1)(A), (a)(1)(B), (a)(3), (b), (d), or (h) shall be increased by the percent difference determined under subparagraph (A);

''(ii) each amount so increased shall remain in effect for the calendar year; and

''(iii) if any amount after adjustment under clause (i) is not a multiple of $100, such amount shall be rounded to the nearest multiple of $100.

''(C) In the case of limitations under subsections (a)(1)(A), (a)(1)(B), (a)(3), and (h), increases shall only be made in odd-numbered years and such increases shall remain in effect for the 2-year period beginning on the first day following the date of the last general election in the year preceding the year in which the amount is increased and ending on the date of the next general election.''; and

(2) in paragraph (2)(B), by striking ''means the calendar year 1974'' and inserting ''means—

''(i) for purposes of subsections (b) and (d), calendar year 1974; and

''(ii) for purposes of subsections (a)(1)(A), (a)(1)(B), (a)(3), and (h), calendar year 2001''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to contributions made on or after January 1, 2003.

SEC. 309. DONATIONS TO PRESIDENTIAL INAUGURAL COMMITTEE.

(a) IN GENERAL.—Chapter 5 of title 36, United States Code, is amended by—

(1) redesignating section 510 as section 511; and

(2) inserting after section 509 the following:

''§ 510. Disclosure of and prohibition on certain donations

''(a) IN GENERAL.—A committee shall not be considered to be the Inaugural Committee for purposes of this chapter unless the committee agrees to, and meets, the requirements of subsections (b) and (c).

''(b) DISCLOSURE.—

''(1) IN GENERAL.—Not later than the date that is 90 days after the date of the Presidential inaugural ceremony, the committee shall file a report with the Federal Election Commission disclosing any donation of money or anything of value made to the committee in an aggregate amount equal to or greater than $200.

''(2) CONTENTS OF REPORT.—A report filed under paragraph (1) shall contain—

''(A) the amount of the donation;

''(B) the date the donation is received; and

''(C) the name and address of the person making the donation.

''(c) LIMITATION.—The committee shall not accept any donation from a foreign national (as defined in section 319(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e(b))).''.

(b) REPORTS MADE AVAILABLE BY FEC.—Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434), as amended by sections 103, 201, and 212 is amended by adding at the end the following:

''(h) REPORTS FROM INAUGURAL COMMITTEES.—The Federal Election Commission shall make any report filed by an Inaugural Committee under section 510 of title 36, United States Code, accessible to the public at the offices of the Commission and on the Internet not later than 48 hours after the report is received by the Commission.''.

SEC. 310. PROHIBITION ON FRAUDULENT SOLICITATION OF FUNDS.

Section 322 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441h) is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''No person''; and

(2) by adding at the end the following:

''(b) FRAUDULENT SOLICITATION OF FUNDS.—No person shall—

''(1) fraudulently misrepresent the person as speaking, writing, or otherwise acting for or on behalf of any candidate or political party or employee or agent thereof for the purpose of soliciting contributions or donations; or

''(2) willfully and knowingly participate in or conspire to participate in any plan, scheme, or design to violate paragraph (1).''.

SEC. 311. STUDY AND REPORT ON CLEAN MONEY CLEAN ELECTIONS LAWS.

(a) CLEAN MONEY CLEAN ELECTIONS DEFINED.—In this section, the term ''clean money clean elections'' means funds received under State laws that provide in whole or in part for the public financing of election campaigns.

(b) STUDY.—

(1) IN GENERAL.—The Comptroller General shall conduct a study of the clean money clean elections of Arizona and Maine.

(2) MATTERS STUDIED.—

(A) STATISTICS ON CLEAN MONEY CLEAN ELECTIONS CANDIDATES.—The Comptroller General shall determine—

(i) the number of candidates who have chosen to run for public office with clean money clean elections including—

(I) the office for which they were candidates;

(II) whether the candidate was an incumbent or a challenger; and

(III) whether the candidate was successful in the candidate's bid for public office; and

(ii) the number of races in which at least one candidate ran an election with clean money clean elections.

(B) EFFECTS OF CLEAN MONEY CLEAN ELECTIONS.—The Comptroller General of the United States shall describe the effects of public financing under the clean money clean elections laws on the 2000 elections in Arizona and Maine.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Congress detailing the results of the study conducted under subsection (b).

SEC. 312. CLARITY STANDARDS FOR IDENTIFICATION OF SPONSORS OF ELECTION-RELATED 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

(iv) by inserting ''or makes a disbursement for an electioneering communication (as defined in section 304(f)(3))'' after ''public political advertising''; and

(B) in paragraph (3), by inserting ''and permanent street address, telephone number, or World Wide Web address'' after ''name''; and

(2) by adding at the end the following:

''(c) SPECIFICATION.—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) ADDITIONAL REQUIREMENTS.—

''(1) COMMUNICATIONS BY CANDIDATES OR AUTHORIZED PERSONS.—

''(A) BY RADIO.—Any communication described in paragraph (1) or (2) of subsection (a) which is transmitted through radio 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.

''(B) BY TELEVISION.—Any communication described in paragraph (1) or (2) of subsection (a) which is transmitted through television shall include, in addition to the requirements of that paragraph, a statement that identifies the candidate and states that the candidate has approved the communication. Such statement—

''(i) shall be conveyed by—

''(I) an unobscured, full-screen view of the candidate making the statement, or

''(II) the candidate in voice-over, accompanied by a clearly identifiable photographic or similar image of the candidate; and

''(ii) shall also appear in writing 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.

''(2) COMMUNICATIONS BY OTHERS.—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 audio statement: '_____ is responsible for the content of this advertising.' (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 be conveyed by an unobscured, full-screen view of a representative of the political committee or other person making the statement, or by a representative of such political committee or other person in voice-over, and 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.''.

SEC. 313. INCREASE IN PENALTIES.

(a) IN GENERAL.—Subparagraph (A) of section 309(d)(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(d)(1)(A)) is amended to read as follows:

''(A) Any person who knowingly and willfully commits a violation of any provision of this Act which involves the making, receiving, or reporting of any contribution, donation, or expenditure—

''(i) aggregating $25,000 or more during a calendar year shall be fined under title 18, United States Code, or imprisoned for not more than 5 years, or both; or

''(ii) aggregating $2,000 or more (but less than $25,000) during a calendar year shall be fined under such title, or imprisoned for not more than one year, or both.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to violations occurring on or after the effective date of this Act.

SEC. 314. STATUTE OF LIMITATIONS.

(a) IN GENERAL.—Section 406(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 455(a)) is amended by striking ''3'' and inserting ''5''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to violations occurring on or after the effective date of this Act.

SEC. 315. SENTENCING GUIDELINES.

(a) IN GENERAL.—The United States Sentencing Commission shall—

(1) promulgate a guideline, or amend an existing guideline under section 994 of title 28, United States Code, in accordance with paragraph (2), for penalties for violations of the Federal Election Campaign Act of 1971 and related election laws; and

(2) submit to Congress an explanation of any guidelines promulgated under paragraph (1) and any legislative or administrative recommendations regarding enforcement of the Federal Election Campaign Act of 1971 and related election laws.

(b) CONSIDERATIONS.—The Commission shall provide guidelines under subsection (a) taking into account the following considerations:

(1) Ensure that the sentencing guidelines and policy statements reflect the serious nature of such violations and the need for aggressive and appropriate law enforcement action to prevent such violations.

(2) Provide a sentencing enhancement for any person convicted of such violation if such violation involves—

(A) a contribution, donation, or expenditure from a foreign source;

(B) a large number of illegal transactions;

(C) a large aggregate amount of illegal contributions, donations, or expenditures;

(D) the receipt or disbursement of governmental funds; and

(E) an intent to achieve a benefit from the Federal Government.

(3) Assure reasonable consistency with other relevant directives and guidelines of the Commission.

(4) Account for aggravating or mitigating circumstances that might justify exceptions, including circumstances for which the sentencing guidelines currently provide sentencing enhancements.

(5) Assure the guidelines adequately meet the purposes of sentencing under section 3553(a)(2) of title 18, United States Code.

(c) EFFECTIVE DATE; EMERGENCY AUTHORITY TO PROMULGATE GUIDELINES.—

(1) EFFECTIVE DATE.—Notwithstanding section 402, the United States Sentencing Commission shall promulgate guidelines under this section not later than the later of—

(A) 90 days after the effective date of this Act; or

(B) 90 days after the date on which at least a majority of the members of the Commission are appointed and holding office.

(2) EMERGENCY AUTHORITY TO PROMULGATE GUIDELINES.—The Commission shall promulgate guidelines under this section in accordance with the procedures set forth in section 21(a) of the Sentencing Reform Act of 1987, as though the authority under such Act has not expired.

SEC. 316. INCREASE IN PENALTIES IMPOSED FOR VIOLATIONS OF CONDUIT CONTRIBUTION BAN.

(a) INCREASE IN CIVIL MONEY PENALTY FOR KNOWING AND WILLFUL VIOLATIONS.—Section 309(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)) is amended—

(1) in paragraph (5)(B), by inserting before the period at the end the following: ''(or, in the case of a violation of section 320, which is not less than 300 percent of the amount involved in the violation and is not more than the greater of $50,000 or 1000 percent of the amount involved in the violation)''; and

(2) in paragraph (6)(C), by inserting before the period at the end the following: ''(or, in the case of a violation of section 320, which is not less than 300 percent of the amount involved in the violation and is not more than the greater of $50,000 or 1000 percent of the amount involved in the violation)''.

(b) INCREASE IN CRIMINAL PENALTY.—Section 309(d)(1) of such Act (2 U.S.C. 437g(d)(1)) is amended by adding at the end the following new subparagraph:

''(D) Any person who knowingly and willfully commits a violation of section 320 involving an amount aggregating more than $10,000 during a calendar year shall be—

''(i) imprisoned for not more than 2 years if the amount is less than $25,000 (and subject to imprisonment under subparagraph (A) if the amount is $25,000 or more);

''(ii) fined not less than 300 percent of the amount involved in the violation and not more than the greater of—

''(I) $50,000; or

''(II) 1,000 percent of the amount involved in the violation; or

''(iii) both imprisoned under clause (i) and fined under clause (ii).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations occurring on or after the effective date of this Act.

SEC. 317. RESTRICTION ON INCREASED CONTRIBUTION LIMITS BY TAKING INTO ACCOUNT CANDIDATE'S AVAILABLE FUNDS.

Section 315(i)(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(i)(1)), as added by this Act, is amended by adding at the end the following:

''(E) SPECIAL RULE FOR CANDIDATE'S CAMPAIGN FUNDS.—

''(i) IN GENERAL.—For purposes of determining the aggregate amount of expenditures from personal funds under subparagraph (D)(ii), such amount shall include the gross receipts advantage of the candidate's authorized committee.

''(ii) GROSS RECEIPTS ADVANTAGE.—For purposes of clause (i), the term 'gross receipts advantage' means the excess, if any, of—

''(I) the aggregate amount of 50 percent of gross receipts of a candidate's authorized committee during any election cycle (not including contributions from personal funds of the candidate) that may be expended in connection with the election, as determined on June 30 and December 31 of the year preceding the year in which a general election is held, over

''(II) the aggregate amount of 50 percent of gross receipts of the opposing candidate's authorized committee during any election cycle (not including contributions from personal funds of the candidate) that may be expended in connection with the election, as determined on June 30 and December 31 of the year preceding the year in which a general election is held.''.

SEC. 318. CLARIFICATION OF RIGHT OF NATIONALS OF THE UNITED STATES TO MAKE POLITICAL CONTRIBUTIONS.

Section 319(b)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e(b)(2)) is 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)''.

SEC. 319. 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 section 101, is further amended by adding at the end the following new section:

''PROHIBITION OF CONTRIBUTIONS BY MINORS

''SEC. 324. 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.''.

TITLE IV—SEVERABILITY; EFFECTIVE DATE

SEC. 401. 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. 402. EFFECTIVE DATE.

(a) IN GENERAL.—Except as otherwise provided in section 308 and subsection (b), this Act and the amendments made by this Act shall take effect November 6, 2002.

(b) TRANSITION RULE FOR SPENDING OF FUNDS BY NATIONAL PARTIES.—If a national committee of a political party described in section 323(a)(1) of the Federal Election Campaign Act of 1971 (as added by section 101(a)), including any person who is subject to such section, has received funds described in such section prior to the effective date described in subsection (a), the following rules shall apply with respect to the spending of such funds by such committee:

(1) Prior to January 1, 2003, the committee may spend such funds to retire outstanding debts or obligations incurred prior to such effective date, so long as such debts or obligations were incurred solely in connection with an election held on or before November 5, 2002 (or any runoff election or recount resulting from such an election).

(2) At any time after such effective date, the committee may spend such funds for activities which are solely to defray the costs of the construction or purchase of any office building or facility.

(c) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Federal Election Commission shall promulgate regulations to carry out title I of this Act and the amendments made by such title. Not later than 270 days after the date of the enactment of this Act, the Federal Election Commission shall promulgate regulations to carry out all other titles of this Act and all other amendments made by this Act which are under the Commission's jurisdiction.

SEC. 403. JUDICIAL REVIEW.

(a) SPECIAL RULES FOR ACTIONS BROUGHT ON CONSTITUTIONAL GROUNDS.—If any action is brought for declaratory or injunctive relief to challenge the constitutionality of any provision of this Act or any amendment made by this Act, the following rules shall apply:

(1) The action shall be filed in the United States District Court for the District of Columbia and shall be heard by a 3-judge court convened pursuant to section 2284 of title 28, United States Code.

(2) A copy of the complaint shall be delivered promptly to the Clerk of the House of Representatives and the Secretary of the Senate.

(3) A final decision in the action shall be reviewable only by appeal directly to the Supreme Court of the United States. Such appeal shall be taken by the filing of a notice of appeal within 10 days, and the filing of a jurisdictional statement within 30 days, of the entry of the final decision.

(4) It shall be the duty of the United States District Court for the District of Columbia and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of the action and appeal.

(b) INTERVENTION BY MEMBERS OF CONGRESS.—In any action in which the constitutionality of any provision of this Act or any amendment made by this Act is raised (including but not limited to an action described in subsection (a)), any member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or Senate shall have the right to intervene either in support of or opposition to the position of a party to the case regarding the constitutionality of the provision or amendment. To avoid duplication of efforts and reduce the burdens placed on the parties to the action, the court in any such action may make such orders as it considers necessary, including orders to require intervenors taking similar positions to file joint papers or to be represented by a single attorney at oral argument.

TITLE V—ADDITIONAL DISCLOSURE PROVISIONS

SEC. 501. INTERNET ACCESS TO RECORDS.

Section 304(a)(11)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(11)(B)) is amended to read as follows:

''(B) The Commission shall make a designation, statement, report, or notification that is filed with the Commission under this Act available for inspection by the public in the offices of the Commission and accessible to the public on the Internet not later than 48 hours (or not later than 24 hours in the case of a designation, statement, report, or notification filed electronically) after receipt by the Commission.''.

SEC. 502. MAINTENANCE OF WEBSITE OF ELECTION REPORTS.

(a) IN GENERAL.—The Federal Election Commission shall maintain a central site on the Internet to make accessible to the public all publicly available election-related reports and information.

(b) ELECTION-RELATED REPORT.—In this section, the term ''election-related report'' means any report, designation, or statement required to be filed under the Federal Election Campaign Act of 1971.

(c) COORDINATION WITH OTHER AGENCIES.—Any Federal executive agency receiving election-related information which that agency is required by law to publicly disclose shall cooperate and coordinate with the Federal Election Commission to make such report available through, or for posting on, the site of the Federal Election Commission in a timely manner.

SEC. 503. ADDITIONAL DISCLOSURE REPORTS.

(a) PRINCIPAL CAMPAIGN COMMITTEES.—Section 304(a)(2)(B) of the Federal Election Campaign Act of 1971 is amended by striking ''the following reports'' and all that follows through the period and inserting ''the treasurer shall file quarterly reports, which shall be filed not later than the 15th day after the last day of each calendar quarter, and which shall be complete as of the last day of each calendar quarter, except that the report for the quarter ending December 31 shall be filed not later than January 31 of the following calendar year.''.

(b) NATIONAL COMMITTEE OF A POLITICAL PARTY.—Section 304(a)(4) of such Act (2 U.S.C. 434(a)(4)) is amended by adding at the end the following flush sentence: ''Notwithstanding the preceding sentence, a national committee of a political party shall file the reports required under subparagraph (B).''.

SEC. 504. PUBLIC ACCESS TO BROADCASTING RECORDS.

Section 315 of the Communications Act of 1934 (47 U.S.C. 315), as amended by this Act, is amended by redesignating subsections (e) and (f) as subsections (f) and (g), respectively, and inserting after subsection (d) the following:

''(e) POLITICAL RECORD.—

''(1) IN GENERAL.—A licensee shall maintain, and make available for public inspection, a complete record of a request to purchase broadcast time that—

''(A) is made by or on behalf of a legally qualified candidate for public office; or

''(B) communicates a message relating to any political matter of national importance, including—

''(i) a legally qualified candidate;

''(ii) any election to Federal office; or

''(iii) a national legislative issue of public importance.

''(2) CONTENTS OF RECORD.—A record maintained under paragraph (1) shall contain information regarding—

''(A) whether the request to purchase broadcast time is accepted or rejected by the licensee;

''(B) the rate charged for the broadcast time;

''(C) the date and time on which the communication is aired;

''(D) the class of time that is purchased;

''(E) the name of the candidate to which the communication refers and the office to which the candidate is seeking election, the election to which the communication refers, or the issue to which the communication refers (as applicable);

''(F) in the case of a request made by, or on behalf of, a candidate, the name of the candidate, the authorized committee of the candidate, and the treasurer of such committee; and

''(G) in the case of any other request, the name of the person purchasing the time, the name, address, and phone number of a contact person for such person, and a list of the chief executive officers or members of the executive committee or of the board of directors of such person.

''(3) TIME TO MAINTAIN FILE.—The information required under this subsection shall be placed in a political file as soon as possible and shall be retained by the licensee for a period of not less than 2 years.''.

H.R. 2356

OFFERED BY: MS. CAPITO

[Shays Substitute]

AMENDMENT NO. 10: Add at the end of title III the following new section:

SEC. 320. MODIFICATION OF INDIVIDUAL CONTRIBUTION LIMITS FOR HOUSE CANDIDATES IN RESPONSE TO EXPENDITURES FROM PERSONAL FUNDS.

(a) INCREASED LIMITS.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by inserting after section 315 the following new section:

''MODIFICATION OF CERTAIN LIMITS FOR HOUSE CANDIDATES IN RESPONSE TO PERSONAL FUND EXPENDITURES OF OPPONENTS

''SEC. 315A. (a) AVAILABILITY OF INCREASED LIMIT.—

''(1) IN GENERAL.—Subject to paragraph (3), if the opposition personal funds amount with respect to a candidate for election to the office of Representative in, or Delegate or Resident Commissioner to, the Congress exceeds $350,000—

''(A) the limit under subsection (a)(1)(A) with respect to the candidate shall be tripled;

''(B) the limit under subsection (a)(3) shall not apply with respect to any contribution made with respect to the candidate if the contribution is made under the increased limit allowed under subparagraph (A) during a period in which the candidate may accept such a contribution; and

''(C) the limits under subsection (d) with respect to any expenditure by a State or national committee of a political party on behalf of the candidate shall not apply.

''(2) DETERMINATION OF OPPOSITION PERSONAL FUNDS AMOUNT.—

''(A) IN GENERAL.—The opposition personal funds amount is an amount equal to the excess (if any) of—

''(i) the greatest aggregate amount of expenditures from personal funds (as defined in subsection (b)(1)) that an opposing candidate in the same election makes; over

''(ii) the aggregate amount of expenditures from personal funds made by the candidate with respect to the election.

''(B) SPECIAL RULE FOR CANDIDATE'S CAMPAIGN FUNDS.—

''(i) IN GENERAL.—For purposes of determining the aggregate amount of expenditures from personal funds under subparagraph (A), such amount shall include the gross receipts advantage of the candidate's authorized committee.

''(ii) GROSS RECEIPTS ADVANTAGE.—For purposes of clause (i), the term 'gross receipts advantage' means the excess, if any, of—

''(I) the aggregate amount of 50 percent of gross receipts of a candidate's authorized committee during any election cycle (not including contributions from personal funds of the candidate) that may be expended in connection with the election, as determined on June 30 and December 31 of the year preceding the year in which a general election is held, over

''(II) the aggregate amount of 50 percent of gross receipts of the opposing candidate's authorized committee during any election cycle (not including contributions from personal funds of the candidate) that may be expended in connection with the election, as determined on June 30 and December 31 of the year preceding the year in which a general election is held.

''(3) TIME TO ACCEPT CONTRIBUTIONS UNDER INCREASED LIMIT.—

''(A) IN GENERAL.—Subject to subparagraph (B), a candidate and the candidate's authorized committee shall not accept any contribution, and a party committee shall not make any expenditure, under the increased limit under paragraph (1)—

''(i) until the candidate has received notification of the opposition personal funds amount under subsection (b)(1); and

''(ii) to the extent that such contribution, when added to the aggregate amount of contributions previously accepted and party expenditures previously made under the increased limits under this subsection for the election cycle, exceeds 100 percent of the opposition personal funds amount.

''(B) EFFECT OF WITHDRAWAL OF AN OPPOSING CANDIDATE.—A candidate and a candidate's authorized committee shall not accept any contribution and a party shall not make any expenditure under the increased limit after the date on which an opposing candidate ceases to be a candidate to the extent that the amount of such increased limit

is attributable to such an opposing candidate.

''(4) DISPOSAL OF EXCESS CONTRIBUTIONS.—

''(A) IN GENERAL.—The aggregate amount of contributions accepted by a candidate or a candidate's authorized committee under the increased limit under paragraph (1) and not otherwise expended in connection with the election with respect to which such contributions relate shall, not later than 50 days after the date of such election, be used in the manner described in subparagraph (B).

''(B) RETURN TO CONTRIBUTORS.—A candidate or a candidate's authorized committee shall return the excess contribution to the person who made the contribution.

''(b) NOTIFICATION OF EXPENDITURES FROM PERSONAL FUNDS.—

''(1) IN GENERAL.—

''(A) DEFINITION OF EXPENDITURE FROM PERSONAL FUNDS.—In this paragraph, the term 'expenditure from personal funds' means—

''(i) an expenditure made by a candidate using personal funds; and

''(ii) a contribution or loan made by a candidate using personal funds or a loan secured using such funds to the candidate's authorized committee.

''(B) DECLARATION OF INTENT.—Not later than the date that is 15 days after the date on which an individual becomes a candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress, the candidate shall file a declaration stating the total amount of expenditures from personal funds that the candidate intends to make, or to obligate to make, with respect to the election that will exceed $350,000.

''(C) INITIAL NOTIFICATION.—Not later than 24 hours after a candidate described in subparagraph (B) makes or obligates to make an aggregate amount of expenditures from personal funds in excess of $350,000 in connection with any election, the candidate shall file a notification.

''(D) ADDITIONAL NOTIFICATION.—After a candidate files an initial notification under subparagraph (C), the candidate shall file an additional notification each time expenditures from personal funds are made or obligated to be made in an aggregate amount that exceeds $10,000. Such notification shall be filed not later than 24 hours after the expenditure is made.

''(E) CONTENTS.—A notification under subparagraph (C) or (D) shall include—

''(i) the name of the candidate and the office sought by the candidate;

''(ii) the date and amount of each expenditure; and

''(iii) the total amount of expenditures from personal funds that the candidate has made, or obligated to make, with respect to an election as of the date of the expenditure that is the subject of the notification.

''(F) PLACE OF FILING.—Each declaration or notification required to be filed by a candidate under subparagraph (C), (D), or (E) shall be filed with—

''(i) the Commission; and

''(ii) each candidate in the same election and the national party of each such candidate.

''(2) NOTIFICATION OF DISPOSAL OF EXCESS CONTRIBUTIONS.—In the next regularly scheduled report after the date of the election for which a candidate seeks nomination for election to, or election to, Federal office, the candidate or the candidate's authorized committee shall submit to the Commission a report indicating the source and amount of any excess contributions (as determined under subsection (a)) and the manner in which the candidate or the candidate's authorized committee used such funds.

''(3) ENFORCEMENT.—For provisions providing for the enforcement of the reporting requirements under this subsection, see section 309.''.

(b) CONFORMING AMENDMENT.—Section 315(a)(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a), as amended by section 304(a), is amended by striking ''subsection (i),'' and inserting ''subsection (i) and section 315A,''.

H.R. 2356,

OFFERED BY: MR. GREEN OF TEXAS

[Shays Substitute]

AMENDMENT NO: 11. Strike section 305.

In section 306(a), strike the subsection designation and all that follows through ''CONTENT OF BROADCASTS.—'' and insert the following:

(a) IN GENERAL.—Section 315(b) of the Communications Act of 1934 (47 U.S.C. 315(b)) is amended—

(1) by striking ''(b) The charges'' and inserting the following:

''(b) CHARGES.—

''(1) IN GENERAL.—The charges'';

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively; and

(3) by adding at the end the following:

''(2) CONTENT OF BROADCASTS.—

In section 306(a), strike ''or (2)'' each place such term appears.

In section 306(b), strike ''(3)'' and insert ''(2)''.

H.R. 2356,

OFFERED BY: MR. WAMP

[Shays substitute]

AMENDMENT NO. 12. In section 315(a)(1)(A) of the Federal Election Campaign Act of 1971, as proposed to be amended by section 308(a)(1) of the bill, strike ''(or, in the case of a candidate for Representative in or Delegate or Resident Commissioner to the Congress, $1,000)''.

H.R. 2356

OFFERED BY: MR. ARMEY

[Amendment in the Nature of a Substitute]

AMENDMENT NO. 13. Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Ban it All, Ban it Now Act''.

TITLE I—SOFT MONEY ACTIVITIES OF PARTIES AND CANDIDATES

SEC. 101. SOFT MONEY OF POLITICAL PARTIES.

(a) IN GENERAL.—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:

''SEC. 323. SOFT MONEY OF POLITICAL PARTIES.

''(a) NATIONAL COMMITTEES.—

''(1) IN GENERAL.—A national committee of a political party (including a national congressional or Senatorial campaign committee of a political party) may not solicit, receive, or direct to another person a contribution, donation, or transfer of funds or any other thing of value, or spend any funds, that are not subject to the limitations, prohibitions, and reporting requirements of this Act.

''(2) APPLICABILITY.— The prohibition established by paragraph (1) applies—

''(A) to any such national committee, any officer or agent acting on behalf of such a national committee, and any entity that is directly or indirectly established, financed, maintained, or controlled by such a national committee; and

''(B) to all activities of such committee and the persons described in subparagraph (A), including the construction or purchase of an office building or facility, the influencing of the reapportionment decisions of a State, and the financing of litigation relating to the reapportionment decisions of a State.

''(b) STATE, DISTRICT, AND LOCAL COMMITTEES.—Any amount that is expended or disbursed for Federal election activity 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), or by an association or similar group of candidates for State or local office or individuals holding State or local office, shall be made from funds subject to the limitations, prohibitions, and reporting requirements of this Act.

''(c) FUNDRAISING COSTS.—An amount spent by a person described in subsection (a) or (b) to raise funds that are used, in whole or in part, for expenditures and disbursements for 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 or Senatorial 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—

''(1) 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 for determination of tax exempt status under such section) and that makes expenditures or disbursements in connection with an election for Federal office (including expenditures or disbursements for Federal election activity); or

''(2) an organization described in section 527 of such Code (other than a political committee, a State, district, or local committee of a political party, or the authorized campaign committee of a candidate for State or local office).

''(e) FEDERAL CANDIDATES.—

''(1) IN GENERAL.—A candidate, individual holding Federal office, agent of a candidate or an individual holding Federal office, or an entity directly or indirectly established, financed, maintained or controlled by or acting on behalf of 1 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), (2), and (3) of section 315(a); and

''(ii) are not from sources prohibited by this Act from making contributions in connection with an election for Federal office.

''(2) STATE LAW.—Paragraph (1) does not apply to the solicitation, receipt, or spending of funds by an individual described in such paragraph who is also a candidate for a State or local office solely in connection with such election for State or local office if the solicitation, receipt, or spending of funds is permitted under State law and refers only to such State or local candidate, or to any other candidate for the State or local office sought by such candidate, or both.

''(3) FUNDRAISING EVENTS.—Notwithstanding paragraph (1), a candidate or an individual holding Federal office may attend, speak, or be a featured guest at a fundraising event for a State, district, or local committee of a political party.

''(4) LIMITATION APPLICABLE FOR PURPOSES OF SOLICITATION OF DONATIONS BY INDIVIDUALS TO CERTAIN ORGANIZATIONS.—In the case of the solicitation of funds by any person described in paragraph (1) on behalf of any entity described in subsection (d) which is made specifically for funds to be used for activities described in clauses (i) and (ii) of section 301(20)(A), or made for any such entity which engages primarily in activities described in such clauses, the limitation applicable for purposes of a donation of funds by an individual shall be the limitation set forth in section 315(a)(1)(D).

''(f) STATE CANDIDATES.—

''(1) IN GENERAL.—A candidate for State or local office, individual holding State or local office, or an agent of such a candidate or individual may not spend any funds for a communication described in section 301(20)(A)(iii) unless the funds are subject to the limitations, prohibitions, and reporting requirements of this Act.

''(2) EXCEPTION FOR CERTAIN COMMUNICATIONS.—Paragraph (1) shall not apply to an individual described in such paragraph if the communication involved is in connection with an election for such State or local office and refers only to such individual or to any other candidate for the State or local office held or sought by such individual, or both.''.

SEC. 102. DEFINITIONS.

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) FEDERAL ELECTION ACTIVITY.—

''(A) IN GENERAL.—The term 'Federal election activity' means—

''(i) voter registration activity;

''(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); or

''(iii) a public 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 that promotes or supports a candidate for that office, or attacks or opposes a candidate for that office (regardless of whether the communication expressly advocates a vote for or against a candidate).

''(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) a public communication that refers solely to a clearly identified candidate for State or local office, if the communication is not a Federal election activity described in subparagraph (A)(i) or (ii);

''(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); or

''(iii) 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.

''(21) GENERIC CAMPAIGN ACTIVITY.—The term 'generic campaign activity' means a campaign activity that promotes a political party and does not promote a candidate or non-Federal candidate.

''(22) PUBLIC COMMUNICATION.—The term 'public communication' means a communication by means of any broadcast, cable, or satellite communication, newspaper, magazine, outdoor advertising facility, mass mailing, or telephone bank to the general public, or any other form of general public political advertising or political advertising directed to an audience of 500 or more people.

''(23) MASS MAILING.—The term 'mass mailing' means a mailing by United States mail or facsimile of more than 500 pieces of mail matter of an identical or substantially similar nature within any 1-year period.

''(24) TELEPHONE BANK.—The term 'telephone bank' means more than 500 telephone calls of an identical or substantially similar nature within any 1-year period.''.

TITLE II—SOFT MONEY ACTIVITIES OF CORPORATIONS AND LABOR ORGANIZATIONS

SEC. 201. BAN ON USE OF SOFT MONEY FOR NONPARTISAN VOTER REGISTRATION AND GET-OUT-THE-VOTE ACTIVITIES.

Section 316(b)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b(b)(2)) is amended by striking ''(B) nonpartisan registration and get-out-the-vote campaigns'' and all that follows through ''and (C)'' and inserting ''and (B)''.

TITLE III—OTHER SOFT MONEY ACTIVITIES

SEC. 301. BAN ON USE OF SOFT MONEY FOR GET-OUT-THE-VOTE ACTIVITIES BY CERTAIN ORGANIZATIONS.

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:

''BAN ON USE OF NONFEDERAL FUNDS FOR GET-OUT-THE-VOTE ACTIVITIES BY CERTAIN ORGANIZATIONS

''SEC. 324. (a) IN GENERAL.—Any amount expended or disbursed for get-out-the-vote activities by any organization described in subsection (b) shall be made from amounts subject to the limitations, prohibitions, and reporting requirements of this Act.

''(b) ORGANIZATIONS DESCRIBED.—An organization described in this subsection is—

''(1) an organization that is described in section 501(c)(3) or 501(c)(4) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code (or has submitted an application for determination of tax exempt status under such section); or

''(2) an organization described in section 527 of such Code (other than a State, district, or local committee of a political party, a candidate for State or local office, or the authorized campaign committee of a candidate for State or local office).''.

SEC. 302. BAN ON USE OF SOFT MONEY FOR ANY PARTISAN VOTER REGISTRATION ACTIVITIES.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by sections 101 and 301, is further amended by adding at the end the following new section:

''BAN ON USE OF NONFEDERAL FUNDS FOR PARTISAN VOTER REGISTRATION ACTIVITIES

''SEC. 325. No person may expend or disburse any funds for partisan voter registration activity which are not subject to the limitations, prohibitions, and reporting requirements of this Act.''.

H.R. 2356

OFFERED BY: MR. NEY

[Amendment in the Nature of a Substitute]

AMENDMENT NO. 14. 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 ''Bipartisan Campaign Finance Reform Act of 2002''.

(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. Use of contributed amounts for certain purposes.
Sec. 502. Prohibition of fundraising on Federal property.
Sec. 503. Penalties for violations.
Sec. 504. Strengthening foreign money ban.
Sec. 505. Prohibition of contributions by minors.
Sec. 506. Expedited procedures.
Sec. 507. Initiation of enforcement proceeding.
Sec. 508. Protecting equal participation of eligible voters in campaigns and elections.
Sec. 509. Penalty for violation of prohibition against foreign contributions.
Sec. 510. Expedited court review of certain alleged violations of Federal Election Campaign Act of 1971.
Sec. 511. Deposit of certain contributions and donations in treasury account.
Sec. 512. Establishment of a clearinghouse of information on political activities within the Federal Election Commission.
Sec. 513. Clarification of right of nationals of the United States to make political contributions.

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. Report and recommended legislation.
Sec. 605. Termination.
Sec. 606. 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—REIMBURSEMENT FOR USE OF GOVERNMENT PROPERTY FOR CAMPAIGN ACTIVITY

Sec. 901. Requiring national parties to reimburse at cost for use of Air Force One for political fundraising.

Sec. 902. Reimbursement for use of government equipment for campaign-related travel.

TITLE X—PROHIBITING USE OF WALKING AROUND MONEY

Sec. 1001. Prohibiting campaigns from providing currency to individuals for purposes of encouraging turnout on date of election.

TITLE XI—ENHANCING ENFORCEMENT OF CAMPAIGN LAW

Sec. 1101. Enhancing enforcement of campaign finance law.

TITLE XII—SEVERABILITY; CONSTITUTIONALITY; EFFECTIVE DATE; REGULATIONS

Sec. 1201. Severability.

Sec. 1202. Review of constitutional issues.

Sec. 1203. Effective date.

Sec. 1204. 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 (e) the following:

''(f) 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 (xv) as clauses (viii) through (xii), 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 ''clauses (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.

(a) IN GENERAL.—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 (g); and

(3) by inserting after subsection (c)(2) (as amended by paragraph (1)) the following:

''(e) 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.''.

(b) CONFORMING AMENDMENT.—Section 304(a)(5) of such Act (2 U.S.C. 434(a)(5)) is amended by striking '', or the second sentence of subsection (c)(2)''.

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:

"(h) 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. 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. 502. 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. 503. 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. 504. 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.

(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).''.

SEC. 505. 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. 506. 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 503(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. 507. 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. 508. 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 505, 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. 509. 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 504(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. 510. 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. 511. 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, 505, and 508, 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. 512. 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. 513. 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 504(b) and 509(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)''.

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. 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. 605. TERMINATION.

The Commission shall cease to exist 90 days after the date of the submission of its report under section 604.

SEC. 606. 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 3 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—REIMBURSEMENT FOR USE OF GOVERNMENT PROPERTY FOR CAMPAIGN ACTIVITY

SEC. 901. 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, 505, 508, and 511, 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.''.

SEC. 902. 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, 505, 508, 511, and 901, 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.''.

TITLE X—PROHIBITING USE OF WALKING AROUND MONEY

SEC. 1001. 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, 505, 508, 511, 901, and 902, is further amended by adding at the end the following new section:

''PROHIBITING USE OF CURRENCY TO PROMOTE ELECTION DAY TURNOUT

''SEC. 330. 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 XI—ENHANCING ENFORCEMENT OF CAMPAIGN LAW

SEC. 1101. 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 2002.

TITLE XII—SEVERABILITY; CONSTITUTIONALITY; EFFECTIVE DATE; REGULATIONS

SEC. 1201. 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. 1202. 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. 1203. 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. 1204. 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.

H.R. 2356

OFFERED BY: MR. NEY

AMENDMENT NO. 15: Amend section 301(20) of the Federal Election Campaign Act of 1971, as proposed to be added by section 101(a) of the bill, to read as follows:

''(20) 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);

''(iii) a public 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 that promotes or supports a candidate for that office, or attacks or opposes a candidate for that office (regardless of whether the communication expressly advocates a vote for or against a candidate); or

''(iv) services provided during any month by an employee of a State, district, or local committee of a political party who spends more than 25 percent of that individual's compensated time during that month on activities in connection with a Federal election.

''(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) a public communication that refers solely to a clearly identified candidate for State or local office, if the communication is not a Federal election activity described in subparagraph (A)(i) or (ii);

''(ii) a contribution to a candidate for State or local office, provided the contribution is not designated to pay for a Federal election activity described in subparagraph (A);

''(iii) the costs of a State, district, or local political convention; and

''(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.

In section 402(b), strike ''At any time after such effective date, the committee may spend such funds for activities which are solely to defray the costs of the construction or purchase of any office building or facility.'' and insert the following: ''At no time after such effective date may the committee spend any such funds for activities to defray the costs of the construction or purchase of any office building or facility.''.

H.R. 2356

OFFERED BY: MR. NEY

AMENDMENT NO. 16: 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 Citizen Participation Act of 2002''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—SOFT MONEY OF NATIONAL PARTIES

Sec. 101. Restrictions on soft money of national political parties.

TITLE II—MODIFICATION OF CONTRIBUTION LIMITS

Sec. 201. Increase in limits on certain contributions.

Sec. 202. Increase in limits on contributions to State parties.

Sec. 203. Treatment of contributions to national party under aggregate annual limit on individual contributions.

Sec. 204. Exemption of costs of volunteer campaign materials produced and distributed by parties from treatment as contributions and expenditures.

Sec. 205. Indexing.

Sec. 206. Permitting national parties to establish accounts for making expenditures in excess of limits on behalf of candidates facing wealthy opponents.

TITLE III—DISCLOSURE OF ELECTION-RELATED COMMUNICATIONS

Sec. 301. Disclosure of information on communications broadcast prior to election.

Sec. 302. Disclosure of information on targeted mass communications.

TITLE IV—EFFECTIVE DATE

Sec. 401. Effective date.

TITLE I—SOFT MONEY OF NATIONAL PARTIES

SEC. 101. RESTRICTIONS ON SOFT MONEY OF NATIONAL 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 NATIONAL POLITICAL PARTIES

''SEC. 323. (a) PROHIBITING USE OF SOFT MONEY FOR FEDERAL ELECTION ACTIVITY.—A national committee of a political party (including a national congressional campaign committee of a political party) may not solicit, receive, or direct to another person a contribution, donation, or transfer of funds or any other thing of value for Federal election activity, or spend any funds for Federal election activity, that are not subject to the limitations, prohibitions, and reporting requirements of this Act.

''(b) LIMIT ON AMOUNT OF NONFEDERAL FUNDS PROVIDED TO PARTY BY ANY PERSON FOR ANY PURPOSE.—

''(1) LIMIT ON AMOUNT.—No person shall make contributions, donations, or transfers of funds which are not subject to the limitations, prohibitions, and reporting requirements of this Act to a political committee established and maintained by a national political party in any calendar year in an aggregate amount equal to or greater than $20,000.

''(2) PROHIBITING PROVISION OF NONFEDERAL FUNDS BY INDIVIDUALS.—No individual may make any contribution, donation, or transfer of funds which are not subject to the limitations, prohibitions, and reporting requirements of this Act to a political committee established and maintained by a national political party.

''(c) APPLICABILITY.—This subsection shall apply to any political committee established and maintained by a national political party, any officer or agent of such a committee acting on behalf of the committee, and any entity that is directly or indirectly established, maintained, or controlled by such a national committee.

''(d) DEFINITIONS.—

''(1) 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, unless the activity constitutes generic campaign activity;

''(ii) voter identification or get-out-the-vote 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), unless the activity constitutes generic campaign activity;

''(iii) any public communication that refers to or depicts a clearly identified candidate for Federal office (regardless of whether a candidate for State or local office is also mentioned or identified) and that promotes or supports a candidate for that office, or attacks or opposes a candidate for that office (regardless of whether the communication expressly advocates a vote for or against a candidate); or

''(iv) any public communication made by means of any broadcast, cable, or satellite communication.

''(B) EXCEPTION FOR CERTAIN ADMINISTRATIVE ACTIVITIES.—The term 'Federal election activity' does not include any activity relating to establishment, administration, or solicitation costs of a political committee established and maintained by a national political party, so long as the funds used to carry out the activity are derived from funds or payments made to the committee which are segregated and used exclusively to defray the costs of such activities.

''(2) GENERIC CAMPAIGN ACTIVITY.—The term 'generic campaign activity' means any activity that does not mention, depict, or otherwise promote a clearly identified Federal candidate.

''(3) PUBLIC COMMUNICATION.—The term 'public communication' means a communication by means of any broadcast, cable, or satellite communication, newspaper, magazine, outdoor advertising facility, or direct mail.

''(4) DIRECT MAIL.—The term 'direct mail' means a mailing by a commercial vendor or any mailing made from a commercial list.''.

TITLE II—MODIFICATION OF CONTRIBUTION LIMITS

SEC. 201. INCREASE IN LIMITS ON CERTAIN CONTRIBUTIONS.

(a) CONTRIBUTIONS BY COMMITTEES TO NATIONAL PARTIES.—Section 315(a)(2)(B) of such Act (2 U.S.C. 441a(a)(2)(B)) is amended by striking ''$15,000'' and inserting ''$30,000''.

(b) AGGREGATE ANNUAL LIMIT ON CONTRIBUTIONS BY INDIVIDUALS.—Section 315(a)(3) of such Act (2 U.S.C. 441a(a)(3)) is amended by striking ''$25,000'' and inserting ''$37,500''.

SEC. 202. INCREASE IN LIMITS ON CONTRIBUTIONS TO STATE PARTIES.

(a) CONTRIBUTIONS BY INDIVIDUALS.—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 which, in the aggregate, exceed $10,000.''.

(b) CONTRIBUTIONS BY COMMITTEES.—Section 315(a)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(2)) 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 which, in the aggregate, exceed $10,000.''.

SEC. 203. TREATMENT OF CONTRIBUTIONS TO NATIONAL PARTY UNDER AGGREGATE ANNUAL LIMIT ON INDIVIDUAL CONTRIBUTIONS.

Section 315(a)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441(a)(3)) is amended—

(1) by striking ''(3)'' and inserting ''(3)(A)''; and

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

''(B) Subparagraph (A) shall not apply with respect to any contribution made to any political committee established and maintained by a national political party which is not the authorized political committee of any candidate.''.

SEC. 204. EXEMPTION OF COSTS OF VOLUNTEER CAMPAIGN MATERIALS PRODUCED AND DISTRIBUTED BY PARTIES FROM TREATMENT AS CONTRIBUTIONS AND EXPENDITURES.

(a) TREATMENT AS CONTRIBUTIONS.—Section 301(8)(B)(x) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)(B)(x)) is amended by striking ''a State or local committee of a political party of the costs of'' and inserting ''a national, State, or local committee of a political party of the costs of producing and distributing''.

(b) TREATMENT AS EXPENDITURES.—Section 301(9)(B)(viii) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(9)(B)(viii)) is amended by striking ''a State or local committee of a political party of the costs of'' and inserting ''a national, State, or local committee of a political party of the costs of producing and distributing''.

SEC. 205. INDEXING.

Section 315(c) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(c)) is amended—

(1) in paragraph (1)—

(A) by striking the second and third sentences;

(B) by inserting ''(A)'' before ''At the beginning''; and

(C) by adding at the end the following:

''(B) Except as provided in subparagraph (C), in any calendar year after 2002—

''(i) a limitation established by subsections (a), (b), (d), or (h) shall be increased by the percent difference determined under subparagraph (A);

''(ii) each amount so increased shall remain in effect for the calendar year; and

''(iii) if any amount after adjustment under clause (i) is not a multiple of $100, such amount shall be rounded to the nearest multiple of $100.

''(C) In the case of limitations under subsections (a) and (h), increases shall only be made in odd-numbered years and such increases shall remain in effect for the 2-year period beginning on the first day following the date of the last general election in the year preceding the year in which the amount is increased and ending on the date of the next general election.''; and

(2) in paragraph (2)(B), by striking ''means the calendar year 1974'' and inserting ''means—

''(i) for purposes of subsections (b) and (d), calendar year 1974; and

''(ii) for purposes of subsections (a) and (h), calendar year 2001''.

SEC. 206. PERMITTING NATIONAL PARTIES TO ESTABLISH ACCOUNTS FOR MAKING EXPENDITURES IN EXCESS OF LIMITS ON BEHALF OF CANDIDATES FACING WEALTHY OPPONENTS.

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

''(4)(A) Subject to subparagraph (B), the national committee of a political party may make expenditures in connection with the general election campaign of a candidate for Federal office (other than a candidate for President) who is affiliated with such party in an amount in excess of the limit established under paragraph (3) if—

''(i) the candidate's opponent in the general election campaign makes expenditures of personal funds in connection with the campaign in an amount in excess of $100,000 (as provided in the notifications submitted under section 304(a)(6)(B)); and

''(ii) the expenditures are made from a separate account of the party used exclusively for making expenditures pursuant to this paragraph.

''(B) The amount of expenditures made in accordance with subparagraph (A) by the national committee of a political party in connection with the general election campaign of a candidate may not exceed the amount of expenditures of personal funds made by the candidate's opponent in connection with the campaign (as provided in the notifications submitted under section 304(a)(6)(B)).''.

(b) WAIVER OF LIMITS ON CONTRIBUTIONS TO ACCOUNTS.—Section 315(a) of such Act (2 U.S.C. 441a(a)) is amended by adding at the end the following new paragraph:

''(9) The limitations imposed by paragraphs (1)(B), (2)(B), and (3) shall not apply with respect to contributions made to the national committee of a political party which are designated by the donor to be deposited solely into the account established by the party under subsection (d)(4).''.

(c) NOTIFICATION OF EXPENDITURES OF PERSONAL FUNDS.—Section 304(a)(6) of such Act (2 U.S.C. 434(a)(6)) is amended—

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

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

''(B)(i) The principal campaign committee of a candidate (other than a candidate for President) shall submit the following notifications relating to expenditures of personal funds by such candidate (including contributions by the candidate or the candidate's spouse to such committee and funds derived from loans made by the candidate or the candidate's spouse to such committee):

''(I) A notification of the first such expenditure (or contribution) by which the aggregate amount of personal funds expended (or contributed) with respect to an election exceeds $100,000.

''(II) After the notification is made under subclause (I), a notification of each such subsequent expenditure (or contribution) which, taken together with all such subsequent expenditures (and contributions) in any amount not included in the most recent report under this subparagraph, totals $5,000 or more.

''(ii) Each of the notifications submitted under clause (i)—

''(I) shall be submitted not later than 24 hours after the expenditure or contribution which is the subject of the notification is made;

''(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; and

''(III) shall include the total amount of all such expenditures and contributions made with respect to the same election as of the date of expenditure or contribution which is the subject of the notification.''.

TITLE III—DISCLOSURE OF ELECTION-RELATED COMMUNICATIONS

SEC. 301. DISCLOSURE OF INFORMATION ON COMMUNICATIONS BROADCAST PRIOR TO ELECTION.

Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) is amended by adding at the end the following new subsection:

''(e) DISCLOSURE OF INFORMATION ON CERTAIN COMMUNICATIONS BROADCAST PRIOR TO ELECTIONS.—

''(1) IN GENERAL.—Any person who makes a disbursement for a communication described in paragraph (3) shall, not later than 24 hours after making the disbursement, file with the Commission a statement containing the information required under paragraph (2).

''(2) CONTENTS OF STATEMENT.—Each statement required to be filed under this subsection shall be made under penalty of perjury and shall contain the following information:

''(A) The identification of the person making the disbursement, of any individual or entity sharing or exercising direction or control over the activities of such person, and of the custodian of the books and accounts of the person making the disbursement.

''(B) The principal place of business and phone number of the person making the disbursement, if not an individual.

''(C) The amount of the disbursement.

''(D) The clearly identified candidate or candidates to which the communication pertains and the names (if known) of the candidates identified or to be identified in the communication.

''(E) The text of the communication involved.

''(3) COMMUNICATIONS DESCRIBED.—

''(A) IN GENERAL.—A communication described in this paragraph is any communication—

''(i) which is disseminated to the public by means of any broadcast, cable, or satellite communication during the 120-day period ending on the date of a Federal election; and

''(ii) which mentions a clearly identified candidate for such election (by name, image, or likeness).

''(B) EXCEPTION.—A communication is not described in this paragraph if—

''(i) the communication appears in a news story, commentary, or editorial distributed through the facilities of any broadcasting station, unless such facilities are owned or controlled by any political party, political committee, or candidate; or

''(ii) the communication constitutes an expenditure under this Act.

''(4) COORDINATION WITH OTHER REQUIREMENTS.—Any requirement to file a statement under this subsection shall be in addition to any other reporting requirement under this Act.

''(5) CLARIFICATION OF TREATMENT OF VENDORS.—A person shall not be considered to have made a disbursement for a communication under this subsection if the person made the disbursement solely as a vendor acting pursuant to a contractual agreement with the person responsible for sponsoring the communication.''.

SEC. 302. DISCLOSURE OF INFORMATION ON TARGETED MASS COMMUNICATIONS.

Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434), as amended by section 301, is further amended by adding at the end the following new subsection:

''(f) DISCLOSURE OF INFORMATION ON TARGETED MASS COMMUNICATIONS.—

''(1) IN GENERAL.—Any person who makes a disbursement for targeted mass communications in an aggregate amount in excess of $50,000 during any calendar year shall, within 24 hours of each disclosure date, file with the Commission a statement containing the information described in paragraph (2).

''(2) CONTENTS OF STATEMENT.—Each statement required to be filed under this subsection shall be made under penalty of perjury and shall contain the following information:

''(A) The identification of the person making the disbursement, of any individual or entity sharing or exercising direction or control over the activities of such person, and of the custodian of the books and accounts of the person making the disbursement.

''(B) The principal place of business and phone number of the person making the disbursement, if not an individual.

''(C) The amount of each such disbursement of more than $200 made by the person during the period covered by the statement

and the identification of the person to whom the disbursement was made.

''(D) The clearly identified candidate or candidates to which the communication pertains and the names (if known) of the candidates identified or to be identified in the communication.

''(E) The text of the communication involved.

''(3) TARGETED MASS COMMUNICATION DEFINED.—

''(A) IN GENERAL.—In this subsection, the term 'targeted mass communication' means any communication—

''(i) which is disseminated during the 120-day period ending on the date of a Federal election;

''(ii) which refers to or depicts a clearly identified candidate for such election (by name, image, or likeness); and

''(iii) which is targeted to the relevant electorate.

''(B) TARGETING TO RELEVANT ELECTORATE.—

''(i) BROADCAST COMMUNICATIONS.—For purposes of this paragraph, a communication disseminated to the public by means of any broadcast, cable, or satellite communication which refers to or depicts a clearly identified candidate for Federal office is 'targeted to the relevant electorate' if the communication is disseminated by a broadcaster whose audience includes—

''(I) a substantial number of residents of the district the candidate seeks to represent (as determined in accordance with regulations of the Commission), in the case of a candidate for Representative in, or Delegate or Resident Commissioner to, the Congress; or

''(II) a substantial number of residents of the State the candidate seeks to represent (as determined in accordance with regulations of the Commission), in the case of a candidate for Senator.

''(ii) OTHER COMMUNICATIONS.—For purposes of this paragraph, a communication which is not described in clause (i) which refers to or depicts a clearly identified candidate for Federal office is 'targeted to the relevant electorate' if—

''(I) more than 10 percent of the total number of intended recipients of the communication are members of the electorate involved with respect to such Federal office; or

''(II) more than 10 percent of the total number of members of the electorate involved with respect to such Federal office receive the communication.

''(C) EXCEPTIONS.—The term 'targeted mass communication' does not include—

''(i) a communication appearing in a news story, commentary, or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication, unless such facilities are owned or controlled by any political party, political committee, or candidate;

''(ii) a communication made by any membership organization (including a labor organization) or corporation solely to its members, stockholders, or executive or administrative personnel, if such membership organization or corporation is not organized primarily for the purpose of influencing the nomination for election, or election, of any individual to Federal office; or

''(iii) a communication which constitutes an expenditure under this Act.

''(4) DISCLOSURE DATE.—For purposes of this subsection, the term 'disclosure date' means—

''(A) the first date during any calendar year by which a person has made disbursements for targeted mass communications aggregating in excess of $50,000; and

''(B) any other date during such calendar year by which a person has made disbursements for targeted mass communications aggregating in excess of $50,000 since the most recent disclosure date for such calendar year.

''(5) COORDINATION WITH OTHER REQUIREMENTS.—Any requirement to report under this subsection shall be in addition to any other reporting requirement under this Act.

''(6) CLARIFICATION OF TREATMENT OF VENDORS.—A person shall not be considered to have made a disbursement for a communication under this subsection if the person made the disbursement solely as a vendor acting pursuant to a contractual agreement with the person responsible for sponsoring the communication.''.

TITLE IV—EFFECTIVE DATE

SEC. 401. EFFECTIVE DATE.

The amendments made by this Act shall take effect on the date of the enactment of this Act.

H.R. 2356

OFFERED BY: ____

AMENDMENT NO. 17: Add at the end title II the following new subtitle:

Subtitle C—Exemption of Communications Pertaining to the Second Amendment of the Constitution

SEC. 221. FINDINGS.

Congress finds the following:

(1) The Second Amendment to the United States Constitution protects the right of individual persons to keep and bear arms.

(2) There are more than 60,000,000 gun owners in the United States.

(3) The Second Amendment to the Constitution of the United States protects the right of Americans to carry firearms in defense of themselves and others.

(4) The United States Court of Appeals in *U.S. v. Emerson* reaffirmed the fact that the right to keep and bear arms is an individual right protected by the Constitution.

(5) Americans who are concerned about threats to their ability to keep and bear arms have the right to petition their government.

(6) The Supreme Court, in *U.S. v. Cruikshank* (92 U.S. 542, 1876) recognized that the right to arms preexisted the Constitution. The Court stated that the right to arms ''is not a right granted by the Constitution. Neither is it in any manner dependent upon that instrument for its existence.''.

(7) In *Beard v. United States* (158 U.S. 550, 1895) the Court approved the common-law rule that a person ''may repel force by force'' in self-defense, and concluded that when attacked a person ''was entitled to stand his ground and meet any attack made upon him with a deadly weapon, in such a way and with such force'' as needed to prevent ''great bodily injury or death''. The laws of all 50 states, and the constitutions of most States, recognize the right to use armed force in self-defense.

(8) In order to protect Americans' constitutional rights under the Second Amendment, the First Amendment provides the ability for citizens to address the Government.

(9) The First Amendment to the United States Constitution states that, ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or of the right of the people to peaceably assemble, and to petition the Government for a redress of grievances.''.

(10) The Supreme Court recognized and emphasized the importance of free speech rights in *Buckley v. Valeo*, where it stated, ''A restriction on the amount of money a person or group can spend on political communication during a campaign necessarily reduces the quantity of expression by restricting the number of issues discussed, the depth of their exploration, and the size of the audience reached. This is because virtually every means of communicating ideas in today's mass society requires the expenditure of money. The distribution of the humblest handbill or leaflet entails printing, paper, and circulation costs. Speeches and rallies generally necessitate hiring a hall and publicizing the event. The electorate's increasing dependence on television, radio, and other mass media for news and information has made these expensive modes of communication indispensable instruments of effective political speech.''.

(11) In response to the relentlessly repeated claim that campaign spending has skyrocketed and should be legislatively restrained, the *Buckley* Court stated that the First Amendment denied the government the power to make that determination: ''In the free society ordained by our Constitution, it is not the government but the people—individually as citizens and candidates and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign.''.

(12) In *Buckley*, the Court also stated, ''The concept that government may restrict the speech of some elements of our society in order to enhance the relative voice of others is wholly foreign to the First Amendment, which was designed 'to secure the widest possible dissemination of information from diverse and antagonistic sources,' and 'to assure unfettered exchange of ideas for the bringing about of political and societal changes desired by the people' ''.

(13) Citizens who have an interest in issues about or related to the Second Amendment of the Constitution have the Constitutional right to criticize or praise their elected officials individually or collectively as a group. Communications in the form of criticism or praise of elected officials is preciously protected as free speech under the First Amendment of the Constitution of the United States.

(14) This title contains restrictions on the rights of citizens, either individually or collectively, to communicate with or about their elected representatives and to the general public. Such restrictions would stifle and suppress individual and group advocacy pertaining to politics and government—the political expression at the core of the electoral process and of First Amendment freedoms—the very engine of democracy. Such restrictions also hinder citizens' ability to communicate their support or opposition on issues concerning the right to keep and bear arms to their elected officials and the general public.

(15) Candidate campaigns and issue campaigns are the primary vehicles for giving voice to popular grievances, raising issues and proposing solutions. An election, and the time leading up to it, is when political speech should be at its most robust and unfettered.

SEC. 222. EXEMPTION FOR COMMUNICATIONS PERTAINING TO THE SECOND AMENDMENT OF THE CONSTITUTION.

None of the restrictions or requirements contained in this title shall apply to any form or mode of communication to the public that consists of information or commentary regarding the statements, actions, positions, or voting records of any person who holds congressional or other Federal office, or who is a candidate for congressional or other Federal office, on any matter pertaining to the Second Amendment.

H.R. 2356

OFFERED BY: ____

AMENDMENT NO.18: Add at the end of title II the following new subtitle:

Subtitle C—Exemption of Communications Pertaining to Veterans, Military Personnel, or Seniors

SEC. 221. FINDINGS.

Congress finds the following:

(1) More than 42,000,000 men and women have served in the United States Armed Forces from the Revolution onward and more than 25 million are still living. Living veterans and their families, plus the living dependents of deceased veterans, constitute a significant part of the present United States population.

(2) American veterans are black and they are white; they are of every race and ethnic heritage. They are men, and they are women. They are Christians, they are Muslims, they are Jews. They are fathers, mothers, sisters, brothers, sons and daughters. They are neighbors, down the street or right next door. They are teachers in our schools, they are factory workers. They are Americans living today who served in the armed services, and they are the more than 1,000,000 who have died in America's wars.

(3) America's veterans are men and women who have fought to protect the United States against foreign aggressors as Soldiers, Sailors, Airmen, Coast Guardsmen and Marines. The members of our elite organization are those who have discharged their very special obligation of citizenship as servicemen and women, and who today continue to expend great time, effort and energy in the service of their fellow veterans and their communities.

(4) There is a bond joining every veteran from every branch of the service. Whether drafted or enlisted, commissioned or noncommissioned, each took an oath, lived by a code, and stood ready to fight and die for their country.

(5) American men and women in uniform risk their lives on a daily basis to defend our freedom and democracy. Americans have always believed that there are values worth fighting for—values and liberties upon which America was founded and which we have carried forward for more than 225 years, that men and women of this great nation gave their lives to preserve.

(6) It is the sacrifice borne by generations of American veterans that has made us strong and has rendered us the beacon of freedom guiding the course of nations throughout the world. American veterans have fought for freedom for Americans, as well as citizens throughout the world. They have helped to defend and preserve the values of freedom of speech, democracy, voting rights, human rights, equal access and the rights of the individual—those values felt and nurtured on every continent in our world.

(7) The freedoms and opportunities we enjoy today were bought and paid for with their devotion to duty and their sacrifices. We can never say it too many times: We are the benefactors of their sacrifice, and we are grateful.

(8) Of the 25,000,000 veterans currently alive, nearly three of every four served during a war or an official period of hostility. About a quarter of the Nation's population—approximately 70,000,000 people—are potentially eligible for Veterans' Administration benefits and services because they are veterans, family members or survivors of veterans.

(9) The present veteran population is estimated at 25,600,000, as of July 1, 1997. Nearly 80 of every 100 living veterans served during defined periods of armed hostilities. Altogether, almost one-third of the nation's population-approximately 70,000,000 persons who are veterans, dependents and survivors of deceased veterans—are potentially eligible for Veterans' Administration benefits and services.

(10) Care for veterans and dependents spans centuries. The last dependent of a Revolutionary War veteran died in 1911; the War of 1812's last dependent died in 1946; the Mexican War's, in 1962.

(11) The Veterans' Administration health care system has grown from 54 hospitals in 1930, to include 171 medical centers; more than 350 outpatient, community, and outreach clinics; 126 nursing home care units; and 35 domiciliaries. Veterans' Administration health care facilities provide a broad spectrum of medical, surgical, and rehabilitative care.

(12) World War II resulted in not only a vast increase in the veteran population, but also in large number of new benefits enacted by the Congress for veterans of the war. The World War II GI Bill, signed into law on June 22, 1944, is said to have had more impact on the American way of life than any law since the Homestead Act more than a century ago.

(13) About 2,700,000 veterans receive disability compensation or pensions from VA. Also receiving Veterans' Administration benefits are 592,713 widows, children and parents of deceased veterans. Among them are 133,881 survivors of Vietnam era veterans and 295,679 survivors of World War II veterans. In fiscal year 2001, Veterans' Administration planned to spend $22,000,000,000 yearly in disability compensation, death compensation and pension to 3,200,000 people.

(14) Veterans' Administration manages the largest medical education and health professions training program in the United States. Veterans' Administration facilities are affiliated with 107 medical schools, 55 dental schools and more than 1,200 other schools across the country. Each year, about 85,000 health professionals are trained in Veterans' Administration medical centers. More than half of the physicians practicing in the United States have had part of their professional education in the Veterans' Administration health care system.

(15) 75 percent of Veterans' Administration researchers are practicing physicians. Because of their dual roles, Veterans' Administration research often immediately benefits patients. Functional electrical stimulation, a technology using controlled electrical current to activate paralyzed muscles, is being developed at Veterans' Administration clinical facilities and laboratories throughout the country. Through this technology, paraplegic patients have been able to stand and, in some instances, walk short distances and climb stairs. Patients with quadriplegia are able to use their hands to grasp objects.

(16) There are more than 35,000,000 persons in the United States aged 65 and over.

(17) Seniors are a diverse population, each member having his or her own political and economic issues.

(18) Seniors and their families have many important issues for which they seek congressional action. Some of these issues include, but are not limited to, health care, Social Security, and taxes.

(19) The First Amendment to the United States Constitution states that, ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or of the right of the people to peaceably assemble, and to petition the Government for a redress of grievances.''.

(20) The Supreme Court recognized and emphasized the importance of free speech rights in *Buckley v. Valeo*, where it stated, ''A restriction on the amount of money a person or group can spend on political communication during a campaign necessarily reduces the quantity of expression by restricting the number of issues discussed, the depth of their exploration, and the size of the audience reached. This is because virtually every means of communicating ideas in today's mass society requires the expenditure of money. The distribution of the humblest handbill or leaflet entails printing, paper, and circulation costs. Speeches and rallies generally necessitate hiring a hall and publicizing the event. The electorate's increasing dependence on television, radio, and other mass media for news and information has made these expensive modes of communication indispensable instruments of effective political speech.''.

(21) In response to the relentlessly repeated claim that campaign spending has skyrocketed and should be legislatively restrained, the *Buckley* Court stated that the First Amendment denied the government the power to make that determination: ''In the free society ordained by our Constitution, it is not the government but the people—individually as citizens and candidates and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign.''.

(22) In *Buckley*, the Court also stated, ''The concept that government may restrict the speech of some elements of our society in order to enhance the relative voice of others is wholly foreign to the First Amendment, which was designed 'to secure the widest possible dissemination of information from diverse and antagonistic sources,' and 'to assure unfettered exchange of ideas for the bringing about of political and societal changes desired by the people' ″.

(23) Citizens who have an interest in issues about or related to veterans, military personnel, seniors, and their families have the Constitutional right to criticize or praise their elected officials individually or collectively as a group. Communications in the form of criticism or praise of elected officials is preciously protected as free speech under the First Amendment of the Constitution of the United States.

(24) This title contains restrictions on the rights of citizens, either individually or collectively, to communicate with or about their elected representatives and to the general public. Such restrictions would stifle and suppress individual and group advocacy pertaining to politics and government—the political expression at the core of the electoral process and of First Amendment freedoms—the very engine of democracy. Such restrictions also hinder citizens' ability to communicate their support or opposition on issues concerning veterans, military personnel, seniors, and their families to their elected officials and the general public.

(25) Candidate campaigns and issue campaigns are the primary vehicles for giving voice to popular grievances, raising issues and proposing solutions. An election, and the time leading up to it, is when political speech should be at its most robust and unfettered.

SEC. 222. EXEMPTION FOR COMMUNICATIONS PERTAINING TO VETERANS, MILITARY PERSONNEL, OR SENIORS.

None of the restrictions or requirements contained in this title or the amendments made by this title shall apply to any form or mode of communication to the public that consists of information or commentary regarding the statements, actions, positions, or voting records of any individual who holds congressional or other Federal office, or who

is a candidate for congressional or other Federal office, on any matter pertaining to veterans, military personnel, or senior citizens, or to the immediate family members of veterans, military personnel, or senior citizens.

H.R. 2356

OFFERED BY: ____

AMENDMENT NO. 19: Amend section 402 to read as follows:

SEC. 402. EFFECTIVE DATE.

(a) IN GENERAL.—Except as otherwise provided in this Act, this Act and the amendments made by this Act shall take effect February 14, 2002.

(b) TRANSITION RULE FOR SPENDING OF FUNDS BY NATIONAL PARTIES.—If a national committee of a political party described in section 323(a)(1) of the Federal Election Campaign Act of 1971 (as added by section 101(a)), including any person who is subject to such section, has received funds described in such section prior to the effective date described in subsection (a) which remain unexpended as of such date, the committee shall return the funds on a pro rata basis to the persons who provided the funds to the committee.

H.R. 2356

OFFERED BY: ____

AMENDMENT NO. 20. Add at the end of title II the following new subtitle:

Subtitle C—Exemption of Communications Pertaining to Workers, Farmers, Families, and Individuals

SEC. 221. FINDINGS.

Congress finds the following:

(1) There are approximately 138 million people employed in the United States.

(2) Thousands of organizations and associations represent these employed persons and their employers in numerous forms and forums, not least of which is by participating in our electoral and political system in a number of ways, including informing citizens of key votes that affect their common interests, criticizing and praising elected officials for their position on issues, contributing to candidates and political parties, registering voters, and conducting get-out-the-vote activities.

(3) The rights of American workers to bargain collectively are protected by their First Amendment to the Constitution and by provisions in the National Labor Relations Act. Federal law guarantees the rights of workers to choose whether to bargain collectively through a union.

(4) Fourteen percent of the American workforce has chosen to affiliate with a labor union. Federal law allows workers and unions the opportunity to combine strength and to work together to seek to improve the lives of America's working families, bring fairness and dignity to the workplace and secure social and economic equity in our nation.

(5) Nearly three quarters of all United States business firms have no payroll. Most are self-employed persons operating unincorporated businesses, and may or may not be the owner's principal source of income.

(6) Minorities owned fewer than 7 percent of all United States firms, excluding C corporations, in 1982, but this share soared to about 15 percent by 1997. Minorities owned more than 3 million businesses in 1997, of which 615,222 had paid employees, generated more than $591 billion in revenues, created more than 4.5 million jobs, and provided about $96 billion in payroll to their workers.

(7) In 1999, women made up 46 percent of the labor force. The labor force participation rate of American women was the highest in the world.

(8) Labor/Worker unions represent 16 million working women and men of every race and ethnicity and from every walk of life.

(9) In recent years, union members and their families have mobilized in growing numbers. In the 2000 election, 26 percent of the nation's voters came from union households.

(10) According to the 2000 census, total United States families were totaled at over 105 million.

(11) In 2000, there were 8.7 million African American families.

(12) Asians have larger families than other groups. For example, the average Asian family size is 3.6 persons, as opposed to an average Caucasian family of 3.1 persons.

(13) American farmers, ranchers, and agricultural managers direct the activities of the world's largest and most productive agricultural sectors. They produce enough food and fiber to meet the needs of the United States and produce a surplus for export.

(14) About 17 percent of raw United States agricultural products are exported yearly, including 83 million metric tons of cereal grains, 1.6 billion pounds of poultry, and 1.4 million metric tons of fresh vegetables.

(15) One-fourth of the world's beef and nearly one-fifth of the world's grain, milk, and eggs are produced in the United States.

(16) With 96 percent of the world's population living outside our borders, the world's most productive farmers need access to international markets to compete.

(17) Every State benefits from the income generated from agricultural exports. 19 States have exports of $1 billion or more.

(18) America's total on United States exports is $49.1 billion and the number of imports is $37.5 billion.

(19) By itself, farming-production agriculture-contributed $60.4 billion toward the national GDP (Gross Domestic Product).

(20) Farmers and ranchers provide food and habitat for 75 percent of the Nation's wildlife.

(21) More than 23 million jobs-17 percent of the civilian workforce-are involved in some phase of growing and getting our food and clothing to us. America now has fewer farmers, but they are producing now more than ever before.

(22) Twenty-two million American workers process, sell, and trade the Nation's food and fiber. Farmers and ranchers work with the Department of Agriculture to produce healthy crops while caring for soil and water.

(23) By February 8, the 39th day of 2002, the average American has earned enough to pay for their family's food for the entire year. In 1970 it took 12 more days than it does now to earn a full food pantry for the year. Even in 1980 it took 10 more days—49 total days—of earning to put a year's supply of food on the table.

(24) Farmers are facing the 5th straight year of the lowest real net farm income since the Great Depression. Last October, prices farmers received made their sharpest drop since United States Department of Agriculture began keeping records 91 years ago. During this same period the cost of production has hit record highs.

(25) The First Amendment to the United States Constitution states that, ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or of the right of the people to peaceably assemble, and to petition the Government for a redress of grievances.''.

(26) The Supreme Court recognized and emphasized the importance of free speech rights in *Buckley v. Valeo*, where it stated, ''A restriction on the amount of money a person or group can spend on political communication during a campaign necessarily reduces the quantity of expression by restricting the number of issues discussed, the depth of their exploration, and the size of the audience reached. This is because virtually every means of communicating ideas in today's mass society requires the expenditure of money. The distribution of the humblest handbill or leaflet entails printing, paper, and circulation costs. Speeches and rallies generally necessitate hiring a hall and publicizing the event. The electorate's increasing dependence on television, radio, and other mass media for news and information has made these expensive modes of communication indispensable instruments of effective political speech.''.

(27) In response to the relentlessly repeated claim that campaign spending has skyrocketed and should be legislatively restrained, the *Buckley* Court stated that the First Amendment denied the government the power to make that determination: ''In the free society ordained by our Constitution, it is not the government but the people—individually as citizens and candidates and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign.''.

(28) In *Buckley*, the Court also stated, ''The concept that government may restrict the speech of some elements of our society in order to enhance the relative voice of others is wholly foreign to the First Amendment, which was designed 'to secure the widest possible dissemination of information from diverse and antagonistic sources,' and 'to assure unfettered exchange of ideas for the bringing about of political and societal changes desired by the people''.

(29) Citizens who have an interest in issues about or related to their lives have the Constitutional right to criticize or praise their elected officials individually or collectively as a group. Communications in the form of criticism or praise of elected officials is preciously protected as free speech under the First Amendment of the Constitution of the United States.

(30) This title contains restrictions on the rights of citizens, either individually or collectively, to communicate with or about their elected representatives and to the general public. Such restrictions would stifle and suppress individual and group advocacy pertaining to politics and government—the political expression at the core of the electoral process and of First Amendment freedoms—the very engine of democracy.

(31) Candidate campaigns and issue campaigns are the primary vehicles for giving voice to popular grievances, raising issues and proposing solutions. An election, and the time leading up to it, is when political speech should be at its most robust and unfettered.

SEC. 222. EXEMPTION FOR COMMUNICATIONS PERTAINING TO WORKERS, FARMERS, FAMILIES, AND INDIVIDUALS.

None of the restrictions or requirements contained in this title or the amendments made by this title shall apply to any form or mode of communication to the public that consists of information or commentary regarding the statements, actions, positions, or voting records of any individual who holds congressional or other Federal office, or who is a candidate for congressional or other Federal office, on any matter pertaining to any individual.

H.R. 2356

OFFERED BY: ____

AMENDMENT NO. 21. Add at the end title II the following new subtitle:

Subtitle C—Exemption of Communications Pertaining to Civil Rights and Issues Affecting Minorities

SEC. 221. FINDINGS.

Congress finds the following:

(1) More than 70 million people in the United States belong to a minority race.

(2) More than 34 million people in the United States are African American, 35 million are Hispanic or Latino, 10 million are Asian, and 2 million are American Indian or Alaska Native.

(3) Minorities account for around 24 percent of the U.S. workforce.

(4) Minorities, who owned fewer than 7 percent of all U.S. firms in 1982, now own more than 15 percent. Minorities owned more than 3 million businesses in 1997, of which 615,222 had paid employees, generated more than $591 billion in revenues, created more than 4.5 million jobs, and provided about $96 billion in payroll to their workers.

(5) Self-employment as a share of each group's nonagricultural labor force (averaged over the 1991-1999 decade) was White, 9.7 percent; African American, 3.8 percent; American Indian, Eskimo, or Aleut, 6.4 percent; and Asian or Pacific Islander, 10.1 percent.

(6) Of U.S. businesses, 5.8 percent were owned by Hispanic Americans, 4.4 percent by Asian Americans, 4.0 percent by African Americans, and 0.9 percent by American Indians.

(7) Of the 4,514,699 jobs in minority-owned businesses in 1997, 48.8 percent were in Asian-owned firms, 30.8 percent in Hispanic-owned firms, 15.9 percent in African American-owned firms, and 6.6 percent in American Native-owned firms.

(8) Minority-owned firms had about $96 billion in payroll in 1997. The average payroll per employee was roughly $21,000 in the major minority groups and ranged from just under $15,000 to just over $27,000 in various subgroups of the minority population.

(9) African Americans were the only race or ethnic group to show an increase in voter participation in congressional elections, increasing their presence at the polls from 37 percent in 1994 to 40 percent in 1998. Nationwide, overall turnout by the voting-age population was down from 45 percent in 1994 to 42 percent in 1998.

(10) In 2000, there were 8.7 million African American families. The United States had 96,000 African American engineers, 41,000 African American physicians and 47,000 African American lawyers in 1999.

(11) The number of Asians and Pacific Islanders voting in congressional elections increased by 366,000 between 1994 and 1998.

(12) Businesses owned by Asians and Pacific Islanders made up 4 percent of the nation's 20.8 million nonfarm businesses.

(13) Asians tend to have larger families - the average family size is 3.6 persons, as opposed to an average Caucasian family of 3.1 persons.

(14) The First Amendment to the United States Constitution states that, ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or of the right of the people to peaceably assemble, and to petition the Government for a redress of grievances.''.

(15) The Supreme Court recognized and emphasized the importance of free speech rights in *Buckley v. Valeo*, where it stated, ''A restriction on the amount of money a person or group can spend on political communication during a campaign necessarily reduces the quantity of expression by restricting the number of issues discussed, the depth of their exploration, and the size of the audience reached. This is because virtually every means of communicating ideas in today's mass society requires the expenditure of money. The distribution of the humblest handbill or leaflet entails printing, paper, and circulation costs. Speeches and rallies generally necessitate hiring a hall and publicizing the event. The electorate's increasing dependence on television, radio, and other mass media for news and information has made these expensive modes of communication indispensable instruments of effective political speech.''.

(16) In response to the relentlessly repeated claim that campaign spending has skyrocketed and should be legislatively restrained, the *Buckley* Court stated that the First Amendment denied the government the power to make that determination: ''In the free society ordained by our Constitution, it is not the government but the people—individually as citizens and candidates and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign.''.

(17) In *Buckley*, the Court also stated, ''The concept that government may restrict the speech of some elements of our society in order to enhance the relative voice of others is wholly foreign to the First Amendment, which was designed 'to secure the widest possible dissemination of information from diverse and antagonistic sources,' and 'to assure unfettered exchange of ideas for the bringing about of political and societal changes desired by the people' ''.

(18) Citizens who have an interest in issues about or related to civil rights have the Constitutional right to criticize or praise their elected officials individually or collectively as a group. Communications in the form of criticism or praise of elected officials is preciously protected as free speech under the First Amendment of the Constitution of the United States.

(19) This title contains restrictions on the rights of citizens, either individually or collectively, to communicate with or about their elected representatives and to the general public. Such restrictions would stifle and suppress individual and group advocacy pertaining to politics and government—the political expression at the core of the electoral process and of First Amendment freedoms—the very engine of democracy. Such restrictions also hinder citizens' ability to communicate their support or opposition on issues concerning civil rights to their elected officials and the general public.

(20) Candidate campaigns and issue campaigns are the primary vehicles for giving voice to popular grievances, raising issues and proposing solutions. An election, and the time leading up to it, is when political speech should be at its most robust and unfettered.

SEC. 222. EXEMPTION FOR COMMUNICATIONS PERTAINING TO CIVIL RIGHTS AND ISSUES AFFECTING MINORITIES.

None of the restrictions or requirements contained in this title or the amendments made by this title shall apply to any form or mode of communication to the public that consists of information or commentary regarding the statements, actions, positions, or voting records of any individual who holds congressional or other Federal office, or who is a candidate for congressional or other Federal office, on any matter pertaining to civil rights and issues affecting minorities.

H.R. 2356

OFFERED BY: ____

AMENDMENT NO. 22: Add at the end the following title:

TITLE VI—NO RESTRICTIONS ON FIRST AMENDMENT RIGHTS

SEC. 601. FINDINGS.

Congress finds the following:

(1) The First Amendment to the United States Constitution states that, ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or of the right of the people to peaceably assemble, and to petition the Government for a redress of grievances.''

(2) The First Amendment affords the broadest protection to such political expression in order ''to assure [the] unfettered interchange of ideas for the bringing about of political and social changes desired by the people. *Roth v. United States*, 354 U.S. 476, 484 (1957).

(3) According to *Mills v. Alabama*, 384 U.S. 214, 218 (1966), there is practically universal agreement that a major purpose of that Amendment was to protect the free discussion of governmental affairs, ''...of course including[ing] discussions of candidates...''.

(4) According to *New York Times Co. v. Sullivan*, 376 U.S. 254, 270 (1964), the First Amendment reflects our ''profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open''. In a republic where the people are sovereign, the ability of the citizenry to make informed choices among candidates for office is essential, for the identities of those who are elected will inevitably shape the course that we follow as a nation.

(5) The First Amendment protects political association as well as political expression. The constitutional right of association explicated in *NAACP v. Alabama*, 357 U.S. 449, 460 (1958), stemmed from the Court's recognition that ''[e]ffective advocacy of both public and private points of view, particularly controversial ones, is undeniably enhanced by group association.'' Subsequent decisions have made clear that the First and Fourteenth Amendments guarantee ''freedom to associate with others for the common advancement of political beliefs and ideas,'' a freedom that encompasses '''[t]he right to associate with the political party of one's choice.''' *Kusper v. Pontikes*, 414 U.S. 51, 56, 57, quoted in *Cousins v. Wigoda*, 419 U.S. 477, 487 (1975).

(6) In *Buckley v. Valeo*, the Supreme Court stated, ''A restriction on the amount of money a person or group can spend on political communication during a campaign necessarily reduces the quantity of expression by restricting the number of issues discussed, the depth of their exploration, and the size of the audience reached. This is because virtually every means of communicating ideas in today's mass society requires the expenditure of money. The distribution of the humblest handbill or leaflet entails printing, paper, and circulation costs. Speeches and rallies generally necessitate hiring a hall and publicizing the event. The electorate's increasing dependence on television, radio, and other mass media for news and information has made these expensive modes of communication indispensable instruments of effective political speech.''.

(7) In response to the relentlessly repeated claim that campaign spending has skyrocketed and should be legislatively restrained, the *Buckley* Court stated that the First Amendment denied the government the power to make that determination: ''In the free society ordained by our Constitution, it is not the government but the people—individually as citizens and candidates and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign.''.

(8) In *Buckley*, the Court also stated, ''The concept that government may restrict the speech of some elements of our society in order to enhance the relative voice of others is wholly foreign to the First Amendment, which was designed 'to secure the widest possible dissemination of information from diverse and antagonistic sources,' and 'to assure unfettered exchange of ideas for the bringing about of political and societal changes desired by the people' ''.

(9) The courts of the United States have consistently reaffirmed and applied the teachings of *Buckley*, striking down such government overreaching. The courts of the United States have consistently upheld the rights of the citizens of the United States, candidates for public office, political parties, corporations, labor unions, trade associations, non-profit entities, among others. Such decisions provide a very clear line as to what the government can and cannot do with respect to the regulation of campaigns. See *Federal Election Comm'n v. Massachusetts Citizens for Life, Inc.*, 479 U.S. 238 (1986); *Federal Election Comm'n v. National Conservative Political Action Comm.*, 470 U.S. 480 (1985); *California Medical Assn. v. Federal Election Comm'n*, 453 U.S. 182 (1981).

(10) The FEC has lost time and time again in court attempting to move away from the express advocacy bright line test of *Buckley v. Valeo*. In fact, in some cases, the FEC has had to pay fees and costs because the theory is frivolous. *See FEC v. Christian Action Network*, 110 F.3d 1049 (4th Cir. 1997), *aff'g* 894 F. Supp. 946 (W.D.Va. 1995); *Maine Right to Life Comm. v. FEC*, 914 F. Supp. 8 (D.Me. 1996), aff'd 98 F.3d 1 (1st Cir. 1996), *cert. denied*, 118 S. Ct. 52 (1997); *Clifton v. FEC*, 114 F.3d 1309 (1st Cir. 1997); *Faucher v. FEC*, 928 F.2d 468, 472 (1st Cir.), *cert. denied*, 502 U.S. 820 (1991); *FEC v. Colorado Republican Federal Campaign Comm.*, 839 F. Supp. 1448 (D. Co.), *rev'd on other grounds*, 59 F.3d 1015 (10th Cir.), vacated on other grounds, 116 S. Ct. 2309 (1996); *FEC v. Central Long Island Tax Reform Immediately Comm.*, 616 F.2d 45, 53 (2d Cir. 1980); *Minnesota Citizens Concerned for Life, Inc. v. FEC*, 936 F. Supp. 633 (D. Minn. 1996), *aff'd* 113 F.3d 129 (8th Cir. 1997), *reh'g. en banc denied*, 1997 U.S. App. LEXIS 17528; *West Virginians for Life, Inc. v. Smith*, 960 F. Supp. 1036, 1039 (S.D.W.Va. 1996); *FEC v. Survival Education Fund*, 1994 U.S. Dist. Lexis 210 (S.D.N.Y. 1994), *aff'd in part and rev'd in part*, 65 F.3d 285 (2nd Cir. 1995); *FEC v. National Organization for Women*, 713 F. Supp. 428, 433–34 (D.D.C. 1989); *FEC v. American Federation of State, County and Municipal Employees*, 471 F. Supp. 315, 316–17 (D.D.C. 1979). Even the FEC abandoned the ''electioneering communication'' standard soon after the 1996 election due to its vagueness.

(11) The courts have also repeatedly upheld the rights of political party committees. As Justice Kennedy noted: ''The central holding in *Buckley v. Valeo* is that spending money on one's own speech must be permitted, and that this is what political parties do when they make expenditures FECA restricts.'' *Colo. Republican Fed. Campaign Comm. v. Federal Election Comm'n*, 518 U.S. 604, 627 (1996) (J. Kennedy, concurring). Justice Thomas added: ''As applied in the specific context of campaign funding by political parties, the anticorruption rationale loses its force. See Nahra, *Political Parties and the Campaign Finance Laws: Dilemmas, Concerns and Opportunities*, 56 Ford L. Rev. 53, 105–106 (1987). What could it mean for a party to 'corrupt' its candidates or to exercise 'coercive' influence over him? The very aim of a political party is to influence its candidate's stance on issues and, if the candidate takes office or is reelected, his votes. When political parties achieve that aim, that achievement does not, in my view, constitute 'a subversion of the political process.' *Federal Election Comm'n v. NCPAC*, 470 U.S. at 497. For instance, if the Democratic Party spends large sums of money in support of a candidate who wins, takes office, and then implements the Party's platform, that is not corruption; that is successful advocacy of ideas in the political marketplace and representative government in a party system. To borrow a phrase from *Federal Election Comm'n v. NCPAC*, 'the fact that candidates and elected officials may alter or reaffirm their own positions on issues in response to political messages paid for by [political groups] can hardly be called corruption, for one of the essential features of democracy is the presentation of the electorate of varying points of view.' *Id.* at 498. Cf. *Federal Election Comm'n v. MCFL*, 479 U.S. at 263 (suggesting that '[v]oluntary political associations do not . . . present the specter of corruption').''. *Colo. Republican Fed. Campaign Comm. v. Federal Election Comm'n*, 518 U.S. 604, 647 (1996) (J. Thomas, concurring). Justice Thomas continued: ''The structure of political parties is such that the theoretical danger of those groups actually engaging in quid pro quos with candidates is significantly less than the threat of individuals or other groups doing so. See Nahra, *Political Parties and the Campaign Finance Laws: Dilemmas, Concerns and Opportunities*, 56 Ford L. Rev. 53, 97–98 (1987) (citing F. Sorauf, *Party Politics in America* 15–18 (5th ed. 1984)). American political parties, generally speaking, have numerous members with a wide variety of interests, features necessary for success in majoritarian elections. Consequently, the influence of any one person or the importance of any single issue within a political party is significantly diffused. For this reason, as the Party's amici argue, see Brief for Committee for Party Renewal et al. as Amicus Curiae 16, campaign funds donated by parties are considered to be some of 'the cleanest money in politics.' J. Bibby, *Campaign Finance Reform*, 6 Commonsense 1, 10 (Dec. 1983). And, as long as the Court continues to permit Congress to subject individuals to limits on the amount they can give to parties, and those limits are uniform as to all donors, *see* 2 U.S.C. section 441a(a)(1), there is little risk that an individual donor could use a party as a conduit for bribing candidates. *Id.*''.

(12) As recently as 2000, the Supreme Court reminded us once again of the vital role that political parties play on our democratic life, by serving as the primary vehicles for the political views and voices of millions and millions of Americans. ''Representative democracy in any populous unit of governance is unimaginable without the ability of citizens to band together in promoting the electoral candidates who espouse their political views. The formation of national political parties was almost concurrent with the formation of the Republic itself.'' *California Democratic Party v. Jones*, 530 U.S. 567 (2000). Moreover, just last year, a Federal court struck down a state law that included a so-called ''soft money ban,'' which in reality was a ban on corporate and union contributions to political parties—which as a factual matter is correct. The *Anchorage Daily News* reported:

(13) A Federal judge says corporations and unions have a constitutional right to give unlimited amounts of ''soft money'' to political parties, so long as none of the money is used to get specific candidates elected. In a decision dated June 11, U.S. District Judge James Singleton struck down a section of Alaska's 1997 political contributions law that barred corporations, unions and other businesses from contributing any money to political candidates or parties. The ban against corporate contributions to individual candidates is fine, Singleton said. Public concern about the corrupting influence or corporate contributions on a specific candidate is legitimate and important enough to somewhat limit freedom of speech and political association, the judge concluded. But contributions to the noncandidate work of a political party do not raise undue influence issues and therefore may not be restricted, the judge concluded.

(14) Sheila Toomey, *Anchorage Daily News* (June 14, 2001) (reporting on *Kenneth P. Jacobus, et al. vs. State of Alaska, et al.*, No. A97–0272 (D. Alaska filed June 11, 2001).

(15) Nor is speech any less protected by the First Amendment simply because the one making the speech contacted or communicated with others. For some time, the Federal Election Commission held the view that such ''coordination'' (an undefined term), even of communications that did not contain express advocacy, somehow was problematic, and subject to the limitations and prohibitions of the Act. This view has been rejected by the courts. *Federal Election Commission v. Christian Coalition*, 52 F. Supp. 2d 45 (D.D.C. 1999). In fact, lower Federal courts have held that even political party committee limits on coordinated expenditures are an unconstitutional restriction on speech. *Federal Election Commission v. Colo. Republican Fed. Campaign Comm.*, 213 F.3d 1221 (10th Cir. 2000). Unless a party committee's expenditure is the functional equivalent of a contribution (and thus not ''coordinated''), it cannot be limited. See Federal Election Commission v. Colo. Republican Fed. Campaign Comm., 150 L.Ed.2d 461, nt. 17, nt. 2 (J. Thomas, dissenting) (2001). As a factual matter, many party committee ''coordinated'' expenditures are not the functional equivalent of contributions. *See* Amicus Curie Brief of the National Republican Congressional Committee, *Federal Election Commission v. Colo. Republican Fed. Campaign Comm.*, 150 L.Ed.2d 461 (2001).

(16) Commentators, legal experts and testimony in the record echoes the need to be mindful of the First Amendment. Whether it is the American Civil Liberties Union, see March 10, 2001 ACLU Letter to Senate (and all cases cited therein) & June 14, 2001 ACLU testimony before the House Administration Committee (and cases cited therein), or the counsel to the National Right to Life Committee and the Christian Coalition, see June 14, 2001 testimony of James Bopp before the House Administration Committee (and cases cited therein), experts across the political spectrum have thoughtfully explained the need to ensure the First Amendment rights of citizens of this country.

(17) Citizens who have an interest in issues have the Constitutional right to criticize or praise their elected officials individually or collectively as a group. Communication in the form of criticism or praise of elected officials is preciously protected as free speech under the First Amendment of the Constitution of the United States.

(18) This Act contains restrictions on the rights of citizens, either individually or collectively, to communicate with or about their elected representatives and to the general public. Such restrictions would stifle and suppress individual and group advocacy pertaining to politics and government—the political expression at the core of the electoral process and of First Amendment freedoms—the very engine of democracy. Such restrictions also hinder citizens' ability to communicate their support or opposition on issues to their elected officials and the general public.

(19) Candidate campaigns and issue campaigns are the primary vehicles for giving voice to popular grievances, raising issues and proposing solutions. An election, and the time leading up to it, is when political

speech should be at its most robust and unfettered.

SEC. 602. NO RESTRICTIONS ON FIRST AMENDMENT RIGHTS.

Notwithstanding any provision of this Act, and in recognition of the First Amendment to the United States Constitution, nothing in this Act or in any amendment made by this Act may be construed to abridge those freedoms found in that Amendment, specifically the freedom of speech or of the press, or the right of people to peaceably assemble, and to petition the government for a redress of grievances, consistent with the rulings of the courts of the United States (as provided in section 601).

H.R. 2356

OFFERED BY: ____

AMENDMENT NO. 23: Amend section 323(b) of the Federal Election Campaign Act of 1971, as proposed to be added by section 101(a) of the bill, to read as follows:

''(b) STATE, DISTRICT, AND LOCAL COMMITTEES.—An amount that is expended or disbursed for Federal election activity 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), or by an association or similar group of candidates for State or local office or individuals holding State or local office, shall be made from funds subject to the limitations, prohibitions, and reporting requirements of this Act.

Amend section 323(e)(3) of the Federal Election Campaign Act of 1971, as proposed to be added by section 101(a) of the bill, to read as follows:

''(3) FUNDRAISING EVENTS.—Notwithstanding paragraph (1), a candidate or an individual holding Federal office may attend, speak, or be a featured guest at a fundraising event for a State, district, or local committee of a political party.

Amend section 304(e)(2) of the Federal Election Campaign Act of 1971, as proposed to be added by section 103(a) of the bill, to read as follows:

''(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) applies shall report all receipts and disbursements made for activities described in section 301(20)(A).

H.R. 2356

OFFERED BY: ____

AMENDMENT NO. 24: Add at the end of title III the following new section:

SEC. 323. BANNING POLITICAL CONTRIBUTIONS IN FEDERAL ELECTIONS BY ALL INDIVIDUALS NOT CITIZENS OR NATIONALS OF THE UNITED STATES.

Section 319(b)(2) of the Federal Election Campaign Act of 1971 (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).''.

H.R. 2356

OFFERED BY: MR. NEY

AMENDMENT NO 25: Amend section 301(20) of the Federal Election Campaign Act of 1971, as proposed to be added by section 101(a) of the bill, to read as follows:

''(20) 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);

''(iii) a public 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 that promotes or supports a candidate for that office, or attacks or opposes a candidate for that office (regardless of whether the communication expressly advocates a vote for or against a candidate); or

''(iv) services provided during any month by an employee of a State, district, or local committee of a political party who spends more than 25 percent of that individual's compensated time during that month on activities in connection with a Federal election.

''(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) a public communication that refers solely to a clearly identified candidate for State or local office, if the communication is not a Federal election activity described in subparagraph (A)(i) or (ii);

''(ii) a contribution to a candidate for State or local office, provided the contribution is not designated to pay for a Federal election activity described in subparagraph (A);

''(iii) the costs of a State, district, or local political convention; and

''(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.

In section 402(b), strike ''At any time after such effective date, the committee may spend such funds for activities which are solely to defray the costs of the construction or purchase of any office building or facility.'' and insert the following: ''At no time after such effective date may the committee spend any such funds for activities to defray the costs of the construction or purchase of any office building or facility.''.

H.R. 2356

OFFERED BY: MR. NEY

[Shays Substitute]

AMENDMENT NO. 26. 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 Citizen Participation Act of 2002''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—SOFT MONEY OF NATIONAL PARTIES

Sec. 101. Restrictions on soft money of national political parties.

TITLE II—MODIFICATION OF CONTRIBUTION LIMITS

Sec. 201. Increase in limits on certain contributions.

Sec. 202. Increase in limits on contributions to State parties.

Sec. 203. Treatment of contributions to national party under aggregate annual limit on individual contributions.

Sec. 204. Exemption of costs of volunteer campaign materials produced and distributed by parties from treatment as contributions and expenditures.

Sec. 205. Indexing.

Sec. 206. Permitting national parties to establish accounts for making expenditures in excess of limits on behalf of candidates facing wealthy opponents.

TITLE III—DISCLOSURE OF ELECTION-RELATED COMMUNICATIONS

Sec. 301. Disclosure of information on communications broadcast prior to election.

Sec. 302. Disclosure of information on targeted mass communications.

TITLE IV—EFFECTIVE DATE

Sec. 401. Effective date.

TITLE I—SOFT MONEY OF NATIONAL PARTIES

SEC. 101. RESTRICTIONS ON SOFT MONEY OF NATIONAL 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 NATIONAL POLITICAL PARTIES

''SEC. 323. (a) PROHIBITING USE OF SOFT MONEY FOR FEDERAL ELECTION ACTIVITY.—A national committee of a political party (including a national congressional campaign committee of a political party) may not solicit, receive, or direct to another person a contribution, donation, or transfer of funds or any other thing of value for Federal election activity, or spend any funds for Federal election activity, that are not subject to the limitations, prohibitions, and reporting requirements of this Act.

''(b) LIMIT ON AMOUNT OF NONFEDERAL FUNDS PROVIDED TO PARTY BY ANY PERSON FOR ANY PURPOSE.—

''(1) LIMIT ON AMOUNT.—No person shall make contributions, donations, or transfers of funds which are not subject to the limitations, prohibitions, and reporting requirements of this Act to a political committee established and maintained by a national political party in any calendar year in an aggregate amount equal to or greater than $20,000.

''(2) PROHIBITING PROVISION OF NONFEDERAL FUNDS BY INDIVIDUALS.—No individual may make any contribution, donation, or transfer of funds which are not subject to the limitations, prohibitions, and reporting requirements of this Act to a political committee established and maintained by a national political party.

''(c) APPLICABILITY.— This subsection shall apply to any political committee established and maintained by a national political party, any officer or agent of such a committee acting on behalf of the committee, and any entity that is directly or indirectly established, maintained, or controlled by such a national committee.

''(d) DEFINITIONS.—

''(1) 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, unless the activity constitutes generic campaign activity;

''(ii) voter identification or get-out-the-vote 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), unless the activity constitutes generic campaign activity;

''(iii) any public communication that refers to or depicts a clearly identified candidate for Federal office (regardless of whether a candidate for State or local office is also mentioned or identified) and that promotes or supports a candidate for that office, or attacks or opposes a candidate for that office (regardless of whether the communication expressly advocates a vote for or against a candidate); or

''(iv) any public communication made by means of any broadcast, cable, or satellite communication.

''(B) EXCEPTION FOR CERTAIN ADMINISTRATIVE ACTIVITIES.—The term 'Federal election activity' does not include any activity relating to establishment, administration, or solicitation costs of a political committee established and maintained by a national political party, so long as the funds used to carry out the activity are derived from funds or payments made to the committee which are segregated and used exclusively to defray the costs of such activities.

''(2) GENERIC CAMPAIGN ACTIVITY.—The term 'generic campaign activity' means any activity that does not mention, depict, or otherwise promote a clearly identified Federal candidate.

''(3) PUBLIC COMMUNICATION.—The term 'public communication' means a communication by means of any broadcast, cable, or satellite communication, newspaper, magazine, outdoor advertising facility, or direct mail.

''(4) DIRECT MAIL.—The term 'direct mail' means a mailing by a commercial vendor or any mailing made from a commercial list.''.

TITLE II—MODIFICATION OF CONTRIBUTION LIMITS

SEC. 201. INCREASE IN LIMITS ON CERTAIN CONTRIBUTIONS.

(a) CONTRIBUTIONS BY COMMITTEES TO NATIONAL PARTIES.—Section 315(a)(2)(B) of such Act (2 U.S.C. 441a(a)(2)(B)) is amended by striking ''$15,000'' and inserting ''$30,000''.

(b) AGGREGATE ANNUAL LIMIT ON CONTRIBUTIONS BY INDIVIDUALS.—Section 315(a)(3) of such Act (2 U.S.C. 441a(a)(3)) is amended by striking ''$25,000'' and inserting ''$37,500''.

SEC. 202. INCREASE IN LIMITS ON CONTRIBUTIONS TO STATE PARTIES.

(a) CONTRIBUTIONS BY INDIVIDUALS.—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 which, in the aggregate, exceed $10,000.''.

(b) CONTRIBUTIONS BY COMMITTEES.—Section 315(a)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(2)) 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 which, in the aggregate, exceed $10,000.''.

SEC. 203. TREATMENT OF CONTRIBUTIONS TO NATIONAL PARTY UNDER AGGREGATE ANNUAL LIMIT ON INDIVIDUAL CONTRIBUTIONS.

Section 315(a)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441(a)(3)) is amended—

(1) by striking ''(3)'' and inserting ''(3)(A)''; and

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

''(B) Subparagraph (A) shall not apply with respect to any contribution made to any political committee established and maintained by a national political party which is not the authorized political committee of any candidate.''.

SEC. 204. EXEMPTION OF COSTS OF VOLUNTEER CAMPAIGN MATERIALS PRODUCED AND DISTRIBUTED BY PARTIES FROM TREATMENT AS CONTRIBUTIONS AND EXPENDITURES.

(a) TREATMENT AS CONTRIBUTIONS.—Section 301(8)(B)(x) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)(B)(x)) is amended by striking ''a State or local committee of a political party of the costs of'' and inserting ''a national, State, or local committee of a political party of the costs of producing and distributing''.

(b) TREATMENT AS EXPENDITURES.—Section 301(9)(B)(viii) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(9)(B)(viii)) is amended by striking ''a State or local committee of a political party of the costs of'' and inserting ''a national, State, or local committee of a political party of the costs of producing and distributing''.

SEC. 205. INDEXING.

Section 315(c) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(c)) is amended—

(1) in paragraph (1)—

(A) by striking the second and third sentences;

(B) by inserting ''(A)'' before ''At the beginning''; and

(C) by adding at the end the following:

''(B) Except as provided in subparagraph (C), in any calendar year after 2002—

''(i) a limitation established by subsections (a), (b), (d), or (h) shall be increased by the percent difference determined under subparagraph (A);

''(ii) each amount so increased shall remain in effect for the calendar year; and

''(iii) if any amount after adjustment under clause (i) is not a multiple of $100, such amount shall be rounded to the nearest multiple of $100.

''(C) In the case of limitations under subsections (a) and (h), increases shall only be made in odd-numbered years and such increases shall remain in effect for the 2-year period beginning on the first day following the date of the last general election in the year preceding the year in which the amount is increased and ending on the date of the next general election.''; and

(2) in paragraph (2)(B), by striking ''means the calendar year 1974'' and inserting ''means—

''(i) for purposes of subsections (b) and (d), calendar year 1974; and

''(ii) for purposes of subsections (a) and (h), calendar year 2001''.

SEC. 206. PERMITTING NATIONAL PARTIES TO ESTABLISH ACCOUNTS FOR MAKING EXPENDITURES IN EXCESS OF LIMITS ON BEHALF OF CANDIDATES FACING WEALTHY OPPONENTS.

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

''(4)(A) Subject to subparagraph (B), the national committee of a political party may make expenditures in connection with the general election campaign of a candidate for Federal office (other than a candidate for President) who is affiliated with such party in an amount in excess of the limit established under paragraph (3) if—

''(i) the candidate's opponent in the general election campaign makes expenditures of personal funds in connection with the campaign in an amount in excess of $100,000 (as provided in the notifications submitted under section 304(a)(6)(B)); and

''(ii) the expenditures are made from a separate account of the party used exclusively for making expenditures pursuant to this paragraph.

''(B) The amount of expenditures made in accordance with subparagraph (A) by the national committee of a political party in connection with the general election campaign of a candidate may not exceed the amount of expenditures of personal funds made by the candidate's opponent in connection with the campaign (as provided in the notifications submitted under section 304(a)(6)(B)).''.

(b) WAIVER OF LIMITS ON CONTRIBUTIONS TO ACCOUNTS.—Section 315(a) of such Act (2 U.S.C. 441a(a)) is amended by adding at the end the following new paragraph:

''(9) The limitations imposed by paragraphs (1)(B), (2)(B), and (3) shall not apply with respect to contributions made to the national committee of a political party which are designated by the donor to be deposited solely into the account established by the party under subsection (d)(4).''.

(c) NOTIFICATION OF EXPENDITURES OF PERSONAL FUNDS.—Section 304(a)(6) of such Act (2 U.S.C. 434(a)(6)) is amended—

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

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

''(B)(i) The principal campaign committee of a candidate (other than a candidate for President) shall submit the following notifications relating to expenditures of personal funds by such candidate (including contributions by the candidate or the candidate's spouse to such committee and funds derived from loans made by the candidate or the candidate's spouse to such committee):

''(I) A notification of the first such expenditure (or contribution) by which the aggregate amount of personal funds expended (or contributed) with respect to an election exceeds $100,000.

''(II) After the notification is made under subclause (I), a notification of each such subsequent expenditure (or contribution) which, taken together with all such subsequent expenditures (and contributions) in any amount not included in the most recent report under this subparagraph, totals $5,000 or more.

''(ii) Each of the notifications submitted under clause (i)—

''(I) shall be submitted not later than 24 hours after the expenditure or contribution which is the subject of the notification is made;

''(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; and

''(III) shall include the total amount of all such expenditures and contributions made with respect to the same election as of the date of expenditure or contribution which is the subject of the notification.''.

TITLE III—DISCLOSURE OF ELECTION-RELATED COMMUNICATIONS

SEC. 301. DISCLOSURE OF INFORMATION ON COMMUNICATIONS BROADCAST PRIOR TO ELECTION.

Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) is amended by

adding at the end the following new subsection:

''(e) DISCLOSURE OF INFORMATION ON CERTAIN COMMUNICATIONS BROADCAST PRIOR TO ELECTIONS.—

''(1) IN GENERAL.—Any person who makes a disbursement for a communication described in paragraph (3) shall, not later than 24 hours after making the disbursement, file with the Commission a statement containing the information required under paragraph (2).

''(2) CONTENTS OF STATEMENT.—Each statement required to be filed under this subsection shall be made under penalty of perjury and shall contain the following information:

''(A) The identification of the person making the disbursement, of any individual or entity sharing or exercising direction or control over the activities of such person, and of the custodian of the books and accounts of the person making the disbursement.

''(B) The principal place of business and phone number of the person making the disbursement, if not an individual.

''(C) The amount of the disbursement.

''(D) The clearly identified candidate or candidates to which the communication pertains and the names (if known) of the candidates identified or to be identified in the communication.

''(E) The text of the communication involved.

''(3) COMMUNICATIONS DESCRIBED.—

''(A) IN GENERAL.—A communication described in this paragraph is any communication—

''(i) which is disseminated to the public by means of any broadcast, cable, or satellite communication during the 120-day period ending on the date of a Federal election; and

''(ii) which mentions a clearly identified candidate for such election (by name, image, or likeness).

''(B) EXCEPTION.—A communication is not described in this paragraph if—

''(i) the communication appears in a news story, commentary, or editorial distributed through the facilities of any broadcasting station, unless such facilities are owned or controlled by any political party, political committee, or candidate; or

''(ii) the communication constitutes an expenditure under this Act.

''(4) COORDINATION WITH OTHER REQUIREMENTS.—Any requirement to file a statement under this subsection shall be in addition to any other reporting requirement under this Act.

''(5) CLARIFICATION OF TREATMENT OF VENDORS.—A person shall not be considered to have made a disbursement for a communication under this subsection if the person made the disbursement solely as a vendor acting pursuant to a contractual agreement with the person responsible for sponsoring the communication.''.

SEC. 302. DISCLOSURE OF INFORMATION ON TARGETED MASS COMMUNICATIONS.

Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434), as amended by section 301, is further amended by adding at the end the following new subsection:

''(f) DISCLOSURE OF INFORMATION ON TARGETED MASS COMMUNICATIONS.—

''(1) IN GENERAL.—Any person who makes a disbursement for targeted mass communications in an aggregate amount in excess of $50,000 during any calendar year shall, within 24 hours of each disclosure date, file with the Commission a statement containing the information described in paragraph (2).

''(2) CONTENTS OF STATEMENT.—Each statement required to be filed under this subsection shall be made under penalty of perjury and shall contain the following information:

''(A) The identification of the person making the disbursement, of any individual or entity sharing or exercising direction or control over the activities of such person, and of the custodian of the books and accounts of the person making the disbursement.

''(B) The principal place of business and phone number of the person making the disbursement, if not an individual.

''(C) The amount of each such disbursement of more than $200 made by the person during the period covered by the statement and the identification of the person to whom the disbursement was made.

''(D) The clearly identified candidate or candidates to which the communication pertains and the names (if known) of the candidates identified or to be identified in the communication.

''(E) The text of the communication involved.

''(3) TARGETED MASS COMMUNICATION DEFINED.—

''(A) IN GENERAL.—In this subsection, the term 'targeted mass communication' means any communication—

''(i) which is disseminated during the 120-day period ending on the date of a Federal election;

''(ii) which refers to or depicts a clearly identified candidate for such election (by name, image, or likeness); and

''(iii) which is targeted to the relevant electorate.

''(B) TARGETING TO RELEVANT ELECTORATE.—

''(i) BROADCAST COMMUNICATIONS.—For purposes of this paragraph, a communication disseminated to the public by means of any broadcast, cable, or satellite communication which refers to or depicts a clearly identified candidate for Federal office is 'targeted to the relevant electorate' if the communication is disseminated by a broadcaster whose audience includes—

''(I) a substantial number of residents of the district the candidate seeks to represent (as determined in accordance with regulations of the Commission), in the case of a candidate for Representative in, or Delegate or Resident Commissioner to, the Congress; or

''(II) a substantial number of residents of the State the candidate seeks to represent (as determined in accordance with regulations of the Commission), in the case of a candidate for Senator.

''(ii) OTHER COMMUNICATIONS.—For purposes of this paragraph, a communication which is not described in clause (i) which refers to or depicts a clearly identified candidate for Federal office is 'targeted to the relevant electorate' if—

''(I) more than 10 percent of the total number of intended recipients of the communication are members of the electorate involved with respect to such Federal office; or

''(II) more than 10 percent of the total number of members of the electorate involved with respect to such Federal office receive the communication.

''(C) EXCEPTIONS.—The term 'targeted mass communication' does not include—

''(i) a communication appearing in a news story, commentary, or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication, unless such facilities are owned or controlled by any political party, political committee, or candidate;

''(ii) a communication made by any membership organization (including a labor organization) or corporation solely to its members, stockholders, or executive or administrative personnel, if such membership organization or corporation is not organized primarily for the purpose of influencing the nomination for election, or election, of any individual to Federal office; or

''(iii) a communication which constitutes an expenditure under this Act.

''(4) DISCLOSURE DATE.—For purposes of this subsection, the term 'disclosure date' means—

''(A) the first date during any calendar year by which a person has made disbursements for targeted mass communications aggregating in excess of $50,000; and

''(B) any other date during such calendar year by which a person has made disbursements for targeted mass communications aggregating in excess of $50,000 since the most recent disclosure date for such calendar year.

''(5) COORDINATION WITH OTHER REQUIREMENTS.—Any requirement to report under this subsection shall be in addition to any other reporting requirement under this Act.

''(6) CLARIFICATION OF TREATMENT OF VENDORS.—A person shall not be considered to have made a disbursement for a communication under this subsection if the person made the disbursement solely as a vendor acting pursuant to a contractual agreement with the person responsible for sponsoring the communication.''.

TITLE IV—EFFECTIVE DATE

SEC. 401. EFFECTIVE DATE.

The amendments made by this Act shall take effect on the date of the enactment of this Act.

H.R. 2356

OFFERED BY: ____

[Shays Substitute]

AMENDMENT NO. 27: Add at the end title II the following new subtitle:

Subtitle C—Exemption of Communications Pertaining to the Second Amendment of the Constitution

SEC. 221. FINDINGS.

Congress finds the following:

(1) The Second Amendment to the United States Constitution protects the right of individual persons to keep and bear arms.

(2) There are more than 60,000,000 gun owners in the United States.

(3) The Second Amendment to the Constitution of the United States protects the right of Americans to carry firearms in defense of themselves and others.

(4) The United States Court of Appeals in *U.S. v. Emerson* reaffirmed the fact that the right to keep and bear arms is an individual right protected by the Constitution.

(5) Americans who are concerned about threats to their ability to keep and bear arms have the right to petition their government.

(6) The Supreme Court, in *U.S. v. Cruikshank* (92 U.S. 542, 1876) recognized that the right to arms preexisted the Constitution. The Court stated that the right to arms ''is not a right granted by the Constitution. Neither is it in any manner dependent upon that instrument for its existence.''.

(7) In *Beard v. United States* (158 U.S. 550, 1895) the Court approved the common-law rule that a person ''may repel force by force'' in self-defense, and concluded that when attacked a person ''was entitled to stand his ground and meet any attack made upon him with a deadly weapon, in such a way and with such force'' as needed to prevent ''great bodily injury or death''. The laws of all 50 states, and the constitutions of most States, recognize the right to use armed force in self-defense.

(8) In order to protect Americans' constitutional rights under the Second Amendment, the First Amendment provides the ability for citizens to address the Government.

(9) The First Amendment to the United States Constitution states that, ''Congress

shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or of the right of the people to peaceably assemble, and to petition the Government for a redress of grievances.''.

(10) The Supreme Court recognized and emphasized the importance of free speech rights in *Buckley v. Valeo*, where it stated, ''A restriction on the amount of money a person or group can spend on political communication during a campaign necessarily reduces the quantity of expression by restricting the number of issues discussed, the depth of their exploration, and the size of the audience reached. This is because virtually every means of communicating ideas in today's mass society requires the expenditure of money. The distribution of the humblest handbill or leaflet entails printing, paper, and circulation costs. Speeches and rallies generally necessitate hiring a hall and publicizing the event. The electorate's increasing dependence on television, radio, and other mass media for news and information has made these expensive modes of communication indispensable instruments of effective political speech.''.

(11) In response to the relentlessly repeated claim that campaign spending has skyrocketed and should be legislatively restrained, the *Buckley* Court stated that the First Amendment denied the government the power to make that determination: ''In the free society ordained by our Constitution, it is not the government but the people—individually as citizens and candidates and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign.''.

(12) In *Buckley*, the Court also stated, ''The concept that government may restrict the speech of some elements of our society in order to enhance the relative voice of others is wholly foreign to the First Amendment, which was designed 'to secure the widest possible dissemination of information from diverse and antagonistic sources,' and 'to assure unfettered exchange of ideas for the bringing about of political and societal changes desired by the people' ″.

(13) Citizens who have an interest in issues about or related to the Second Amendment of the Constitution have the Constitutional right to criticize or praise their elected officials individually or collectively as a group. Communications in the form of criticism or praise of elected officials is preciously protected as free speech under the First Amendment of the Constitution of the United States.

(14) This title contains restrictions on the rights of citizens, either individually or collectively, to communicate with or about their elected representatives and to the general public. Such restrictions would stifle and suppress individual and group advocacy pertaining to politics and government—the political expression at the core of the electoral process and of First Amendment freedoms—the very engine of democracy. Such restrictions also hinder citizens' ability to communicate their support or opposition on issues concerning the right to keep and bear arms to their elected officials and the general public.

(15) Candidate campaigns and issue campaigns are the primary vehicles for giving voice to popular grievances, raising issues and proposing solutions. An election, and the time leading up to it, is when political speech should be at its most robust and unfettered.

SEC. 222. EXEMPTION FOR COMMUNICATIONS PERTAINING TO THE SECOND AMENDMENT OF THE CONSTITUTION.

None of the restrictions or requirements contained in this title shall apply to any form or mode of communication to the public that consists of information or commentary regarding the statements, actions, positions, or voting records of any person who holds congressional or other Federal office, or who is a candidate for congressional or other Federal office, on any matter pertaining to the Second Amendment.

H.R. 2356

OFFERED BY: ____

[Shays Substitute]

AMENDMENT NO. 28: Add at the end of title II the following new subtitle:

Subtitle C—Exemption of Communications Pertaining to Veterans, Military Personnel, or Seniors

SEC. 221. FINDINGS.

Congress finds the following:

(1) More than 42,000,000 men and women have served in the United States Armed Forces from the Revolution onward and more than 25 million are still living. Living veterans and their families, plus the living dependents of deceased veterans, constitute a significant part of the present United States population.

(2) American veterans are black and they are white; they are of every race and ethnic heritage. They are men, and they are women. They are Christians, they are Muslims, they are Jews. They are fathers, mothers, sisters, brothers, sons and daughters. They are neighbors, down the street or right next door. They are teachers in our schools, they are factory workers. They are Americans living today who served in the armed services, and they are the more than 1,000,000 who have died in America's wars.

(3) America's veterans are men and women who have fought to protect the United States against foreign aggressors as Soldiers, Sailors, Airmen, Coast Guardsmen and Marines. The members of our elite organization are those who have discharged their very special obligation of citizenship as servicemen and women, and who today continue to expend great time, effort and energy in the service of their fellow veterans and their communities.

(4) There is a bond joining every veteran from every branch of the service. Whether drafted or enlisted, commissioned or noncommissioned, each took an oath, lived by a code, and stood ready to fight and die for their country.

(5) American men and women in uniform risk their lives on a daily basis to defend our freedom and democracy. Americans have always believed that there are values worth fighting for—values and liberties upon which America was founded and which we have carried forward for more than 225 years, that men and women of this great nation gave their lives to preserve.

(6) It is the sacrifice borne by generations of American veterans that has made us strong and has rendered us the beacon of freedom guiding the course of nations throughout the world. American veterans have fought for freedom for Americans, as well as citizens throughout the world. They have helped to defend and preserve the values of freedom of speech, democracy, voting rights, human rights, equal access and the rights of the individual—those values felt and nurtured on every continent in our world.

(7) The freedoms and opportunities we enjoy today were bought and paid for with their devotion to duty and their sacrifices. We can never say it too many times: We are the benefactors of their sacrifice, and we are grateful.

(8) Of the 25,000,000 veterans currently alive, nearly three of every four served during a war or an official period of hostility. About a quarter of the Nation's population—approximately 70,000,000 people—are potentially eligible for Veterans' Administration benefits and services because they are veterans, family members or survivors of veterans.

(9) The present veteran population is estimated at 25,600,000, as of July 1, 1997. Nearly 80 of every 100 living veterans served during defined periods of armed hostilities. Altogether, almost one-third of the nation's population-approximately 70,000,000 persons who are veterans, dependents and survivors of deceased veterans—are potentially eligible for Veterans' Administration benefits and services.

(10) Care for veterans and dependents spans centuries. The last dependent of a Revolutionary War veteran died in 1911; the War of 1812's last dependent died in 1946; the Mexican War's, in 1962.

(11) The Veterans' Administration health care system has grown from 54 hospitals in 1930, to include 171 medical centers; more than 350 outpatient, community, and outreach clinics; 126 nursing home care units; and 35 domiciliaries. Veterans' Administration health care facilities provide a broad spectrum of medical, surgical, and rehabilitative care.

(12) World War II resulted in not only a vast increase in the veteran population, but also in large number of new benefits enacted by the Congress for veterans of the war. The World War II GI Bill, signed into law on June 22, 1944, is said to have had more impact on the American way of life than any law since the Homestead Act more than a century ago.

(13) About 2,700,000 veterans receive disability compensation or pensions from VA. Also receiving Veterans' Administration benefits are 592,713 widows, children and parents of deceased veterans. Among them are 133,881 survivors of Vietnam era veterans and 295,679 survivors of World War II veterans. In fiscal year 2001, Veterans' Administration planned to spend $22,000,000,000 yearly in disability compensation, death compensation and pension to 3,200,000 people.

(14) Veterans' Administration manages the largest medical education and health professions training program in the United States. Veterans' Administration facilities are affiliated with 107 medical schools, 55 dental schools and more than 1,200 other schools across the country. Each year, about 85,000 health professionals are trained in Veterans' Administration medical centers. More than half of the physicians practicing in the United States have had part of their professional education in the Veterans' Administration health care system.

(15) 75 percent of Veterans' Administration researchers are practicing physicians. Because of their dual roles, Veterans' Administration research often immediately benefits patients. Functional electrical stimulation, a technology using controlled electrical current to activate paralyzed muscles, is being developed at Veterans' Administration clinical facilities and laboratories throughout the country. Through this technology, paraplegic patients have been able to stand and, in some instances, walk short distances and climb stairs. Patients with quadriplegia are able to use their hands to grasp objects.

(16) There are more than 35,000,000 persons in the United States aged 65 and over.

(17) Seniors are a diverse population, each member having his or her own political and economic issues.

(18) Seniors and their families have many important issues for which they seek congressional action. Some of these issues include, but are not limited to, health care, Social Security, and taxes.

(19) The First Amendment to the United States Constitution states that, ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or of the right of the people to peaceably assemble, and to petition the Government for a redress of grievances.''.

(20) The Supreme Court recognized and emphasized the importance of free speech rights in *Buckley v. Valeo*, where it stated, ''A restriction on the amount of money a person or group can spend on political communication during a campaign necessarily reduces the quantity of expression by restricting the number of issues discussed, the depth of their exploration, and the size of the audience reached. This is because virtually every means of communicating ideas in today's mass society requires the expenditure of money. The distribution of the humblest handbill or leaflet entails printing, paper, and circulation costs. Speeches and rallies generally necessitate hiring a hall and publicizing the event. The electorate's increasing dependence on television, radio, and other mass media for news and information has made these expensive modes of communication indispensable instruments of effective political speech.''.

(21) In response to the relentlessly repeated claim that campaign spending has skyrocketed and should be legislatively restrained, the *Buckley* Court stated that the First Amendment denied the government the power to make that determination: ''In the free society ordained by our Constitution, it is not the government but the people—individually as citizens and candidates and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign.''.

(22) In *Buckley*, the Court also stated, ''The concept that government may restrict the speech of some elements of our society in order to enhance the relative voice of others is wholly foreign to the First Amendment, which was designed 'to secure the widest possible dissemination of information from diverse and antagonistic sources,' and 'to assure unfettered exchange of ideas for the bringing about of political and societal changes desired by the people' ''.

(23) Citizens who have an interest in issues about or related to veterans, military personnel, seniors, and their families have the Constitutional right to criticize or praise their elected officials individually or collectively as a group. Communications in the form of criticism or praise of elected officials is preciously protected as free speech under the First Amendment of the Constitution of the United States.

(24) This title contains restrictions on the rights of citizens, either individually or collectively, to communicate with or about their elected representatives and to the general public. Such restrictions would stifle and suppress individual and group advocacy pertaining to politics and government—the political expression at the core of the electoral process and of First Amendment freedoms—the very engine of democracy. Such restrictions also hinder citizens' ability to communicate their support or opposition on issues concerning veterans, military personnel, seniors, and their families to their elected officials and the general public.

(25) Candidate campaigns and issue campaigns are the primary vehicles for giving voice to popular grievances, raising issues and proposing solutions. An election, and the time leading up to it, is when political speech should be at its most robust and unfettered.

SEC. 222. EXEMPTION FOR COMMUNICATIONS PERTAINING TO VETERANS, MILITARY PERSONNEL, OR SENIORS.

None of the restrictions or requirements contained in this title or the amendments made by this title shall apply to any form or mode of communication to the public that consists of information or commentary regarding the statements, actions, positions, or voting records of any individual who holds congressional or other Federal office, or who is a candidate for congressional or other Federal office, on any matter pertaining to veterans, military personnel, or senior citizens, or to the immediate family members of veterans, military personnel, or senior citizens.

H.R. 2356

OFFERED BY: ____

[Shays Substitute]

AMENDMENT NO. 29. Amend section 402 to read as follows:

SEC. 402. EFFECTIVE DATE.

(a) IN GENERAL.—Except as otherwise provided in this Act, this Act and the amendments made by this Act shall take effect February 14, 2002.

(b) TRANSITION RULE FOR SPENDING OF FUNDS BY NATIONAL PARTIES.—If a national committee of a political party described in section 323(a)(1) of the Federal Election Campaign Act of 1971 (as added by section 101(a)), including any person who is subject to such section, has received funds described in such section prior to the effective date described in subsection (a) which remain unexpended as of such date, the committee shall return the funds on a pro rata basis to the persons who provided the funds to the committee.

H.R. 2356

OFFERED BY: ____

[Shays Substitute]

AMENDMENT NO. 30. Add at the end of title II the following new subtitle:

Subtitle C—Exemption of Communications Pertaining to Workers, Farmers, Families, and Individuals

SEC. 221. FINDINGS.

Congress finds the following:

(1) There are approximately 138 million people employed in the United States.

(2) Thousands of organizations and associations represent these employed persons and their employers in numerous forms and forums, not least of which is by participating in our electoral and political system in a number of ways, including informing citizens of key votes that affect their common interests, criticizing and praising elected officials for their position on issues, contributing to candidates and political parties, registering voters, and conducting get-out-the-vote activities.

(3) The rights of American workers to bargain collectively are protected by their First Amendment to the Constitution and by provisions in the National Labor Relations Act. Federal law guarantees the rights of workers to choose whether to bargain collectively through a union.

(4) Fourteen percent of the American workforce has chosen to affiliate with a labor union. Federal law allows workers and unions the opportunity to combine strength and to work together to seek to improve the lives of America's working families, bring fairness and dignity to the workplace and secure social and economic equity in our nation.

(5) Nearly three quarters of all United States business firms have no payroll. Most are self-employed persons operating unincorporated businesses, and may or may not be the owner's principal source of income.

(6) Minorities owned fewer than 7 percent of all United States firms, excluding C corporations, in 1982, but this share soared to about 15 percent by 1997. Minorities owned more than 3 million businesses in 1997, of which 615,222 had paid employees, generated more than $591 billion in revenues, created more than 4.5 million jobs, and provided about $96 billion in payroll to their workers.

(7) In 1999, women made up 46 percent of the labor force. The labor force participation rate of American women was the highest in the world.

(8) Labor/Worker unions represent 16 million working women and men of every race and ethnicity and from every walk of life.

(9) In recent years, union members and their families have mobilized in growing numbers. In the 2000 election, 26 percent of the nation's voters came from union households.

(10) According to the 2000 census, total United States families were totaled at over 105 million.

(11) In 2000, there were 8.7 million African American families.

(12) Asians have larger families than other groups. For example, the average Asian family size is 3.6 persons, as opposed to an average Caucasian family of 3.1 persons.

(13) American farmers, ranchers, and agricultural managers direct the activities of the world's largest and most productive agricultural sectors. They produce enough food and fiber to meet the needs of the United States and produce a surplus for export.

(14) About 17 percent of raw United States agricultural products are exported yearly, including 83 million metric tons of cereal grains, 1.6 billion pounds of poultry, and 1.4 million metric tons of fresh vegetables.

(15) One-fourth of the world's beef and nearly one-fifth of the world's grain, milk, and eggs are produced in the United States.

(16) With 96 percent of the world's population living outside our borders, the world's most productive farmers need access to international markets to compete.

(17) Every State benefits from the income generated from agricultural exports. 19 States have exports of $1 billion or more.

(18) America's total on United States exports is $49.1 billion and the number of imports is $37.5 billion.

(19) By itself, farming-production agriculture-contributed $60.4 billion toward the national GDP (Gross Domestic Product).

(20) Farmers and ranchers provide food and habitat for 75 percent of the Nation's wildlife.

(21) More than 23 million jobs-17 percent of the civilian workforce-are involved in some phase of growing and getting our food and clothing to us. America now has fewer farmers, but they are producing now more than ever before.

(22) Twenty-two million American workers process, sell, and trade the Nation's food and fiber. Farmers and ranchers work with the Department of Agriculture to produce healthy crops while caring for soil and water.

(23) By February 8, the 39th day of 2002, the average American has earned enough to pay for their family's food for the entire year. In 1970 it took 12 more days than it does now to earn a full food pantry for the year. Even in 1980 it took 10 more days—49 total days—of earning to put a year's supply of food on the table.

(24) Farmers are facing the 5th straight year of the lowest real net farm income since the Great Depression. Last October, prices farmers received made their sharpest drop since United States Department of Agriculture began keeping records 91 years ago.

During this same period the cost of production has hit record highs.

(25) The First Amendment to the United States Constitution states that, ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or of the right of the people to peaceably assemble, and to petition the Government for a redress of grievances.''.

(26) The Supreme Court recognized and emphasized the importance of free speech rights in *Buckley v. Valeo*, where it stated, ''A restriction on the amount of money a person or group can spend on political communication during a campaign necessarily reduces the quantity of expression by restricting the number of issues discussed, the depth of their exploration, and the size of the audience reached. This is because virtually every means of communicating ideas in today's mass society requires the expenditure of money. The distribution of the humblest handbill or leaflet entails printing, paper, and circulation costs. Speeches and rallies generally necessitate hiring a hall and publicizing the event. The electorate's increasing dependence on television, radio, and other mass media for news and information has made these expensive modes of communication indispensable instruments of effective political speech.''.

(27) In response to the relentlessly repeated claim that campaign spending has skyrocketed and should be legislatively restrained, the *Buckley* Court stated that the First Amendment denied the government the power to make that determination: ''In the free society ordained by our Constitution, it is not the government but the people—individually as citizens and candidates and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign.''.

(28) In *Buckley*, the Court also stated, ''The concept that government may restrict the speech of some elements of our society in order to enhance the relative voice of others is wholly foreign to the First Amendment, which was designed 'to secure the widest possible dissemination of information from diverse and antagonistic sources,' and 'to assure unfettered exchange of ideas for the bringing about of political and societal changes desired by the people' ″.

(29) Citizens who have an interest in issues about or related to their lives have the Constitutional right to criticize or praise their elected officials individually or collectively as a group. Communications in the form of criticism or praise of elected officials is preciously protected as free speech under the First Amendment of the Constitution of the United States.

(30) This title contains restrictions on the rights of citizens, either individually or collectively, to communicate with or about their elected representatives and to the general public. Such restrictions would stifle and suppress individual and group advocacy pertaining to politics and government—the political expression at the core of the electoral process and of First Amendment freedoms—the very engine of democracy.

(31) Candidate campaigns and issue campaigns are the primary vehicles for giving voice to popular grievances, raising issues and proposing solutions. An election, and the time leading up to it, is when political speech should be at its most robust and unfettered.

SEC. 222. EXEMPTION FOR COMMUNICATIONS PERTAINING TO WORKERS, FARMERS, FAMILIES, AND INDIVIDUALS.

None of the restrictions or requirements contained in this title or the amendments made by this title shall apply to any form or mode of communication to the public that consists of information or commentary regarding the statements, actions, positions, or voting records of any individual who holds congressional or other Federal office, or who is a candidate for congressional or other Federal office, on any matter pertaining to any individual.

H.R. 2356

OFFERED BY: ____

[Shays Substitute]

AMENDMENT NO. 31. Add at the end title II the following new subtitle:

Subtitle C—Exemption of Communications Pertaining to Civil Rights and issues affecting minorities.

SEC. 221. FINDINGS.

Congress finds the following:

(1) More than 70 million people in the United States belong to a minority race.

(2) More than 34 million people in the United States are African American, 35 million are Hispanic or Latino, 10 million are Asian, and 2 million are American Indian or Alaska Native.

(3) Minorities account for around 24 percent of the U.S. workforce.

(4) Minorities, who owned fewer than 7 percent of all U.S. firms in 1982, now own more than 15 percent. Minorities owned more than 3 million businesses in 1997, of which 615,222 had paid employees, generated more than $591 billion in revenues, created more than 4.5 million jobs, and provided about $96 billion in payroll to their workers.

(5) Self-employment as a share of each group's nonagricultural labor force (averaged over the 1991–1999 decade) was White, 9.7 percent; African American, 3.8 percent; American Indian, Eskimo, or Aleut, 6.4 percent; and Asian or Pacific Islander, 10.1 percent.

(6) Of U.S. businesses, 5.8 percent were owned by Hispanic Americans, 4.4 percent by Asian Americans, 4.0 percent by African Americans, and 0.9 percent by American Indians.

(7) Of the 4,514,699 jobs in minority-owned businesses in 1997, 48.8 percent were in Asian-owned firms, 30.8 percent in Hispanic-owned firms, 15.9 percent in African American-owned firms, and 6.6 percent in American Native-owned firms.

(8) Minority-owned firms had about $96 billion in payroll in 1997. The average payroll per employee was roughly $21,000 in the major minority groups and ranged from just under $15,000 to just over $27,000 in various subgroups of the minority population.

(9) African Americans were the only race or ethnic group to show an increase in voter participation in congressional elections, increasing their presence at the polls from 37 percent in 1994 to 40 percent in 1998. Nationwide, overall turnout by the voting-age population was down from 45 percent in 1994 to 42 percent in 1998.

(10) In 2000, there were 8.7 million African American families. The United States had 96,000 African American engineers, 41,000 African American physicians and 47,000 African American lawyers in 1999.

(11) The number of Asians and Pacific Islanders voting in congressional elections increased by 366,000 between 1994 and 1998.

(12) Businesses owned by Asians and Pacific Islanders made up 4 percent of the nation's 20.8 million nonfarm businesses.

(13) Asians tend to have larger families - the average family size is 3.6 persons, as opposed to an average Caucasian family of 3.1 persons.

(14) The First Amendment to the United States Constitution states that, ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or of the right of the people to peaceably assemble, and to petition the Government for a redress of grievances.''.

(15) The Supreme Court recognized and emphasized the importance of free speech rights in *Buckley v. Valeo*, where it stated, ''A restriction on the amount of money a person or group can spend on political communication during a campaign necessarily reduces the quantity of expression by restricting the number of issues discussed, the depth of their exploration, and the size of the audience reached. This is because virtually every means of communicating ideas in today's mass society requires the expenditure of money. The distribution of the humblest handbill or leaflet entails printing, paper, and circulation costs. Speeches and rallies generally necessitate hiring a hall and publicizing the event. The electorate's increasing dependence on television, radio, and other mass media for news and information has made these expensive modes of communication indispensable instruments of effective political speech.''.

(16) In response to the relentlessly repeated claim that campaign spending has skyrocketed and should be legislatively restrained, the *Buckley* Court stated that the First Amendment denied the government the power to make that determination: ''In the free society ordained by our Constitution, it is not the government but the people—individually as citizens and candidates and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign.''.

(17) In *Buckley*, the Court also stated, ''The concept that government may restrict the speech of some elements of our society in order to enhance the relative voice of others is wholly foreign to the First Amendment, which was designed 'to secure the widest possible dissemination of information from diverse and antagonistic sources,' and 'to assure unfettered exchange of ideas for the bringing about of political and societal changes desired by the people' ''.

(18) Citizens who have an interest in issues about or related to civil rights have the Constitutional right to criticize or praise their elected officials individually or collectively as a group. Communications in the form of criticism or praise of elected officials is preciously protected as free speech under the First Amendment of the Constitution of the United States.

(19) This title contains restrictions on the rights of citizens, either individually or collectively, to communicate with or about their elected representatives and to the general public. Such restrictions would stifle and suppress individual and group advocacy pertaining to politics and government—the political expression at the core of the electoral process and of First Amendment freedoms—the very engine of democracy. Such restrictions also hinder citizens' ability to communicate their support or opposition on issues concerning civil rights to their elected officials and the general public.

(20) Candidate campaigns and issue campaigns are the primary vehicles for giving voice to popular grievances, raising issues and proposing solutions. An election, and the time leading up to it, is when political speech should be at its most robust and unfettered.

SEC. 222. EXEMPTION FOR COMMUNICATIONS PERTAINING TO CIVIL RIGHTS AND ISSUES AFFECTING MINORITIES.

None of the restrictions or requirements contained in this title or the amendments made by this title shall apply to any form or

mode of communication to the public that consists of information or commentary regarding the statements, actions, positions, or voting records of any individual who holds congressional or other Federal office, or who is a candidate for congressional or other Federal office, on any matter pertaining to civil rights and issues affecting minorities.

H.R. 2356

OFFERED BY: ____

[Shays Substitute]

AMENDMENT NO. 32: Add at the end the following title:

TITLE VI—NO RESTRICTIONS ON FIRST AMENDMENT RIGHTS

SEC. 601. FINDINGS.

Congress finds the following:

(1) The First Amendment to the United States Constitution states that, ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or of the right of the people to peaceably assemble, and to petition the Government for a redress of grievances.''

(2) The First Amendment affords the broadest protection to such political expression in order ''to assure [the] unfettered interchange of ideas for the bringing about of political and social changes desired by the people. *Roth v. United States*, 354 U.S. 476, 484 (1957).

(3) According to *Mills v. Alabama*, 384 U.S. 214, 218 (1966), there is practically universal agreement that a major purpose of that Amendment was to protect the free discussion of governmental affairs, ''...of course including[ing] discussions of candidates...''.

(4) According to *New York Times Co. v. Sullivan*, 376 U.S. 254, 270 (1964), the First Amendment reflects our ''profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open''. In a republic where the people are sovereign, the ability of the citizenry to make informed choices among candidates for office is essential, for the identities of those who are elected will inevitably shape the course that we follow as a nation.

(5) The First Amendment protects political association as well as political expression. The constitutional right of association explicated in *NAACP v. Alabama*, 357 U.S. 449, 460 (1958), stemmed from the Court's recognition that ''[e]ffective advocacy of both public and private points of view, particularly controversial ones, is undeniably enhanced by group association.'' Subsequent decisions have made clear that the First and Fourteenth Amendments guarantee ''freedom to associate with others for the common advancement of political beliefs and ideas,'' a freedom that encompasses '''[t]he right to associate with the political party of one's choice.''' *Kusper v. Pontikes*, 414 U.S. 51, 56, 57, quoted in *Cousins v. Wigoda*, 419 U.S. 477, 487 (1975).

(6) In *Buckley v. Valeo*, the Supreme Court stated, ''A restriction on the amount of money a person or group can spend on political communication during a campaign necessarily reduces the quantity of expression by restricting the number of issues discussed, the depth of their exploration, and the size of the audience reached. This is because virtually every means of communicating ideas in today's mass society requires the expenditure of money. The distribution of the humblest handbill or leaflet entails printing, paper, and circulation costs. Speeches and rallies generally necessitate hiring a hall and publicizing the event. The electorate's increasing dependence on television, radio, and other mass media for news and information has made these expensive modes of communication indispensable instruments of effective political speech.''.

(7) In response to the relentlessly repeated claim that campaign spending has skyrocketed and should be legislatively restrained, the *Buckley* Court stated that the First Amendment denied the government the power to make that determination: ''In the free society ordained by our Constitution, it is not the government but the people—individually as citizens and candidates and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign.''.

(8) In *Buckley*, the Court also stated, ''The concept that government may restrict the speech of some elements of our society in order to enhance the relative voice of others is wholly foreign to the First Amendment, which was designed 'to secure the widest possible dissemination of information from diverse and antagonistic sources,' and 'to assure unfettered exchange of ideas for the bringing about of political and societal changes desired by the people' ''.

(9) The courts of the United States have consistently reaffirmed and applied the teachings of *Buckley*, striking down such government overreaching. The courts of the United States have consistently upheld the rights of the citizens of the United States, candidates for public office, political parties, corporations, labor unions, trade associations, non-profit entities, among others. Such decisions provide a very clear line as to what the government can and cannot do with respect to the regulation of campaigns. See *Federal Election Comm'n v. Massachusetts Citizens for Life, Inc.*, 479 U.S. 238 (1986); *Federal Election Comm'n v. National Conservative Political Action Comm.*, 470 U.S. 480 (1985); *California Medical Assn. V. Federal Election Comm'n*, 453 U.S. 182 (1981).

(10) The FEC has lost time and time again in court attempting to move away from the express advocacy bright line test of *Buckley v. Valeo*. In fact, in some cases, the FEC has had to pay fees and costs because the theory is frivolous. *See FEC v. Christian Action Network*, 110 F.3d 1049 (4th Cir. 1997), *aff'g* 894 F. Supp. 946 (W.D.Va. 1995); *Maine Right to Life Comm. v. FEC*, 914 F. Supp. 8 (D.Me. 1996), aff'd 98 F.3d 1 (1st Cir. 1996), *cert. denied*, 118 S. Ct. 52 (1997); *Clifton v. FEC*, 114 F.3d 1309 (1st Cir. 1997); *Faucher v. FEC*, 928 F.2d 468, 472 (1st Cir.), *cert. denied*, 502 U.S. 820 (1991); *FEC v. Colorado Republican Federal Campaign Comm.*, 839 F. Supp. 1448 (D. Co.), *rev'd on other grounds*, 59 F.3d 1015 (10th Cir.), vacated on other grounds, 116 S. Ct. 2309 (1996); *FEC v. Central Long Island Tax Reform Immediately Comm.*, 616 F.2d 45, 53 (2d Cir. 1980); *Minnesota Citizens Concerned for Life, Inc. v. FEC*, 936 F. Supp. 633 (D. Minn. 1996), *aff'd* 113 F.3d 129 (8th Cir. 1997), *reh'g. en banc denied*, 1997 U.S. App. LEXIS 17528; *West Virginians for Life, Inc. v. Smith*, 960 F. Supp. 1036, 1039 (S.D.W.Va. 1996); *FEC v. Survival Education Fund*, 1994 U.S. Dist. Lexis 210 (S.D.N.Y. 1994), *aff'd in part and rev'd in part*, 65 F.3d 285 (2nd Cir. 1995); *FEC v. National Organization for Women*, 713 F. Supp. 428, 433–34 (D.D.C. 1989); *FEC v. American Federation of State, County and Municipal Employees*, 471 F. Supp. 315, 316–17 (D.D.C. 1979). Even the FEC abandoned the ''electioneering communication'' standard soon after the 1996 election due to its vagueness.

(11) The courts have also repeatedly upheld the rights of political party committees. As Justice Kennedy noted: ''The central holding in *Buckley v. Valeo* is that spending money on one's own speech must be permitted, and that this is what political parties do when they make expenditures FECA restricts.'' *Colo. Republican Fed. Campaign Comm. v. Federal Election Comm'n*, 518 U.S. 604, 627 (1996) (J. Kennedy, concurring). Justice Thomas added: ''As applied in the specific context of campaign funding by political parties, the anticorruption rationale loses its force. See Nahra, *Political Parties and the Campaign Finance Laws: Dilemmas, Concerns and Opportunities*, 56 Ford L. Rev. 53, 105–106 (1987). What could it mean for a party to 'corrupt' its candidates or to exercise 'coercive' influence over him? The very aim of a political party is to influence its candidate's stance on issues and, if the candidate takes office or is reelected, his votes. When political parties achieve that aim, that achievement does not, in my view, constitute 'a subversion of the political process.' *Federal Election Comm'n v. NCPAC*, 470 U.S. at 497. For instance, if the Democratic Party spends large sums of money in support of a candidate who wins, takes office, and then implements the Party's platform, that is not corruption; that is successful advocacy of ideas in the political marketplace and representative government in a party system. To borrow a phrase from *Federal Election Comm'n v. NCPAC*, 'the fact that candidates and elected officials may alter or reaffirm their own positions on issues in response to political messages paid for by [political groups] can hardly be called corruption, for one of the essential features of democracy is the presentation of the electorate of varying points of view.' *Id.* at 498. Cf. *Federal Election Comm'n v. MCFL*, 479 U.S. at 263 (suggesting that '[v]oluntary political associations do not...present the specter of corruption').''. *Colo. Republican Fed. Campaign Comm. v. Federal Election Comm'n*, 518 U.S. 604, 647 (1996) (J. Thomas, concurring). Justice Thomas continued: ''The structure of political parties is such that the theoretical danger of those groups actually engaging in quid pro quos with candidates is significantly less than the threat of individuals or other groups doing so. See Nahra, *Political Parties and the Campaign Finance Laws: Dilemmas, Concerns and Opportunities*, 56 Ford L. Rev. 53, 97–98 (1987) (citing F. Sorauf, *Party Politics in America* 15–18 (5th ed. 1984)). American political parties, generally speaking, have numerous members with a wide variety of interests, features necessary for success in majoritarian elections. Consequently, the influence of any one person or the importance of any single issue within a political party is significantly diffused. For this reason, as the Party's amici argue, see Brief for Committee for Party Renewal et al. as Amicus Curiae 16, campaign funds donated by parties are considered to be some of 'the cleanest money in politics.' J. Bibby, *Campaign Finance Reform*, 6 Commonsense 1, 10 (Dec. 1983). And, as long as the Court continues to permit Congress to subject individuals to limits on the amount they can give to parties, and those limits are uniform as to all donors, *see* 2 U.S.C. section 441a(a)(1), there is little risk that an individual donor could use a party as a conduit for bribing candidates. *Id.*''.

(12) As recently as 2000, the Supreme Court reminded us once again of the vital role that political parties play on our democratic life, by serving as the primary vehicles for the political views and voices of millions and millions of Americans. ''Representative democracy in any populous unit of governance is unimaginable without the ability of citizens to band together in promoting the electoral candidates who espouse their political views. The formation of national political parties was almost concurrent with the formation of the Republic itself.'' *California Democratic Party v. Jones*, 530 U.S. 567 (2000). Moreover, just last year, a Federal court struck down a state law that included a so-called ''soft money ban,'' which in reality was a ban on corporate and union contributions to political parties—which as a factual

matter is correct. The *Anchorage Daily News* reported:

(13) A Federal judge says corporations and unions have a constitutional right to give unlimited amounts of ''soft money'' to political parties, so long as none of the money is used to get specific candidates elected. In a decision dated June 11, U.S. District Judge James Singleton struck down a section of Alaska's 1997 political contributions law that barred corporations, unions and other businesses from contributing any money to political candidates or parties. The ban against corporate contributions to individual candidates is fine, Singleton said. Public concern about the corrupting influence or corporate contributions on a specific candidate is legitimate and important enough to somewhat limit freedom of speech and political association, the judge concluded. But contributions to the noncandidate work of a political party do not raise undue influence issues and therefore may not be restricted, the judge concluded.

(14) Sheila Toomey, *Anchorage Daily News* (June 14, 2001) (reporting on *Kenneth P. Jacobus, et al. vs. State of Alaska, et al.*, No. A97–0272 (D. Alaska filed June 11, 2001).

(15) Nor is speech any less protected by the First Amendment simply because the one making the speech contacted or communicated with others. For some time, the Federal Election Commission held the view that such ''coordination'' (an undefined term), even of communications that did not contain express advocacy, somehow was problematic, and subject to the limitations and prohibitions of the Act. This view has been rejected by the courts. *Federal Election Commission v. Christian Coalition*, 52 F. Supp. 2d 45 (D.D.C. 1999). In fact, lower Federal courts have held that even political party committee limits on coordinated expenditures are an unconstitutional restriction on speech. *Federal Election Commission v. Colo. Republican Fed. Campaign Comm.*, 213 F.3d 1221 (10th Cir. 2000). Unless a party committee's expenditure is the functional equivalent of a contribution (and thus not ''coordinated''), it cannot be limited. See Federal Election Commission v. Colo. Republican Fed. Campaign Comm., 150 L.Ed.2d 461, nt. 17, nt. 2 (J. Thomas, dissenting) (2001). As a factual matter, many party committee ''coordinated'' expenditures are not the functional equivalent of contributions. *See* Amicus Curie Brief of the National Republican Congressional Committee, *Federal Election Commission v. Colo. Republican Fed. Campaign Comm.*, 150 L.Ed.2d 461 (2001).

(16) Commentators, legal experts and testimony in the record echoes the need to be mindful of the First Amendment. Whether it is the American Civil Liberties Union, see March 10, 2001 ACLU Letter to Senate (and all cases cited therein) & June 14, 2001 ACLU testimony before the House Administration Committee (and cases cited therein), or the counsel to the National Right to Life Committee and the Christian Coalition, see June 14, 2001 testimony of James Bopp before the House Administration Committee (and cases cited therein), experts across the political spectrum have thoughtfully explained the need to ensure the First Amendment rights of citizens of this country.

(17) Citizens who have an interest in issues have the Constitutional right to criticize or praise their elected officials individually or collectively as a group. Communication in the form of criticism or praise of elected officials is preciously protected as free speech under the First Amendment of the Constitution of the United States.

(18) This Act contains restrictions on the rights of citizens, either individually or collectively, to communicate with or about their elected representatives and to the general public. Such restrictions would stifle and suppress individual and group advocacy pertaining to politics and government—the political expression at the core of the electoral process and of First Amendment freedoms—the very engine of democracy. Such restrictions also hinder citizens' ability to communicate their support or opposition on issues to their elected officials and the general public.

(19) Candidate campaigns and issue campaigns are the primary vehicles for giving voice to popular grievances, raising issues and proposing solutions. An election, and the time leading up to it, is when political speech should be at its most robust and unfettered.

SEC. 602. NO RESTRICTIONS ON FIRST AMENDMENT RIGHTS.

Notwithstanding any provision of this Act, and in recognition of the First Amendment to the United States Constitution, nothing in this Act or in any amendment made by this Act may be construed to abridge those freedoms found in that Amendment, specifically the freedom of speech or of the press, or the right of people to peaceably assemble, and to petition the government for a redress of grievances, consistent with the rulings of the courts of the United States (as provided in section 601).

H.R. 2356

OFFERED BY: ____

[Shays Substitute]

AMENDMENT NO. 33. Amend section 323(b) of the Federal Election Campaign Act of 1971, as proposed to be added by section 101(a) of the bill, to read as follows:

''(b) STATE, DISTRICT, AND LOCAL COMMITTEES.—An amount that is expended or disbursed for Federal election activity 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), or by an association or similar group of candidates for State or local office or individuals holding State or local office, shall be made from funds subject to the limitations, prohibitions, and reporting requirements of this Act.

Amend section 323(e)(3) of the Federal Election Campaign Act of 1971, as proposed to be added by section 101(a) of the bill, to read as follows:

''(3) FUNDRAISING EVENTS.—Notwithstanding paragraph (1), a candidate or an individual holding Federal office may attend, speak, or be a featured guest at a fundraising event for a State, district, or local committee of a political party.

Amend section 304(e)(2) of the Federal Election Campaign Act of 1971, as proposed to be added by section 103(a) of the bill, to read as follows:

''(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) applies shall report all receipts and disbursements made for activities described in section 301(20)(A), unless the aggregate amount of such receipts and disbursements during the calendar year is less than $5,000.

H.R. 2356

OFFERED BY: ____

[Shays Substitute]

AMENDMENT NO. 34. Add at the end of title III the following new section:

SEC. 320. BANNING POLITICAL CONTRIBUTIONS IN FEDERAL ELECTIONS BY ALL INDIVIDUALS NOT CITIZENS OR NATIONALS OF THE UNITED STATES.

Section 319(b)(2) of the Federal Election Campaign Act of 1971 (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).''.

H.R. 2356

OFFERED BY: MR. NEY

[Armey Substitute]

AMENDMENT NO. 35: Amend section 301(20) of the Federal Election Campaign Act of 1971, as proposed to be added by section 101(a) of the bill, to read as follows:

''(20) 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);

''(iii) a public 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 that promotes or supports a candidate for that office, or attacks or opposes a candidate for that office (regardless of whether the communication expressly advocates a vote for or against a candidate); or

''(iv) services provided during any month by an employee of a State, district, or local committee of a political party who spends more than 25 percent of that individual's compensated time during that month on activities in connection with a Federal election.

''(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) a public communication that refers solely to a clearly identified candidate for State or local office, if the communication is not a Federal election activity described in subparagraph (A)(i) or (ii);

''(ii) a contribution to a candidate for State or local office, provided the contribution is not designated to pay for a Federal election activity described in subparagraph (A);

''(iii) the costs of a State, district, or local political convention; and

''(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.

In section 402(b), strike ''At any time after such effective date, the committee may spend such funds for activities which are solely to defray the costs of the construction or purchase of any office building or facility.'' and insert the following: ''At no time after such effective date may the committee spend any such funds for activities to defray the costs of the construction or purchase of any office building or facility.''.

H.R. 2356

OFFERED BY: MR. NEY

[Armey Substitute]

AMENDMENT NO. 36: 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 Citizen Participation Act of 2002''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—SOFT MONEY OF NATIONAL PARTIES

Sec. 101. Restrictions on soft money of national political parties.

TITLE II—MODIFICATION OF CONTRIBUTION LIMITS

Sec. 201. Increase in limits on certain contributions.
Sec. 202. Increase in limits on contributions to State parties.
Sec. 203. Treatment of contributions to national party under aggregate annual limit on individual contributions.
Sec. 204. Exemption of costs of volunteer campaign materials produced and distributed by parties from treatment as contributions and expenditures.
Sec. 205. Indexing.
Sec. 206. Permitting national parties to establish accounts for making expenditures in excess of limits on behalf of candidates facing wealthy opponents.

TITLE III—DISCLOSURE OF ELECTION-RELATED COMMUNICATIONS

Sec. 301. Disclosure of information on communications broadcast prior to election.
Sec. 302. Disclosure of information on targeted mass communications.

TITLE IV—EFFECTIVE DATE

Sec. 401. Effective date.

TITLE I—SOFT MONEY OF NATIONAL PARTIES

SEC. 101. RESTRICTIONS ON SOFT MONEY OF NATIONAL 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 NATIONAL POLITICAL PARTIES

''SEC. 323. (a) PROHIBITING USE OF SOFT MONEY FOR FEDERAL ELECTION ACTIVITY.—A national committee of a political party (including a national congressional campaign committee of a political party) may not solicit, receive, or direct to another person a contribution, donation, or transfer of funds or any other thing of value for Federal election activity, or spend any funds for Federal election activity, that are not subject to the limitations, prohibitions, and reporting requirements of this Act.

''(b) LIMIT ON AMOUNT OF NONFEDERAL FUNDS PROVIDED TO PARTY BY ANY PERSON FOR ANY PURPOSE.—

''(1) LIMIT ON AMOUNT.—No person shall make contributions, donations, or transfers of funds which are not subject to the limitations, prohibitions, and reporting requirements of this Act to a political committee established and maintained by a national political party in any calendar year in an aggregate amount equal to or greater than $20,000.

''(2) PROHIBITING PROVISION OF NONFEDERAL FUNDS BY INDIVIDUALS.—No individual may make any contribution, donation, or transfer of funds which are not subject to the limitations, prohibitions, and reporting requirements of this Act to a political committee established and maintained by a national political party.

''(c) APPLICABILITY.— This subsection shall apply to any political committee established and maintained by a national political party, any officer or agent of such a committee acting on behalf of the committee, and any entity that is directly or indirectly established, maintained, or controlled by such a national committee.

''(d) DEFINITIONS.—

''(1) 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, unless the activity constitutes generic campaign activity;

''(ii) voter identification or get-out-the-vote 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), unless the activity constitutes generic campaign activity;

''(iii) any public communication that refers to or depicts a clearly identified candidate for Federal office (regardless of whether a candidate for State or local office is also mentioned or identified) and that promotes or supports a candidate for that office, or attacks or opposes a candidate for that office (regardless of whether the communication expressly advocates a vote for or against a candidate); or

''(iv) any public communication made by means of any broadcast, cable, or satellite communication.

''(B) EXCEPTION FOR CERTAIN ADMINISTRATIVE ACTIVITIES.—The term 'Federal election activity' does not include any activity relating to establishment, administration, or solicitation costs of a political committee established and maintained by a national political party, so long as the funds used to carry out the activity are derived from funds or payments made to the committee which are segregated and used exclusively to defray the costs of such activities.

''(2) GENERIC CAMPAIGN ACTIVITY.—The term 'generic campaign activity' means any activity that does not mention, depict, or otherwise promote a clearly identified Federal candidate.

''(3) PUBLIC COMMUNICATION.—The term 'public communication' means a communication by means of any broadcast, cable, or satellite communication, newspaper, magazine, outdoor advertising facility, or direct mail.

''(4) DIRECT MAIL.—The term 'direct mail' means a mailing by a commercial vendor or any mailing made from a commercial list.''.

TITLE II—MODIFICATION OF CONTRIBUTION LIMITS

SEC. 201. INCREASE IN LIMITS ON CERTAIN CONTRIBUTIONS.

(a) CONTRIBUTIONS BY COMMITTEES TO NATIONAL PARTIES.—Section 315(a)(2)(B) of such Act (2 U.S.C. 441a(a)(2)(B)) is amended by striking ''$15,000'' and inserting ''$30,000''.

(b) AGGREGATE ANNUAL LIMIT ON CONTRIBUTIONS BY INDIVIDUALS.—Section 315(a)(3) of such Act (2 U.S.C. 441a(a)(3)) is amended by striking ''$25,000'' and inserting ''$37,500''.

SEC. 202. INCREASE IN LIMITS ON CONTRIBUTIONS TO STATE PARTIES.

(a) CONTRIBUTIONS BY INDIVIDUALS.—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 which, in the aggregate, exceed $10,000.''.

(b) CONTRIBUTIONS BY COMMITTEES.—Section 315(a)(2) of the Federal EElection Campaign Act of 1971 (2 U.S.C. 441a(a)(2)) 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 which, in the aggregate, exceed $10,000.''.

SEC. 203. TREATMENT OF CONTRIBUTIONS TO NATIONAL PARTY UNDER AGGREGATE ANNUAL LIMIT ON INDIVIDUAL CONTRIBUTIONS.

Section 315(a)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441(a)(3)) is amended—

(1) by striking ''(3)'' and inserting ''(3)(A)''; and

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

''(B) Subparagraph (A) shall not apply with respect to any contribution made to any political committee established and maintained by a national political party which is not the authorized political committee of any candidate.''.

SEC. 204. EXEMPTION OF COSTS OF VOLUNTEER CAMPAIGN MATERIALS PRODUCED AND DISTRIBUTED BY PARTIES FROM TREATMENT AS CONTRIBUTIONS AND EXPENDITURES.

(a) TREATMENT AS CONTRIBUTIONS.—Section 301(8)(B)(x) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)(B)(x)) is amended by striking ''a State or local committee of a political party of the costs of'' and inserting ''a national, State, or local committee of a political party of the costs of producing and distributing''.

(b) TREATMENT AS EXPENDITURES.—Section 301(9)(B)(viii) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(9)(B)(viii)) is amended by striking ''a State or local committee of a political party of the costs of'' and inserting ''a national, State, or local committee of a political party of the costs of producing and distributing''.

SEC. 205. INDEXING.

Section 315(c) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(c)) is amended—

(1) in paragraph (1)—

(A) by striking the second and third sentences;

(B) by inserting ''(A)'' before ''At the beginning''; and

(C) by adding at the end the following:

''(B) Except as provided in subparagraph (C), in any calendar year after 2002—

''(i) a limitation established by subsections (a), (b), (d), or (h) shall be increased by the percent difference determined under subparagraph (A);

''(ii) each amount so increased shall remain in effect for the calendar year; and

''(iii) if any amount after adjustment under clause (i) is not a multiple of $100, such amount shall be rounded to the nearest multiple of $100.

''(C) In the case of limitations under subsections (a) and (h), increases shall only be made in odd-numbered years and such increases shall remain in effect for the 2-year period beginning on the first day following the date of the last general election in the year preceding the year in which the amount is increased and ending on the date of the next general election.''; and

(2) in paragraph (2)(B), by striking ''means the calendar year 1974'' and inserting ''means—

''(i) for purposes of subsections (b) and (d), calendar year 1974; and

''(ii) for purposes of subsections (a) and (h), calendar year 2001''.

SEC. 206. PERMITTING NATIONAL PARTIES TO ESTABLISH ACCOUNTS FOR MAKING EXPENDITURES IN EXCESS OF LIMITS ON BEHALF OF CANDIDATES FACING WEALTHY OPPONENTS.

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

''(4)(A) Subject to subparagraph (B), the national committee of a political party may make expenditures in connection with the general election campaign of a candidate for Federal office (other than a candidate for President) who is affiliated with such party in an amount in excess of the limit established under paragraph (3) if—

''(i) the candidate's opponent in the general election campaign makes expenditures of personal funds in connection with the campaign in an amount in excess of $100,000 (as provided in the notifications submitted under section 304(a)(6)(B)); and

''(ii) the expenditures are made from a separate account of the party used exclusively for making expenditures pursuant to this paragraph.

''(B) The amount of expenditures made in accordance with subparagraph (A) by the national committee of a political party in connection with the general election campaign of a candidate may not exceed the amount of expenditures of personal funds made by the candidate's opponent in connection with the campaign (as provided in the notifications submitted under section 304(a)(6)(B)).''.

(b) WAIVER OF LIMITS ON CONTRIBUTIONS TO ACCOUNTS.—Section 315(a) of such Act (2 U.S.C. 441a(a)) is amended by adding at the end the following new paragraph:

''(9) The limitations imposed by paragraphs (1)(B), (2)(B), and (3) shall not apply with respect to contributions made to the national committee of a political party which are designated by the donor to be deposited solely into the account established by the party under subsection (d)(4).''.

(c) NOTIFICATION OF EXPENDITURES OF PERSONAL FUNDS.—Section 304(a)(6) of such Act (2 U.S.C. 434(a)(6)) is amended—

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

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

''(B)(i) The principal campaign committee of a candidate (other than a candidate for President) shall submit the following notifications relating to expenditures of personal funds by such candidate (including contributions by the candidate or the candidate's spouse to such committee and funds derived from loans made by the candidate or the candidate's spouse to such committee):

''(I) A notification of the first such expenditure (or contribution) by which the aggregate amount of personal funds expended (or contributed) with respect to an election exceeds $100,000.

''(II) After the notification is made under subclause (I), a notification of each such subsequent expenditure (or contribution) which, taken together with all such subsequent expenditures (and contributions) in any amount not included in the most recent report under this subparagraph, totals $5,000 or more.

''(ii) Each of the notifications submitted under clause (i)—

''(I) shall be submitted not later than 24 hours after the expenditure or contribution which is the subject of the notification is made;

''(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; and

''(III) shall include the total amount of all such expenditures and contributions made with respect to the same election as of the date of expenditure or contribution which is the subject of the notification.''.

TITLE III—DISCLOSURE OF ELECTION-RELATED COMMUNICATIONS

SEC. 301. DISCLOSURE OF INFORMATION ON COMMUNICATIONS BROADCAST PRIOR TO ELECTION.

Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) is amended by adding at the end the following new subsection:

''(e) DISCLOSURE OF INFORMATION ON CERTAIN COMMUNICATIONS BROADCAST PRIOR TO ELECTIONS.—

''(1) IN GENERAL.—Any person who makes a disbursement for a communication described in paragraph (3) shall, not later than 24 hours after making the disbursement, file with the Commission a statement containing the information required under paragraph (2).

''(2) CONTENTS OF STATEMENT.—Each statement required to be filed under this subsection shall be made under penalty of perjury and shall contain the following information:

''(A) The identification of the person making the disbursement, of any individual or entity sharing or exercising direction or control over the activities of such person, and of the custodian of the books and accounts of the person making the disbursement.

''(B) The principal place of business and phone number of the person making the disbursement, if not an individual.

''(C) The amount of the disbursement.

''(D) The clearly identified candidate or candidates to which the communication pertains and the names (if known) of the candidates identified or to be identified in the communication.

''(E) The text of the communication involved.

''(3) COMMUNICATIONS DESCRIBED.—

''(A) IN GENERAL.—A communication described in this paragraph is any communication—

''(i) which is disseminated to the public by means of any broadcast, cable, or satellite communication during the 120-day period ending on the date of a Federal election; and

''(ii) which mentions a clearly identified candidate for such election (by name, image, or likeness).

''(B) EXCEPTION.—A communication is not described in this paragraph if—

''(i) the communication appears in a news story, commentary, or editorial distributed through the facilities of any broadcasting station, unless such facilities are owned or controlled by any political party, political committee, or candidate; or

''(ii) the communication constitutes an expenditure under this Act.

''(4) COORDINATION WITH OTHER REQUIREMENTS.—Any requirement to file a statement under this subsection shall be in addition to any other reporting requirement under this Act.

''(5) CLARIFICATION OF TREATMENT OF VENDORS.—A person shall not be considered to have made a disbursement for a communication under this subsection if the person made the disbursement solely as a vendor acting pursuant to a contractual agreement with the person responsible for sponsoring the communication.''.

SEC. 302. DISCLOSURE OF INFORMATION ON TARGETED MASS COMMUNICATIONS.

Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434), as amended by section 301, is further amended by adding at the end the following new subsection:

''(f) DISCLOSURE OF INFORMATION ON TARGETED MASS COMMUNICATIONS.—

''(1) IN GENERAL.—Any person who makes a disbursement for targeted mass communications in an aggregate amount in excess of $50,000 during any calendar year shall, within 24 hours of each disclosure date, file with the Commission a statement containing the information described in paragraph (2).

''(2) CONTENTS OF STATEMENT.—Each statement required to be filed under this subsection shall be made under penalty of perjury and shall contain the following information:

''(A) The identification of the person making the disbursement, of any individual or entity sharing or exercising direction or control over the activities of such person, and of the custodian of the books and accounts of the person making the disbursement.

''(B) The principal place of business and phone number of the person making the disbursement, if not an individual.

''(C) The amount of each such disbursement of more than $200 made by the person during the period covered by the statement and the identification of the person to whom the disbursement was made.

''(D) The clearly identified candidate or candidates to which the communication pertains and the names (if known) of the candidates identified or to be identified in the communication.

''(E) The text of the communication involved.

''(3) TARGETED MASS COMMUNICATION DEFINED.—

''(A) IN GENERAL.—In this subsection, the term 'targeted mass communication' means any communication—

''(i) which is disseminated during the 120-day period ending on the date of a Federal election;

''(ii) which refers to or depicts a clearly identified candidate for such election (by name, image, or likeness); and

''(iii) which is targeted to the relevant electorate.

''(B) TARGETING TO RELEVANT ELECTORATE.—

''(i) BROADCAST COMMUNICATIONS.—For purposes of this paragraph, a communication disseminated to the public by means of any broadcast, cable, or satellite communication which refers to or depicts a clearly identified candidate for Federal office is 'targeted to the relevant electorate' if the communication is disseminated by a broadcaster whose audience includes—

''(I) a substantial number of residents of the district the candidate seeks to represent (as determined in accordance with regulations of the Commission), in the case of a candidate for Representative in, or Delegate or Resident Commissioner to, the Congress; or

''(II) a substantial number of residents of the State the candidate seeks to represent (as determined in accordance with regulations of the Commission), in the case of a candidate for Senator.

''(ii) OTHER COMMUNICATIONS.—For purposes of this paragraph, a communication which is not described in clause (i) which refers to or depicts a clearly identified candidate for Federal office is 'targeted to the relevant electorate' if—

''(I) more than 10 percent of the total number of intended recipients of the communication are members of the electorate involved with respect to such Federal office; or

''(II) more than 10 percent of the total number of members of the electorate involved with respect to such Federal office receive the communication.

''(C) EXCEPTIONS.—The term 'targeted mass communication' does not include—

''(i) a communication appearing in a news story, commentary, or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication, unless such facilities are owned or controlled by any political party, political committee, or candidate;

''(ii) a communication made by any membership organization (including a labor organization) or corporation solely to its members, stockholders, or executive or administrative personnel, if such membership organization or corporation is not organized primarily for the purpose of influencing the nomination for election, or election, of any individual to Federal office; or

''(iii) a communication which constitutes an expenditure under this Act.

''(4) DISCLOSURE DATE.—For purposes of this subsection, the term 'disclosure date' means—

''(A) the first date during any calendar year by which a person has made disbursements for targeted mass communications aggregating in excess of $50,000; and

''(B) any other date during such calendar year by which a person has made disbursements for targeted mass communications aggregating in excess of $50,000 since the most recent disclosure date for such calendar year.

''(5) COORDINATION WITH OTHER REQUIREMENTS.—Any requirement to report under this subsection shall be in addition to any other reporting requirement under this Act.

''(6) CLARIFICATION OF TREATMENT OF VENDORS.—A person shall not be considered to have made a disbursement for a communication under this subsection if the person made the disbursement solely as a vendor acting pursuant to a contractual agreement with the person responsible for sponsoring the communication.''.

TITLE IV—EFFECTIVE DATE

SEC. 401. EFFECTIVE DATE.

The amendments made by this Act shall take effect on the date of the enactment of this Act.

H.R. 2356

OFFERED BY: ____

[Armey Substitute]

AMENDMENT NO. 37: Add at the end title II the following new subtitle:

Subtitle C—Exemption of Communications Pertaining to the Second Amendment of the Constitution

SEC. 221. FINDINGS.

Congress finds the following:

(1) The Second Amendment to the United States Constitution protects the right of individual persons to keep and bear arms.

(2) There are more than 60,000,000 gun owners in the United States.

(3) The Second Amendment to the Constitution of the United States protects the right of Americans to carry firearms in defense of themselves and others.

(4) The United States Court of Appeals in *U.S. v. Emerson* reaffirmed the fact that the right to keep and bear arms is an individual right protected by the Constitution.

(5) Americans who are concerned about threats to their ability to keep and bear arms have the right to petition their government.

(6) The Supreme Court, in *U.S. v. Cruikshank* (92 U.S. 542, 1876) recognized that the right to arms preexisted the Constitution. The Court stated that the right to arms ''is not a right granted by the Constitution. Neither is it in any manner dependent upon that instrument for its existence.''.

(7) In *Beard v. United States* (158 U.S. 550, 1895) the Court approved the common-law rule that a person ''may repel force by force'' in self-defense, and concluded that when attacked a person ''was entitled to stand his ground and meet any attack made upon him with a deadly weapon, in such a way and with such force'' as needed to prevent ''great bodily injury or death''. The laws of all 50 states, and the constitutions of most States, recognize the right to use armed force in self-defense.

(8) In order to protect Americans' constitutional rights under the Second Amendment, the First Amendment provides the ability for citizens to address the Government.

(9) The First Amendment to the United States Constitution states that, ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or of the right of the people to peaceably assemble, and to petition the Government for a redress of grievances.''.

(10) The Supreme Court recognized and emphasized the importance of free speech rights in *Buckley v. Valeo*, where it stated, ''A restriction on the amount of money a person or group can spend on political communication during a campaign necessarily reduces the quantity of expression by restricting the number of issues discussed, the depth of their exploration, and the size of the audience reached. This is because virtually every means of communicating ideas in today's mass society requires the expenditure of money. The distribution of the humblest handbill or leaflet entails printing, paper, and circulation costs. Speeches and rallies generally necessitate hiring a hall and publicizing the event. The electorate's increasing dependence on television, radio, and other mass media for news and information has made these expensive modes of communication indispensable instruments of effective political speech.''.

(11) In response to the relentlessly repeated claim that campaign spending has skyrocketed and should be legislatively restrained, the *Buckley* Court stated that the First Amendment denied the government the power to make that determination: ''In the free society ordained by our Constitution, it is not the government but the people—individually as citizens and candidates and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign.''.

(12) In *Buckley*, the Court also stated, ''The concept that government may restrict the speech of some elements of our society in order to enhance the relative voice of others is wholly foreign to the First Amendment, which was designed 'to secure the widest possible dissemination of information from diverse and antagonistic sources,' and 'to assure unfettered exchange of ideas for the bringing about of political and societal changes desired by the people' ''.

(13) Citizens who have an interest in issues about or related to the Second Amendment of the Constitution have the Constitutional right to criticize or praise their elected officials individually or collectively as a group. Communications in the form of criticism or praise of elected officials is preciously protected as free speech under the First Amendment of the Constitution of the United States.

(14) This title contains restrictions on the rights of citizens, either individually or collectively, to communicate with or about their elected representatives and to the general public. Such restrictions would stifle and suppress individual and group advocacy pertaining to politics and government—the political expression at the core of the electoral process and of First Amendment freedoms—the very engine of democracy. Such restrictions also hinder citizens' ability to communicate their support or opposition on issues concerning the right to keep and bear arms to their elected officials and the general public.

(15) Candidate campaigns and issue campaigns are the primary vehicles for giving voice to popular grievances, raising issues and proposing solutions. An election, and the time leading up to it, is when political speech should be at its most robust and unfettered.

SEC. 222. EXEMPTION FOR COMMUNICATIONS PERTAINING TO THE SECOND AMENDMENT OF THE CONSTITUTION.

None of the restrictions or requirements contained in this title shall apply to any form or mode of communication to the public that consists of information or commentary regarding the statements, actions, positions, or voting records of any person who holds congressional or other Federal office, or who is a candidate for congressional or other Federal office, on any matter pertaining to the Second Amendment.

H.R. 2356

OFFERED BY: ____

[Armey Substitute]

AMENDMENT NO. 38: Add at the end of title II the following new subtitle:

Subtitle C—Exemption of Communications Pertaining to Veterans, Military Personnel, or Seniors

SEC. 221. FINDINGS.

Congress finds the following:

(1) More than 42,000,000 men and women have served in the United States Armed Forces from the Revolution onward and more than 25 million are still living. Living veterans and their families, plus the living dependents of deceased veterans, constitute a significant part of the present United States population.

(2) American veterans are black and they are white; they are of every race and ethnic heritage. They are men, and they are women. They are Christians, they are Muslims, they are Jews. They are fathers, mothers, sisters, brothers, sons and daughters. They are neighbors, down the street or right next door. They are teachers in our schools, they are factory workers. They are Americans living today who served in the armed services, and they are the more than 1,000,000 who have died in America's wars.

(3) America's veterans are men and women who have fought to protect the United States against foreign aggressors as Soldiers, Sailors, Airmen, Coast Guardsmen and Marines. The members of our elite organization are those who have discharged their very special obligation of citizenship as servicemen and women, and who today continue to expend great time, effort and energy in the service of their fellow veterans and their communities.

(4) There is a bond joining every veteran from every branch of the service. Whether drafted or enlisted, commissioned or noncommissioned, each took an oath, lived by a code, and stood ready to fight and die for their country.

(5) American men and women in uniform risk their lives on a daily basis to defend our freedom and democracy. Americans have always believed that there are values worth fighting for—values and liberties upon which America was founded and which we have carried forward for more than 225 years, that men and women of this great nation gave their lives to preserve.

(6) It is the sacrifice borne by generations of American veterans that has made us strong and has rendered us the beacon of freedom guiding the course of nations

freedom guiding the course of nations throughout the world. American veterans have fought for freedom for Americans, as well as citizens throughout the world. They have helped to defend and preserve the values of freedom of speech, democracy, voting rights, human rights, equal access and the rights of the individual—those values felt and nurtured on every continent in our world.

(7) The freedoms and opportunities we enjoy today were bought and paid for with their devotion to duty and their sacrifices. We can never say it too many times: We are the benefactors of their sacrifice, and we are grateful.

(8) Of the 25,000,000 veterans currently alive, nearly three of every four served during a war or an official period of hostility. About a quarter of the Nation's population—approximately 70,000,000 people—are potentially eligible for Veterans' Administration benefits and services because they are veterans, family members or survivors of veterans.

(9) The present veteran population is estimated at 25,600,000, as of July 1, 1997. Nearly 80 of every 100 living veterans served during defined periods of armed hostilities. Altogether, almost one-third of the nation's population-approximately 70,000,000 persons who are veterans, dependents and survivors of deceased veterans—are potentially eligible for Veterans' Administration benefits and services.

(10) Care for veterans and dependents spans centuries. The last dependent of a Revolutionary War veteran died in 1911; the War of 1812's last dependent died in 1946; the Mexican War's, in 1962.

(11) The Veterans' Administration health care system has grown from 54 hospitals in 1930, to include 171 medical centers; more than 350 outpatient, community, and outreach clinics; 126 nursing home care units; and 35 domiciliaries. Veterans' Administration health care facilities provide a broad spectrum of medical, surgical, and rehabilitative care.

(12) World War II resulted in not only a vast increase in the veteran population, but also in large number of new benefits enacted by the Congress for veterans of the war. The World War II GI Bill, signed into law on June 22, 1944, is said to have had more impact on the American way of life than any law since the Homestead Act more than a century ago.

(13) About 2,700,000 veterans receive disability compensation or pensions from VA. Also receiving Veterans' Administration benefits are 592,713 widows, children and parents of deceased veterans. Among them are 133,881 survivors of Vietnam era veterans and 295,679 survivors of World War II veterans. In fiscal year 2001, Veterans' Administration planned to spend $22,000,000,000 yearly in disability compensation, death compensation and pension to 3,200,000 people.

(14) Veterans' Administration manages the largest medical education and health professions training program in the United States. Veterans' Administration facilities are affiliated with 107 medical schools, 55 dental schools and more than 1,200 other schools across the country. Each year, about 85,000 health professionals are trained in Veterans' Administration medical centers. More than half of the physicians practicing in the United States have had part of their professional education in the Veterans' Administration health care system.

(15) 75 percent of Veterans' Administration researchers are practicing physicians. Because of their dual roles, Veterans' Administration research often immediately benefits patients. Functional electrical stimulation, a technology using controlled electrical current to activate paralyzed muscles, is being developed at Veterans' Administration clinical facilities and laboratories throughout the country. Through this technology, paraplegic patients have been able to stand and, in some instances, walk short distances and climb stairs. Patients with quadriplegia are able to use their hands to grasp objects.

(16) There are more than 35,000,000 persons in the United States aged 65 and over.

(17) Seniors are a diverse population, each member having his or her own political and economic issues.

(18) Seniors and their families have many important issues for which they seek congressional action. Some of these issues include, but are not limited to, health care, Social Security, and taxes.

(19) The First Amendment to the United States Constitution states that, ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or of the right of the people to peaceably assemble, and to petition the Government for a redress of grievances.''.

(20) The Supreme Court recognized and emphasized the importance of free speech rights in *Buckley v. Valeo*, where it stated, ''A restriction on the amount of money a person or group can spend on political communication during a campaign necessarily reduces the quantity of expression by restricting the number of issues discussed, the depth of their exploration, and the size of the audience reached. This is because virtually every means of communicating ideas in today's mass society requires the expenditure of money. The distribution of the humblest handbill or leaflet entails printing, paper, and circulation costs. Speeches and rallies generally necessitate hiring a hall and publicizing the event. The electorate's increasing dependence on television, radio, and other mass media for news and information has made these expensive modes of communication indispensable instruments of effective political speech.''.

(21) In response to the relentlessly repeated claim that campaign spending has skyrocketed and should be legislatively restrained, the *Buckley* Court stated that the First Amendment denied the government the power to make that determination: ''In the free society ordained by our Constitution, it is not the government but the people—individually as citizens and candidates and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign.''.

(22) In *Buckley*, the Court also stated, ''The concept that government may restrict the speech of some elements of our society in order to enhance the relative voice of others is wholly foreign to the First Amendment, which was designed 'to secure the widest possible dissemination of information from diverse and antagonistic sources,' and 'to assure unfettered exchange of ideas for the bringing about of political and societal changes desired by the people' ''.

(23) Citizens who have an interest in issues about or related to veterans, military personnel, seniors, and their families have the Constitutional right to criticize or praise their elected officials individually or collectively as a group. Communications in the form of criticism or praise of elected officials is preciously protected as free speech under the First Amendment of the Constitution of the United States.

(24) This title contains restrictions on the rights of citizens, either individually or collectively, to communicate with or about their elected representatives and to the general public. Such restrictions would stifle and suppress individual and group advocacy pertaining to politics and government—the political expression at the core of the electoral process and of First Amendment freedoms—the very engine of democracy. Such restrictions also hinder citizens' ability to communicate their support or opposition on issues concerning veterans, military personnel, seniors, and their families to their elected officials and the general public.

(25) Candidate campaigns and issue campaigns are the primary vehicles for giving voice to popular grievances, raising issues and proposing solutions. An election, and the time leading up to it, is when political speech should be at its most robust and unfettered.

SEC. 222. EXEMPTION FOR COMMUNICATIONS PERTAINING TO VETERANS, MILITARY PERSONNEL, OR SENIORS.

None of the restrictions or requirements contained in this title or the amendments made by this title shall apply to any form or mode of communication to the public that consists of information or commentary regarding the statements, actions, positions, or voting records of any individual who holds congressional or other Federal office, or who is a candidate for congressional or other Federal office, on any matter pertaining to veterans, military personnel, or senior citizens, or to the immediate family members of veterans, military personnel, or senior citizens.

H.R. 2356

OFFERED BY: ____

[Armey Substitute]

AMENDMENT NO. 39: Amend section 402 to read as follows:

SEC. 402. EFFECTIVE DATE.

(a) IN GENERAL.—Except as otherwise provided in this Act, this Act and the amendments made by this Act shall take effect February 14, 2002.

(b) TRANSITION RULE FOR SPENDING OF FUNDS BY NATIONAL PARTIES.—If a national committee of a political party described in section 323(a)(1) of the Federal Election Campaign Act of 1971 (as added by section 101(a)), including any person who is subject to such section, has received funds described in such section prior to the effective date described in subsection (a) which remain unexpended as of such date, the committee shall return the funds on a pro rata basis to the persons who provided the funds to the committee.

H.R. 2356

OFFERED BY: ____

[Armey Substitute]

AMENDMENT NO. 40: Add at the end of title II the following new subtitle:

Subtitle C—Exemption of Communications Pertaining to Workers, Farmers, Families, and Individuals

SEC. 221. FINDINGS.

Congress finds the following:

(1) There are approximately 138 million people employed in the United States.

(2) Thousands of organizations and associations represent these employed persons and their employers in numerous forms and forums, not least of which is by participating in our electoral and political system in a number of ways, including informing citizens of key votes that affect their common interests, criticizing and praising elected officials for their position on issues, contributing to candidates and political parties, registering voters, and conducting get-out-the-vote activities.

(3) The rights of American workers to bargain collectively are protected by their First Amendment to the Constitution and by provisions in the National Labor Relations Act. Federal law guarantees the rights of workers to choose whether to bargain collectively through a union.

(4) Fourteen percent of the American workforce has chosen to affiliate with a

labor union. Federal law allows workers and unions the opportunity to combine strength and to work together to seek to improve the lives of America's working families, bring fairness and dignity to the workplace and secure social and economic equity in our nation.

(5) Nearly three quarters of all United States business firms have no payroll. Most are self-employed persons operating unincorporated businesses, and may or may not be the owner's principal source of income.

(6) Minorities owned fewer than 7 percent of all United States firms, excluding C corporations, in 1982, but this share soared to about 15 percent by 1997. Minorities owned more than 3 million businesses in 1997, of which 615,222 had paid employees, generated more than $591 billion in revenues, created more than 4.5 million jobs, and provided about $96 billion in payroll to their workers.

(7) In 1999, women made up 46 percent of the labor force. The labor force participation rate of American women was the highest in the world.

(8) Labor/Worker unions represent 16 million working women and men of every race and ethnicity and from every walk of life.

(9) In recent years, union members and their families have mobilized in growing numbers. In the 2000 election, 26 percent of the nation's voters came from union households.

(10) According to the 2000 census, total United States families were totaled at over 105 million.

(11) In 2000, there were 8.7 million African American families.

(12) Asians have larger families than other groups. For example, the average Asian family size is 3.6 persons, as opposed to an average Caucasian family of 3.1 persons.

(13) American farmers, ranchers, and agricultural managers direct the activities of the world's largest and most productive agricultural sectors. They produce enough food and fiber to meet the needs of the United States and produce a surplus for export.

(14) About 17 percent of raw United States agricultural products are exported yearly, including 83 million metric tons of cereal grains, 1.6 billion pounds of poultry, and 1.4 million metric tons of fresh vegetables.

(15) One-fourth of the world's beef and nearly one-fifth of the world's grain, milk, and eggs are produced in the United States.

(16) With 96 percent of the world's population living outside our borders, the world's most productive farmers need access to international markets to compete.

(17) Every State benefits from the income generated from agricultural exports. 19 States have exports of $1 billion or more.

(18) America's total on United States exports is $49.1 billion and the number of imports is $37.5 billion.

(19) By itself, farming—production agriculture—contributed $60.4 billion toward the national GDP (Gross Domestic Product).

(20) Farmers and ranchers provide food and habitat for 75 percent of the Nation's wildlife.

(21) More than 23 million jobs—17 percent of the civilian workforce—are involved in some phase of growing and getting our food and clothing to us. America now has fewer farmers, but they are producing now more than ever before.

(22) Twenty-two million American workers process, sell, and trade the Nation's food and fiber. Farmers and ranchers work with the Department of Agriculture to produce healthy crops while caring for soil and water.

(23) By February 8, the 39th day of 2002, the average American has earned enough to pay for their family's food for the entire year. In 1970 it took 12 more days than it does now to earn a full food pantry for the year. Even in 1980 it took 10 more days—49 total days—of earning to put a year's supply of food on the table.

(24) Farmers are facing the 5th straight year of the lowest real net farm income since the Great Depression. Last October, prices farmers received made their sharpest drop since United States Department of Agriculture began keeping records 91 years ago. During this same period the cost of production has hit record highs.

(25) The First Amendment to the United States Constitution states that, ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or of the right of the people to peaceably assemble, and to petition the Government for a redress of grievances.''.

(26) The Supreme Court recognized and emphasized the importance of free speech rights in *Buckley v. Valeo*, where it stated, ''A restriction on the amount of money a person or group can spend on political communication during a campaign necessarily reduces the quantity of expression by restricting the number of issues discussed, the depth of their exploration, and the size of the audience reached. This is because virtually every means of communicating ideas in today's mass society requires the expenditure of money. The distribution of the humblest handbill or leaflet entails printing, paper, and circulation costs. Speeches and rallies generally necessitate hiring a hall and publicizing the event. The electorate's increasing dependence on television, radio, and other mass media for news and information has made these expensive modes of communication indispensable instruments of effective political speech.''.

(27) In response to the relentlessly repeated claim that campaign spending has skyrocketed and should be legislatively restrained, the *Buckley* Court stated that the First Amendment denied the government the power to make that determination: ''In the free society ordained by our Constitution, it is not the government but the people—individually as citizens and candidates and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign.''.

(28) In *Buckley*, the Court also stated, ''The concept that government may restrict the speech of some elements of our society in order to enhance the relative voice of others is wholly foreign to the First Amendment, which was designed 'to secure the widest possible dissemination of information from diverse and antagonistic sources,' and 'to assure unfettered exchange of ideas for the bringing about of political and societal changes desired by the people' ''.

(29) Citizens who have an interest in issues about or related to their lives have the Constitutional right to criticize or praise their elected officials individually or collectively as a group. Communications in the form of criticism or praise of elected officials is preciously protected as free speech under the First Amendment of the Constitution of the United States.

(30) This title contains restrictions on the rights of citizens, either individually or collectively, to communicate with or about their elected representatives and to the general public. Such restrictions would stifle and suppress individual and group advocacy pertaining to politics and government—the political expression at the core of the electoral process and of First Amendment freedoms—the very engine of democracy.

(31) Candidate campaigns and issue campaigns are the primary vehicles for giving voice to popular grievances, raising issues and proposing solutions. An election, and the time leading up to it, is when political speech should be at its most robust and unfettered.

SEC. 222. EXEMPTION FOR COMMUNICATIONS PERTAINING TO WORKERS, FARMERS, FAMILIES, AND INDIVIDUALS.

None of the restrictions or requirements contained in this title or the amendments made by this title shall apply to any form or mode of communication to the public that consists of information or commentary regarding the statements, actions, positions, or voting records of any individual who holds congressional or other Federal office, or who is a candidate for congressional or other Federal office, on any matter pertaining to any individual.

H.R. 2356

OFFERED BY: ____

[Armey Substitute]

AMENDMENT NO. 41: Add at the end title II the following new subtitle:

Subtitle C—Exemption of Communications Pertaining to Civil Rights and issues affecting minorities.

SEC. 221. FINDINGS.

Congress finds the following:

(1) More than 70 million people in the United States belong to a minority race.

(2) More than 34 million people in the United States are African American, 35 million are Hispanic or Latino, 10 million are Asian, and 2 million are American Indian or Alaska Native.

(3) Minorities account for around 24 percent of the U.S. workforce.

(4) Minorities, who owned fewer than 7 percent of all U.S. firms in 1982, now own more than 15 percent. Minorities owned more than 3 million businesses in 1997, of which 615,222 had paid employees, generated more than $591 billion in revenues, created more than 4.5 million jobs, and provided about $96 billion in payroll to their workers.

(5) Self-employment as a share of each group's nonagricultural labor force (averaged over the 1991-1999 decade) was White, 9.7 percent; African American, 3.8 percent; American Indian, Eskimo, or Aleut, 6.4 percent; and Asian or Pacific Islander, 10.1 percent.

(6) Of U.S. businesses, 5.8 percent were owned by Hispanic Americans, 4.4 percent by Asian Americans, 4.0 percent by African Americans, and 0.9 percent by American Indians.

(7) Of the 4,514,699 jobs in minority-owned businesses in 1997, 48.8 percent were in Asian-owned firms, 30.8 percent in Hispanic-owned firms, 15.9 percent in African American-owned firms, and 6.6 percent in American Native-owned firms.

(8) Minority-owned firms had about $96 billion in payroll in 1997. The average payroll per employee was roughly $21,000 in the major minority groups and ranged from just under $15,000 to just over $27,000 in various subgroups of the minority population.

(9) African Americans were the only race or ethnic group to show an increase in voter participation in congressional elections, increasing their presence at the polls from 37 percent in 1994 to 40 percent in 1998. Nationwide, overall turnout by the voting-age population was down from 45 percent in 1994 to 42 percent in 1998.

(10) In 2000, there were 8.7 million African American families. The United States had 96,000 African American engineers, 41,000 African American physicians and 47,000 African American lawyers in 1999.

(11) The number of Asians and Pacific Islanders voting in congressional elections increased by 366,000 between 1994 and 1998.

(12) Businesses owned by Asians and Pacific Islanders made up 4 percent of the nation's 20.8 million nonfarm businesses.

(13) Asians tend to have larger families—the average family size is 3.6 persons, as opposed to an average Caucasian family of 3.1 persons.

(14) The First Amendment to the United States Constitution states that, ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or of the right of the people to peaceably assemble, and to petition the Government for a redress of grievances.''.

(15) The Supreme Court recognized and emphasized the importance of free speech rights in *Buckley v. Valeo*, where it stated, ''A restriction on the amount of money a person or group can spend on political communication during a campaign necessarily reduces the quantity of expression by restricting the number of issues discussed, the depth of their exploration, and the size of the audience reached. This is because virtually every means of communicating ideas in today's mass society requires the expenditure of money. The distribution of the humblest handbill or leaflet entails printing, paper, and circulation costs. Speeches and rallies generally necessitate hiring a hall and publicizing the event. The electorate's increasing dependence on television, radio, and other mass media for news and information has made these expensive modes of communication indispensable instruments of effective political speech.''.

(16) In response to the relentlessly repeated claim that campaign spending has skyrocketed and should be legislatively restrained, the *Buckley* Court stated that the First Amendment denied the government the power to make that determination: ''In the free society ordained by our Constitution, it is not the government but the people—individually as citizens and candidates and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign.''.

(17) In *Buckley*, the Court also stated, ''The concept that government may restrict the speech of some elements of our society in order to enhance the relative voice of others is wholly foreign to the First Amendment, which was designed 'to secure the widest possible dissemination of information from diverse and antagonistic sources,' and 'to assure unfettered exchange of ideas for the bringing about of political and societal changes desired by the people' ''.

(18) Citizens who have an interest in issues about or related to civil rights have the Constitutional right to criticize or praise their elected officials individually or collectively as a group. Communications in the form of criticism or praise of elected officials is preciously protected as free speech under the First Amendment of the Constitution of the United States.

(19) This title contains restrictions on the rights of citizens, either individually or collectively, to communicate with or about their elected representatives and to the general public. Such restrictions would stifle and suppress individual and group advocacy pertaining to politics and government—the political expression at the core of the electoral process and of First Amendment freedoms—the very engine of democracy. Such restrictions also hinder citizens' ability to communicate their support or opposition on issues concerning civil rights to their elected officials and the general public.

(20) Candidate campaigns and issue campaigns are the primary vehicles for giving voice to popular grievances, raising issues and proposing solutions. An election, and the time leading up to it, is when political speech should be at its most robust and unfettered.

SEC. 222. EXEMPTION FOR COMMUNICATIONS PERTAINING TO CIVIL RIGHTS AND ISSUES AFFECTING MINORITIES.

None of the restrictions or requirements contained in this title or the amendments made by this title shall apply to any form or mode of communication to the public that consists of information or commentary regarding the statements, actions, positions, or voting records of any individual who holds congressional or other Federal office, or who is a candidate for congressional or other Federal office, on any matter pertaining to civil rights.

H.R. 2356

OFFERED BY: ____

[Armey Substitute]

AMENDMENT NO. 42: Add at the end the following title:

TITLE VI—NO RESTRICTIONS ON FIRST AMENDMENT RIGHTS

SEC. 601. FINDINGS.

Congress finds the following:

(1) The First Amendment to the United States Constitution states that, ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or of the right of the people to peaceably assemble, and to petition the Government for a redress of grievances.''

(2) The First Amendment affords the broadest protection to such political expression in order ''to assure [the] unfettered interchange of ideas for the bringing about of political and social changes desired by the people. *Roth v. United States*, 354 U.S. 476, 484 (1957).

(3) According to *Mills v. Alabama*, 384 U.S. 214, 218 (1966), there is practically universal agreement that a major purpose of that Amendment was to protect the free discussion of governmental affairs, ''. . . of course including[ing] discussions of candidates . . .''.

(4) According to *New York Times Co. v. Sullivan*, 376 U.S. 254, 270 (1964), the First Amendment reflects our ''profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open''. In a republic where the people are sovereign, the ability of the citizenry to make informed choices among candidates for office is essential, for the identities of those who are elected will inevitably shape the course that we follow as a nation.

(5) The First Amendment protects political association as well as political expression. The constitutional right of association explicated in *NAACP v. Alabama*, 357 U.S. 449, 460 (1958), stemmed from the Court's recognition that ''[e]ffective advocacy of both public and private points of view, particularly controversial ones, is undeniably enhanced by group association.'' Subsequent decisions have made clear that the First and Fourteenth Amendments guarantee ''freedom to associate with others for the common advancement of political beliefs and ideas,'' a freedom that encompasses ''[t]he right to associate with the political party of one's choice.'' *Kusper v. Pontikes*, 414 U.S. 51, 56, 57, quoted in *Cousins v. Wigoda*, 419 U.S. 477, 487 (1975).

(6) In *Buckley v. Valeo*, the Supreme Court stated, ''A restriction on the amount of money a person or group can spend on political communication during a campaign necessarily reduces the quantity of expression by restricting the number of issues discussed, the depth of their exploration, and the size of the audience reached. This is because virtually every means of communicating ideas in today's mass society requires the expenditure of money. The distribution of the humblest handbill or leaflet entails printing, paper, and circulation costs. Speeches and rallies generally necessitate hiring a hall and publicizing the event. The electorate's increasing dependence on television, radio, and other mass media for news and information has made these expensive modes of communication indispensable instruments of effective political speech.''.

(7) In response to the relentlessly repeated claim that campaign spending has skyrocketed and should be legislatively restrained, the *Buckley* Court stated that the First Amendment denied the government the power to make that determination: ''In the free society ordained by our Constitution, it is not the government but the people—individually as citizens and candidates and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign.''.

(8) In *Buckley*, the Court also stated, ''The concept that government may restrict the speech of some elements of our society in order to enhance the relative voice of others is wholly foreign to the First Amendment, which was designed 'to secure the widest possible dissemination of information from diverse and antagonistic sources,' and 'to assure unfettered exchange of ideas for the bringing about of political and societal changes desired by the people' ''.

(9) The courts of the United States have consistently reaffirmed and applied the teachings of *Buckley*, striking down such government overreaching. The courts of the United States have consistently upheld the rights of the citizens of the United States, candidates for public office, political parties, corporations, labor unions, trade associations, non-profit entities, among others. Such decisions provide a very clear line as to what the government can and cannot do with respect to the regulation of campaigns. See *Federal Election Comm'n v. Massachusetts Citizens for Life, Inc.*, 479 U.S. 238 (1986); *Federal Election Comm'n v. National Conservative Political Action Comm.*, 470 U.S. 480 (1985); *California Medical Assn. V. Federal Election Comm'n*, 453 U.S. 182 (1981).

(10) The FEC has lost time and time again in court attempting to move away from the express advocacy bright line test of *Buckley v. Valeo*. In fact, in some cases, the FEC has had to pay fees and costs because the theory is frivolous. *See FEC v. Christian Action Network*, 110 F.3d 1049 (4th Cir. 1997), *aff'g* 894 F. Supp. 946 (W.D.Va. 1995); *Maine Right to Life Comm. v. FEC*, 914 F. Supp. 8 (D.Me. 1996), aff'd 98 F.3d 1 (1st Cir. 1996), *cert. denied*, 118 S. Ct. 52 (1997); *Clifton v. FEC*, 114 F.3d 1309 (1st Cir. 1997); *Faucher v. FEC*, 928 F.2d 468, 472 (1st Cir.), *cert. denied*, 502 U.S. 820 (1991); *FEC v. Colorado Republican Federal Campaign Comm.*, 839 F. Supp. 1448 (D. Co.), *rev'd on other grounds*, 59 F.3d 1015 (10th Cir.), vacated on other grounds, 116 S. Ct. 2309 (1996); *FEC v. Central Long Island Tax Reform Immediately Comm.*, 616 F.2d 45, 53 (2d Cir. 1980); *Minnesota Citizens Concerned for Life, Inc. v. FEC*, 936 F. Supp. 633 (D. Minn. 1996), *aff'd* 113 F.3d 129 (8th Cir. 1997), *reh'g. en banc denied*, 1997 U.S. App. LEXIS 17528; *West Virginians for Life, Inc. v. Smith*, 960 F. Supp. 1036, 1039 (S.D.W.Va. 1996); *FEC v. Survival Education Fund*, 1994 U.S. Dist. Lexis 210 (S.D.N.Y. 1994), *aff'd in part and rev'd in part*, 65 F.3d 285 (2nd Cir. 1995); *FEC v. National Organization for Women*, 713 F. Supp. 428, 433–34 (D.D.C. 1989); *FEC v. American Federation of State, County and Municipal Employees*, 471 F. Supp. 315, 316–17 (D.D.C. 1979). Even the FEC abandoned the ''electioneering communication''

standard soon after the 1996 election due to its vagueness.

(11) The courts have also repeatedly upheld the rights of political party committees. As Justice Kennedy noted: ''The central holding in *Buckley v. Valeo* is that spending money on one's own speech must be permitted, and that this is what political parties do when they make expenditures FECA restricts.'' *Colo. Republican Fed. Campaign Comm. v. Federal Election Comm'n,* 518 U.S. 604, 627 (1996) (J. Kennedy, concurring). Justice Thomas added: ''As applied in the specific context of campaign funding by political parties, the anticorruption rationale loses its force. See Nahra, *Political Parties and the Campaign Finance Laws: Dilemmas, Concerns and Opportunities,* 56 Ford L. Rev. 53, 105–106 (1987). What could it mean for a party to 'corrupt' its candidates or to exercise 'coercive' influence over him? The very aim of a political party is to influence its candidate's stance on issues and, if the candidate takes office or is reelected, his votes. When political parties achieve that aim, that achievement does not, in my view, constitute 'a subversion of the political process.' *Federal Election Comm'n v. NCPAC,* 470 U.S. at 497. For instance, if the Democratic Party spends large sums of money in support of a candidate who wins, takes office, and then implements the Party's platform, that is not corruption; that is successful advocacy of ideas in the political marketplace and representative government in a party system. To borrow a phrase from *Federal Election Comm'n v. NCPAC,* 'the fact that candidates and elected officials may alter or reaffirm their own positions on issues in response to political messages paid for by [political groups] can hardly be called corruption, for one of the essential features of democracy is the presentation of the electorate of varying points of view.' *Id.* at 498. Cf. *Federal Election Comm'n v. MCFL,* 479 U.S. at 263 (suggesting that '[v]oluntary political associations do not . . . present the specter of corruption').''. *Colo. Republican Fed. Campaign Comm. v. Federal Election Comm'n,* 518 U.S. 604, 647 (1996) (J. Thomas, concurring). Justice Thomas continued: ''The structure of political parties is such that the theoretical danger of those groups actually engaging in quid pro quos with candidates is significantly less than the threat of individuals or other groups doing so. See Nahra, *Political Parties and the Campaign Finance Laws: Dilemmas, Concerns and Opportunities,* 56 Ford L. Rev. 53, 97–98 (1987) (citing F. Sorauf, *Party Politics in America* 15–18 (5th ed. 1984)). American political parties, generally speaking, have numerous members with a wide variety of interests, features necessary for success in majoritarian elections. Consequently, the influence of any one person or the importance of any single issue within a political party is significantly diffused. For this reason, as the Party's amici argue, see Brief for Committee for Party Renewal et al. as Amicus Curiae 16, campaign funds donated by parties are considered to be some of 'the cleanest money in politics.' J. Bibby, *Campaign Finance Reform,* 6 Commonsense 1, 10 (Dec. 1983). And, as long as the Court continues to permit Congress to subject individuals to limits on the amount they can give to parties, and those limits are uniform as to all donors, *see* 2 U.S.C. section 441a(a)(1), there is little risk that an individual donor could use a party as a conduit for bribing candidates. *Id.*''.

(12) As recently as 2000, the Supreme Court reminded us once again of the vital role that political parties play on our democratic life, by serving as the primary vehicles for the political views and voices of millions and millions of Americans. ''Representative democracy in any populous unit of governance is unimaginable without the ability of citizens to band together in promoting the electoral candidates who espouse their political views. The formation of national political parties was almost concurrent with the formation of the Republic itself.'' *California Democratic Party v. Jones,* 530 U.S. 567 (2000). Moreover, just last year, a Federal court struck down a state law that included a so-called ''soft money ban,'' which in reality was a ban on corporate and union contributions to political parties—which as a factual matter is correct. The *Anchorage Daily News* reported:

(13) A Federal judge says corporations and unions have a constitutional right to give unlimited amounts of ''soft money'' to political parties, so long as none of the money is used to get specific candidates elected. In a decision dated June 11, U.S. District Judge James Singleton struck down a section of Alaska's 1997 political contributions law that barred corporations, unions and other businesses from contributing any money to political candidates or parties. The ban against corporate contributions to individual candidates is fine, Singleton said. Public concern about the corrupting influence or corporate contributions on a specific candidate is legitimate and important enough to somewhat limit freedom of speech and political association, the judge concluded. But contributions to the noncandidate work of a political party do not raise undue influence issues and therefore may not be restricted, the judge concluded.

(14) Sheila Toomey, *Anchorage Daily News* (June 14, 2001) (reporting on *Kenneth P. Jacobus, et al. vs. State of Alaska, et al.,* No. A97–0272 (D. Alaska filed June 11, 2001).

(15) Nor is speech any less protected by the First Amendment simply because the one making the speech contacted or communicated with others. For some time, the Federal Election Commission held the view that such ''coordination'' (an undefined term), even of communications that did not contain express advocacy, somehow was problematic, and subject to the limitations and prohibitions of the Act. This view has been rejected by the courts. *Federal Election Commission v. Christian Coalition,* 52 F. Supp. 2d 45 (D.D.C. 1999). In fact, lower Federal courts have held that even political party committee limits on coordinated expenditures are an unconstitutional restriction on speech. *Federal Election Commission v. Colo. Republican Fed. Campaign Comm.,* 213 F.3d 1221 (10th Cir. 2000). Unless a party committee's expenditure is the functional equivalent of a contribution (and thus not ''coordinated''), it cannot be limited. See Federal Election Commission v. Colo. Republican Fed. Campaign Comm., 150 L.Ed.2d 461, nt. 17, nt. 2 (J. Thomas, dissenting) (2001). As a factual matter, many party committee ''coordinated'' expenditures are not the functional equivalent of contributions. *See* Amicus Curie Brief of the National Republican Congressional Committee, *Federal Election Commission v. Colo. Republican Fed. Campaign Comm.,* 150 L.Ed.2d 461 (2001).

(16) Commentators, legal experts and testimony in the record echoes the need to be mindful of the First Amendment. Whether it is the American Civil Liberties Union, see March 10, 2001 ACLU Letter to Senate (and all cases cited therein) & June 14, 2001 ACLU testimony before the House Administration Committee (and cases cited therein), or the counsel to the National Right to Life Committee and the Christian Coalition, see June 14, 2001 testimony of James Bopp before the House Administration Committee (and cases cited therein), experts across the political spectrum have thoughtfully explained the need to ensure the First Amendment rights of citizens of this country.

(17) Citizens who have an interest in issues have the Constitutional right to criticize or praise their elected officials individually or collectively as a group. Communication in the form of criticism or praise of elected officials is preciously protected as free speech under the First Amendment of the Constitution of the United States.

(18) This Act contains restrictions on the rights of citizens, either individually or collectively, to communicate with or about their elected representatives and to the general public. Such restrictions would stifle and suppress individual and group advocacy pertaining to politics and government—the political expression at the core of the electoral process and of First Amendment freedoms—the very engine of democracy. Such restrictions also hinder citizens' ability to communicate their support or opposition on issues to their elected officials and the general public.

(19) Candidate campaigns and issue campaigns are the primary vehicles for giving voice to popular grievances, raising issues and proposing solutions. An election, and the time leading up to it, is when political speech should be at its most robust and unfettered.

SEC. 602. NO RESTRICTIONS ON FIRST AMENDMENT RIGHTS.

Notwithstanding any provision of this Act, and in recognition of the First Amendment to the United States Constitution, nothing in this Act or in any amendment made by this Act may be construed to abridge those freedoms found in that Amendment, specifically the freedom of speech or of the press, or the right of people to peaceably assemble, and to petition the government for a redress of grievances, consistent with the rulings of the courts of the United States (as provided in section 601).

H.R. 2356

OFFERED BY: ____

[Armey Substitute]

AMENDMENT NO. 43: Amend section 323(b) of the Federal Election Campaign Act of 1971, as proposed to be added by section 101(a) of the bill, to read as follows:

''(b) STATE, DISTRICT, AND LOCAL COMMITTEES.—An amount that is expended or disbursed for Federal election activity 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), or by an association or similar group of candidates for State or local office or individuals holding State or local office, shall be made from funds subject to the limitations, prohibitions, and reporting requirements of this Act.

Amend section 323(e)(3) of the Federal Election Campaign Act of 1971, as proposed to be added by section 101(a) of the bill, to read as follows:

''(3) FUNDRAISING EVENTS.—Notwithstanding paragraph (1), a candidate or an individual holding Federal office may attend, speak, or be a featured guest at a fundraising event for a State, district, or local committee of a political party.

Amend section 304(e)(2) of the Federal Election Campaign Act of 1971, as proposed to be added by section 103(a) of the bill, to read as follows:

''(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) applies shall report all receipts and disbursements made for activities described

in section 301(20)(A), unless the aggregate amount of such receipts and disbursements during the calendar year is less than $5,000.

H.R. 2356

OFFERED BY: ____

[Armey Substitute]

AMENDMENT NO. 44: Add at the end the following:

TITLE ____—STRENGTHENING FOREIGN MONEY BAN

SEC. ____. STRENGTHENING FOREIGN MONEY BAN.

(a) BANNING ALL DONATIONS TO CANDIDATES AND PARTIES.—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 contribution or donation of money or other thing of value, or to make an express or implied promise to make a contribution or 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 a contribution or donation described in subparagraph (A) or (B) of paragraph (1) from a foreign national.''.

(b) EXTENSION OF BAN IN FEDERAL ELECTIONS TO ALL NONCITIZENS.—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).''.

H.R. 2356

OFFERED BY: MR. NEY

[Ney Substitute]

AMENDMENT NO. 45: Amend section 301(20) of the Federal Election Campaign Act of 1971, as proposed to be added by section 101(a) of the bill, to read as follows:

''(20) 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);

''(iii) a public 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 that promotes or supports a candidate for that office, or attacks or opposes a candidate for that office (regardless of whether the communication expressly advocates a vote for or against a candidate); or

''(iv) services provided during any month by an employee of a State, district, or local committee of a political party who spends more than 25 percent of that individual's compensated time during that month on activities in connection with a Federal election.

''(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) a public communication that refers solely to a clearly identified candidate for State or local office, if the communication is not a Federal election activity described in subparagraph (A)(i) or (ii);

''(ii) a contribution to a candidate for State or local office, provided the contribution is not designated to pay for a Federal election activity described in subparagraph (A);

''(iii) the costs of a State, district, or local political convention; and

''(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.

In section 402(b), strike ''At any time after such effective date, the committee may spend such funds for activities which are solely to defray the costs of the construction or purchase of any office building or facility.'' and insert the following: ''At no time after such effective date may the committee spend any such funds for activities to defray the costs of the construction or purchase of any office building or facility.''.

H.R. 2356

OFFERED BY: MR. NEY

[Ney Substitute]

AMENDMENT NO. 46: 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 Citizen Participation Act of 2002''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—SOFT MONEY OF NATIONAL PARTIES

Sec. 101. Restrictions on soft money of national political parties.

TITLE II—MODIFICATION OF CONTRIBUTION LIMITS

Sec. 201. Increase in limits on certain contributions.

Sec. 202. Increase in limits on contributions to State parties.

Sec. 203. Treatment of contributions to national party under aggregate annual limit on individual contributions.

Sec. 204. Exemption of costs of volunteer campaign materials produced and distributed by parties from treatment as contributions and expenditures.

Sec. 205. Indexing.

Sec. 206. Permitting national parties to establish accounts for making expenditures in excess of limits on behalf of candidates facing wealthy opponents.

TITLE III—DISCLOSURE OF ELECTION-RELATED COMMUNICATIONS

Sec. 301. Disclosure of information on communications broadcast prior to election.

Sec. 302. Disclosure of information on targeted mass communications.

TITLE IV—EFFECTIVE DATE

Sec. 401. Effective date.

TITLE I—SOFT MONEY OF NATIONAL PARTIES

SEC. 101. RESTRICTIONS ON SOFT MONEY OF NATIONAL 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 NATIONAL POLITICAL PARTIES

''SEC. 323. (a) PROHIBITING USE OF SOFT MONEY FOR FEDERAL ELECTION ACTIVITY.—A national committee of a political party (including a national congressional campaign committee of a political party) may not solicit, receive, or direct to another person a contribution, donation, or transfer of funds or any other thing of value for Federal election activity, or spend any funds for Federal election activity, that are not subject to the limitations, prohibitions, and reporting requirements of this Act.

''(b) LIMIT ON AMOUNT OF NONFEDERAL FUNDS PROVIDED TO PARTY BY ANY PERSON FOR ANY PURPOSE.—

''(1) LIMIT ON AMOUNT.—No person shall make contributions, donations, or transfers of funds which are not subject to the limitations, prohibitions, and reporting requirements of this Act to a political committee established and maintained by a national political party in any calendar year in an aggregate amount equal to or greater than $20,000.

''(2) PROHIBITING PROVISION OF NONFEDERAL FUNDS BY INDIVIDUALS.—No individual may make any contribution, donation, or transfer of funds which are not subject to the limitations, prohibitions, and reporting requirements of this Act to a political committee established and maintained by a national political party.

''(c) APPLICABILITY.— This subsection shall apply to any political committee established and maintained by a national political party, any officer or agent of such a committee acting on behalf of the committee, and any entity that is directly or indirectly established, maintained, or controlled by such a national committee.

''(d) DEFINITIONS.—

''(1) 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, unless the activity constitutes generic campaign activity;

''(ii) voter identification or get-out-the-vote 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), unless the activity constitutes generic campaign activity;

''(iii) any public communication that refers to or depicts a clearly identified candidate for Federal office (regardless of whether a candidate for State or local office is also mentioned or identified) and that promotes or supports a candidate for that office, or attacks or opposes a candidate for that office (regardless of whether the communication expressly advocates a vote for or against a candidate); or

''(iv) any public communication made by means of any broadcast, cable, or satellite communication.

''(B) EXCEPTION FOR CERTAIN ADMINISTRATIVE ACTIVITIES.—The term 'Federal election activity' does not include any activity relating to establishment, administration, or solicitation costs of a political committee established and maintained by a national political party, so long as the funds used to carry out the activity are derived from funds or payments made to the committee which are segregated and used exclusively to defray the costs of such activities.

''(2) GENERIC CAMPAIGN ACTIVITY.—The term 'generic campaign activity' means any activity that does not mention, depict, or otherwise promote a clearly identified Federal candidate.

''(3) PUBLIC COMMUNICATION.—The term 'public communication' means a communication by means of any broadcast, cable, or

tion by means of any broadcast, cable, or satellite communication, newspaper, magazine, outdoor advertising facility, or direct mail.

''(4) DIRECT MAIL.—The term 'direct mail' means a mailing by a commercial vendor or any mailing made from a commercial list.''.

TITLE II—MODIFICATION OF CONTRIBUTION LIMITS

SEC. 201. INCREASE IN LIMITS ON CERTAIN CONTRIBUTIONS.

(a) CONTRIBUTIONS BY COMMITTEES TO NATIONAL PARTIES.—Section 315(a)(2)(B) of such Act (2 U.S.C. 441a(a)(2)(B)) is amended by striking ''$15,000'' and inserting ''$30,000''.

(b) AGGREGATE ANNUAL LIMIT ON CONTRIBUTIONS BY INDIVIDUALS.—Section 315(a)(3) of such Act (2 U.S.C. 441a(a)(3)) is amended by striking ''$25,000'' and inserting ''$37,500''.

SEC. 202. INCREASE IN LIMITS ON CONTRIBUTIONS TO STATE PARTIES.

(a) CONTRIBUTIONS BY INDIVIDUALS.—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 which, in the aggregate, exceed $10,000.''.

(b) CONTRIBUTIONS BY COMMITTEES.—Section 315(a)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(2)) 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 which, in the aggregate, exceed $10,000.''.

SEC. 203. TREATMENT OF CONTRIBUTIONS TO NATIONAL PARTY UNDER AGGREGATE ANNUAL LIMIT ON INDIVIDUAL CONTRIBUTIONS.

Section 315(a)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441(a)(3)) is amended—

(1) by striking ''(3)'' and inserting ''(3)(A)''; and

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

''(B) Subparagraph (A) shall not apply with respect to any contribution made to any political committee established and maintained by a national political party which is not the authorized political committee of any candidate.''.

SEC. 204. EXEMPTION OF COSTS OF VOLUNTEER CAMPAIGN MATERIALS PRODUCED AND DISTRIBUTED BY PARTIES FROM TREATMENT AS CONTRIBUTIONS AND EXPENDITURES.

(a) TREATMENT AS CONTRIBUTIONS.—Section 301(8)(B)(x) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)(B)(x)) is amended by striking ''a State or local committee of a political party of the costs of'' and inserting ''a national, State, or local committee of a political party of the costs of producing and distributing''.

(b) TREATMENT AS EXPENDITURES.—Section 301(9)(B)(viii) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(9)(B)(viii)) is amended by striking ''a State or local committee of a political party of the costs of'' and inserting ''a national, State, or local committee of a political party of the costs of producing and distributing''.

SEC. 205. INDEXING.

Section 315(c) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(c)) is amended—

(1) in paragraph (1)—

(A) by striking the second and third sentences;

(B) by inserting ''(A)'' before ''At the beginning''; and

(C) by adding at the end the following:

''(B) Except as provided in subparagraph (C), in any calendar year after 2002—

''(i) a limitation established by subsections (a), (b), (d), or (h) shall be increased by the percent difference determined under subparagraph (A);

''(ii) each amount so increased shall remain in effect for the calendar year; and

''(iii) if any amount after adjustment under clause (i) is not a multiple of $100, such amount shall be rounded to the nearest multiple of $100.

''(C) In the case of limitations under subsections (a) and (h), increases shall only be made in odd-numbered years and such increases shall remain in effect for the 2-year period beginning on the first day following the date of the last general election in the year preceding the year in which the amount is increased and ending on the date of the next general election.''; and

(2) in paragraph (2)(B), by striking ''means the calendar year 1974'' and inserting ''means—

''(i) for purposes of subsections (b) and (d), calendar year 1974; and

''(ii) for purposes of subsections (a) and (h), calendar year 2001''.

SEC. 206. PERMITTING NATIONAL PARTIES TO ESTABLISH ACCOUNTS FOR MAKING EXPENDITURES IN EXCESS OF LIMITS ON BEHALF OF CANDIDATES FACING WEALTHY OPPONENTS.

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

''(4)(A) Subject to subparagraph (B), the national committee of a political party may make expenditures in connection with the general election campaign of a candidate for Federal office (other than a candidate for President) who is affiliated with such party in an amount in excess of the limit established under paragraph (3) if—

''(i) the candidate's opponent in the general election campaign makes expenditures of personal funds in connection with the campaign in an amount in excess of $100,000 (as provided in the notifications submitted under section 304(a)(6)(B)); and

''(ii) the expenditures are made from a separate account of the party used exclusively for making expenditures pursuant to this paragraph.

''(B) The amount of expenditures made in accordance with subparagraph (A) by the national committee of a political party in connection with the general election campaign of a candidate may not exceed the amount of expenditures of personal funds made by the candidate's opponent in connection with the campaign (as provided in the notifications submitted under section 304(a)(6)(B)).''.

(b) WAIVER OF LIMITS ON CONTRIBUTIONS TO ACCOUNTS.—Section 315(a) of such Act (2 U.S.C. 441a(a)) is amended by adding at the end the following new paragraph:

''(9) The limitations imposed by paragraphs (1)(B), (2)(B), and (3) shall not apply with respect to contributions made to the national committee of a political party which are designated by the donor to be deposited solely into the account established by the party under subsection (d)(4).''.

(c) NOTIFICATION OF EXPENDITURES OF PERSONAL FUNDS.—Section 304(a)(6) of such Act (2 U.S.C. 434(a)(6)) is amended—

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

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

''(B)(i) The principal campaign committee of a candidate (other than a candidate for President) shall submit the following notifications relating to expenditures of personal funds by such candidate (including contributions by the candidate or the candidate's spouse to such committee and funds derived from loans made by the candidate or the candidate's spouse to such committee):

''(I) A notification of the first such expenditure (or contribution) by which the aggregate amount of personal funds expended (or contributed) with respect to an election exceeds $100,000.

''(II) After the notification is made under subclause (I), a notification of each such subsequent expenditure (or contribution) which, taken together with all such subsequent expenditures (and contributions) in any amount not included in the most recent report under this subparagraph, totals $5,000 or more.

''(ii) Each of the notifications submitted under clause (i)—

''(I) shall be submitted not later than 24 hours after the expenditure or contribution which is the subject of the notification is made;

''(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; and

''(III) shall include the total amount of all such expenditures and contributions made with respect to the same election as of the date of expenditure or contribution which is the subject of the notification.''.

TITLE III—DISCLOSURE OF ELECTION-RELATED COMMUNICATIONS

SEC. 301. DISCLOSURE OF INFORMATION ON COMMUNICATIONS BROADCAST PRIOR TO ELECTION.

Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) is amended by adding at the end the following new subsection:

''(e) DISCLOSURE OF INFORMATION ON CERTAIN COMMUNICATIONS BROADCAST PRIOR TO ELECTIONS.—

''(1) IN GENERAL.—Any person who makes a disbursement for a communication described in paragraph (3) shall, not later than 24 hours after making the disbursement, file with the Commission a statement containing the information required under paragraph (2).

''(2) CONTENTS OF STATEMENT.—Each statement required to be filed under this subsection shall be made under penalty of perjury and shall contain the following information:

''(A) The identification of the person making the disbursement, of any individual or entity sharing or exercising direction or control over the activities of such person, and of the custodian of the books and accounts of the person making the disbursement.

''(B) The principal place of business and phone number of the person making the disbursement, if not an individual.

''(C) The amount of the disbursement.

''(D) The clearly identified candidate or candidates to which the communication pertains and the names (if known) of the candidates identified or to be identified in the communication.

''(E) The text of the communication involved.

''(3) COMMUNICATIONS DESCRIBED.—

''(A) IN GENERAL.—A communication described in this paragraph is any communication—

''(i) which is disseminated to the public by means of any broadcast, cable, or satellite communication during the 120-day period ending on the date of a Federal election; and

''(ii) which mentions a clearly identified candidate for such election (by name, image, or likeness).

''(B) EXCEPTION.—A communication is not described in this paragraph if—

''(i) the communication appears in a news story, commentary, or editorial distributed through the facilities of any broadcasting station, unless such facilities are owned or controlled by any political party, political committee, or candidate; or

''(ii) the communication constitutes an expenditure under this Act.

''(4) COORDINATION WITH OTHER REQUIREMENTS.—Any requirement to file a statement under this subsection shall be in addition to any other reporting requirement under this Act.

''(5) CLARIFICATION OF TREATMENT OF VENDORS.—A person shall not be considered to have made a disbursement for a communication under this subsection if the person made the disbursement solely as a vendor acting pursuant to a contractual agreement with the person responsible for sponsoring the communication.''.

SEC. 302. DISCLOSURE OF INFORMATION ON TARGETED MASS COMMUNICATIONS.

Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434), as amended by section 301, is further amended by adding at the end the following new subsection:

''(f) DISCLOSURE OF INFORMATION ON TARGETED MASS COMMUNICATIONS.—

''(1) IN GENERAL.—Any person who makes a disbursement for targeted mass communications in an aggregate amount in excess of $50,000 during any calendar year shall, within 24 hours of each disclosure date, file with the Commission a statement containing the information described in paragraph (2).

''(2) CONTENTS OF STATEMENT.—Each statement required to be filed under this subsection shall be made under penalty of perjury and shall contain the following information:

''(A) The identification of the person making the disbursement, of any individual or entity sharing or exercising direction or control over the activities of such person, and of the custodian of the books and accounts of the person making the disbursement.

''(B) The principal place of business and phone number of the person making the disbursement, if not an individual.

''(C) The amount of each such disbursement of more than $200 made by the person during the period covered by the statement and the identification of the person to whom the disbursement was made.

''(D) The clearly identified candidate or candidates to which the communication pertains and the names (if known) of the candidates identified or to be identified in the communication.

''(E) The text of the communication involved.

''(3) TARGETED MASS COMMUNICATION DEFINED.—

''(A) IN GENERAL.—In this subsection, the term 'targeted mass communication' means any communication—

''(i) which is disseminated during the 120-day period ending on the date of a Federal election;

''(ii) which refers to or depicts a clearly identified candidate for such election (by name, image, or likeness); and

''(iii) which is targeted to the relevant electorate.

''(B) TARGETING TO RELEVANT ELECTORATE.—

''(i) BROADCAST COMMUNICATIONS.—For purposes of this paragraph, a communication disseminated to the public by means of any broadcast, cable, or satellite communication which refers to or depicts a clearly identified candidate for Federal office is 'targeted to the relevant electorate' if the communication is disseminated by a broadcaster whose audience includes—

''(I) a substantial number of residents of the district the candidate seeks to represent (as determined in accordance with regulations of the Commission), in the case of a candidate for Representative in, or Delegate or Resident Commissioner to, the Congress; or

''(II) a substantial number of residents of the State the candidate seeks to represent (as determined in accordance with regulations of the Commission), in the case of a candidate for Senator.

''(ii) OTHER COMMUNICATIONS.—For purposes of this paragraph, a communication which is not described in clause (i) which refers to or depicts a clearly identified candidate for Federal office is 'targeted to the relevant electorate' if—

''(I) more than 10 percent of the total number of intended recipients of the communication are members of the electorate involved with respect to such Federal office; or

''(II) more than 10 percent of the total number of members of the electorate involved with respect to such Federal office receive the communication.

''(C) EXCEPTIONS.—The term 'targeted mass communication' does not include—

''(i) a communication appearing in a news story, commentary, or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication, unless such facilities are owned or controlled by any political party, political committee, or candidate;

''(ii) a communication made by any membership organization (including a labor organization) or corporation solely to its members, stockholders, or executive or administrative personnel, if such membership organization or corporation is not organized primarily for the purpose of influencing the nomination for election, or election, of any individual to Federal office; or

''(iii) a communication which constitutes an expenditure under this Act.

''(4) DISCLOSURE DATE.—For purposes of this subsection, the term 'disclosure date' means—

''(A) the first date during any calendar year by which a person has made disbursements for targeted mass communications aggregating in excess of $50,000; and

''(B) any other date during such calendar year by which a person has made disbursements for targeted mass communications aggregating in excess of $50,000 since the most recent disclosure date for such calendar year.

''(5) COORDINATION WITH OTHER REQUIREMENTS.—Any requirement to report under this subsection shall be in addition to any other reporting requirement under this Act.

''(6) CLARIFICATION OF TREATMENT OF VENDORS.—A person shall not be considered to have made a disbursement for a communication under this subsection if the person made the disbursement solely as a vendor acting pursuant to a contractual agreement with the person responsible for sponsoring the communication.''.

TITLE IV—EFFECTIVE DATE

SEC. 401. EFFECTIVE DATE.

The amendments made by this Act shall take effect on the date of the enactment of this Act.

H.R. 2356

OFFERED BY:____

[Ney substitute]

AMENDMENT NO. 47: Add at the end title II the following new subtitle:

Subtitle C—Exemption of Communications Pertaining to the Second Amendment of the Constitution

SEC. 221. FINDINGS.

Congress finds the following:

(1) The Second Amendment to the United States Constitution protects the right of individual persons to keep and bear arms.

(2) There are more than 60,000,000 gun owners in the United States.

(3) The Second Amendment to the Constitution of the United States protects the right of Americans to carry firearms in defense of themselves and others.

(4) The United States Court of Appeals in *U.S. v. Emerson* reaffirmed the fact that the right to keep and bear arms is an individual right protected by the Constitution.

(5) Americans who are concerned about threats to their ability to keep and bear arms have the right to petition their government.

(6) The Supreme Court, in *U.S. v. Cruikshank* (92 U.S. 542, 1876) recognized that the right to arms preexisted the Constitution. The Court stated that the right to arms ''is not a right granted by the Constitution. Neither is it in any manner dependent upon that instrument for its existence.''.

(7) In *Beard v. United States* (158 U.S. 550, 1895) the Court approved the common-law rule that a person ''may repel force by force'' in self-defense, and concluded that when attacked a person ''was entitled to stand his ground and meet any attack made upon him with a deadly weapon, in such a way and with such force'' as needed to prevent ''great bodily injury or death''. The laws of all 50 states, and the constitutions of most States, recognize the right to use armed force in self-defense.

(8) In order to protect Americans' constitutional rights under the Second Amendment, the First Amendment provides the ability for citizens to address the Government.

(9) The First Amendment to the United States Constitution states that, ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or of the right of the people to peaceably assemble, and to petition the Government for a redress of grievances.''.

(10) The Supreme Court recognized and emphasized the importance of free speech rights in *Buckley v. Valeo*, where it stated, ''A restriction on the amount of money a person or group can spend on political communication during a campaign necessarily reduces the quantity of expression by restricting the number of issues discussed, the depth of their exploration, and the size of the audience reached. This is because virtually every means of communicating ideas in today's mass society requires the expenditure of money. The distribution of the humblest handbill or leaflet entails printing, paper, and circulation costs. Speeches and rallies generally necessitate hiring a hall and publicizing the event. The electorate's increasing dependence on television, radio, and other mass media for news and information has made these expensive modes of communication indispensable instruments of effective political speech.''.

(11) In response to the relentlessly repeated claim that campaign spending has skyrocketed and should be legislatively restrained, the *Buckley* Court stated that the First Amendment denied the government the

power to make that determination: ''In the free society ordained by our Constitution, it is not the government but the people—individually as citizens and candidates and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign.''.

(12) In *Buckley*, the Court also stated, ''The concept that government may restrict the speech of some elements of our society in order to enhance the relative voice of others is wholly foreign to the First Amendment, which was designed 'to secure the widest possible dissemination of information from diverse and antagonistic sources,' and 'to assure unfettered exchange of ideas for the bringing about of political and societal changes desired by the people' ''.

(13) Citizens who have an interest in issues about or related to the Second Amendment of the Constitution have the Constitutional right to criticize or praise their elected officials individually or collectively as a group. Communications in the form of criticism or praise of elected officials is preciously protected as free speech under the First Amendment of the Constitution of the United States.

(14) This title contains restrictions on the rights of citizens, either individually or collectively, to communicate with or about their elected representatives and to the general public. Such restrictions would stifle and suppress individual and group advocacy pertaining to politics and government—the political expression at the core of the electoral process and of First Amendment freedoms—the very engine of democracy. Such restrictions also hinder citizens' ability to communicate their support or opposition on issues concerning the right to keep and bear arms to their elected officials and the general public.

(15) Candidate campaigns and issue campaigns are the primary vehicles for giving voice to popular grievances, raising issues and proposing solutions. An election, and the time leading up to it, is when political speech should be at its most robust and unfettered.

SEC. 222. EXEMPTION FOR COMMUNICATIONS PERTAINING TO THE SECOND AMENDMENT OF THE CONSTITUTION.

None of the restrictions or requirements contained in this title shall apply to any form or mode of communication to the public that consists of information or commentary regarding the statements, actions, positions, or voting records of any person who holds congressional or other Federal office, or who is a candidate for congressional or other Federal office, on any matter pertaining to the Second Amendment.

[Ney Substitute] Offered By: ____

AMENDMENT NO. 48: Add at the end of title II the following new subtitle:

Subtitle C—Exemption of Communications Pertaining to Veterans, Military Personnel, or Seniors

SEC. 221. FINDINGS.

Congress finds the following:

(1) More than 42,000,000 men and women have served in the United States Armed Forces from the Revolution onward and more than 25 million are still living. Living veterans and their families, plus the living dependents of deceased veterans, constitute a significant part of the present United States population.

(2) American veterans are black and they are white; they are of every race and ethnic heritage. They are men, and they are women. They are Christians, they are Muslims, they are Jews. They are fathers, mothers, sisters, brothers, sons and daughters. They are neighbors, down the street or right next door. They are teachers in our schools, they are factory workers. They are Americans living today who served in the armed services, and they are the more than 1,000,000 who have died in America's wars.

(3) America's veterans are men and women who have fought to protect the United States against foreign aggressors as Soldiers, Sailors, Airmen, Coast Guardsmen and Marines. The members of our elite organization are those who have discharged their very special obligation of citizenship as servicemen and women, and who today continue to expend great time, effort and energy in the service of their fellow veterans and their communities.

(4) There is a bond joining every veteran from every branch of the service. Whether drafted or enlisted, commissioned or noncommissioned, each took an oath, lived by a code, and stood ready to fight and die for their country.

(5) American men and women in uniform risk their lives on a daily basis to defend our freedom and democracy. Americans have always believed that there are values worth fighting for—values and liberties upon which America was founded and which we have carried forward for more than 225 years, that men and women of this great nation gave their lives to preserve.

(6) It is the sacrifice borne by generations of American veterans that has made us strong and has rendered us the beacon of freedom guiding the course of nations throughout the world. American veterans have fought for freedom for Americans, as well as citizens throughout the world. They have helped to defend and preserve the values of freedom of speech, democracy, voting rights, human rights, equal access and the rights of the individual—those values felt and nurtured on every continent in our world.

(7) The freedoms and opportunities we enjoy today were bought and paid for with their devotion to duty and their sacrifices. We can never say it too many times: We are the benefactors of their sacrifice, and we are grateful.

(8) Of the 25,000,000 veterans currently alive, nearly three of every four served during a war or an official period of hostility. About a quarter of the Nation's population—approximately 70,000,000 people—are potentially eligible for Veterans' Administration benefits and services because they are veterans, family members or survivors of veterans.

(9) The present veteran population is estimated at 25,600,000, as of July 1, 1997. Nearly 80 of every 100 living veterans served during defined periods of armed hostilities. Altogether, almost one-third of the nation's population-approximately 70,000,000 persons who are veterans, dependents and survivors of deceased veterans—are potentially eligible for Veterans' Administration benefits and services.

(10) Care for veterans and dependents spans centuries. The last dependent of a Revolutionary War veteran died in 1911; the War of 1812's last dependent died in 1946; the Mexican War's, in 1962.

(11) The Veterans' Administration health care system has grown from 54 hospitals in 1930, to include 171 medical centers; more than 350 outpatient, community, and outreach clinics; 126 nursing home care units; and 35 domiciliaries. Veterans' Administration health care facilities provide a broad spectrum of medical, surgical, and rehabilitative care.

(12) World War II resulted in not only a vast increase in the veteran population, but also in large number of new benefits enacted by the Congress for veterans of the war. The World War II GI Bill, signed into law on June 22, 1944, is said to have had more impact on the American way of life than any law since the Homestead Act more than a century ago.

(13) About 2,700,000 veterans receive disability compensation or pensions from VA. Also receiving Veterans' Administration benefits are 592,713 widows, children and parents of deceased veterans. Among them are 133,881 survivors of Vietnam era veterans and 295,679 survivors of World War II veterans. In fiscal year 2001, Veterans' Administration planned to spend $22,000,000,000 yearly in disability compensation, death compensation and pension to 3,200,000 people.

(14) Veterans' Administration manages the largest medical education and health professions training program in the United States. Veterans' Administration facilities are affiliated with 107 medical schools, 55 dental schools and more than 1,200 other schools across the country. Each year, about 85,000 health professionals are trained in Veterans' Administration medical centers. More than half of the physicians practicing in the United States have had part of their professional education in the Veterans' Administration health care system.

(15) 75 percent of Veterans' Administration researchers are practicing physicians. Because of their dual roles, Veterans' Administration research often immediately benefits patients. Functional electrical stimulation, a technology using controlled electrical current to activate paralyzed muscles, is being developed at Veterans' Administration clinical facilities and laboratories throughout the country. Through this technology, paraplegic patients have been able to stand and, in some instances, walk short distances and climb stairs. Patients with quadriplegia are able to use their hands to grasp objects.

(16) There are more than 35,000,000 persons in the United States aged 65 and over.

(17) Seniors are a diverse population, each member having his or her own political and economic issues.

(18) Seniors and their families have many important issues for which they seek congressional action. Some of these issues include, but are not limited to, health care, Social Security, and taxes.

(19) The First Amendment to the United States Constitution states that, ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or of the right of the people to peaceably assemble, and to petition the Government for a redress of grievances.''.

(20) The Supreme Court recognized and emphasized the importance of free speech rights in *Buckley v. Valeo*, where it stated, ''A restriction on the amount of money a person or group can spend on political communication during a campaign necessarily reduces the quantity of expression by restricting the number of issues discussed, the depth of their exploration, and the size of the audience reached. This is because virtually every means of communicating ideas in today's mass society requires the expenditure of money. The distribution of the humblest handbill or leaflet entails printing, paper, and circulation costs. Speeches and rallies generally necessitate hiring a hall and publicizing the event. The electorate's increasing dependence on television, radio, and other mass media for news and information has made these expensive modes of communication indispensable instruments of effective political speech.''.

(21) In response to the relentlessly repeated claim that campaign spending has skyrocketed and should be legislatively restrained, the *Buckley* Court stated that the First Amendment denied the government the

power to make that determination: ''In the free society ordained by our Constitution, it is not the government but the people—individually as citizens and candidates and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign.''.

(22) In *Buckley*, the Court also stated, ''The concept that government may restrict the speech of some elements of our society in order to enhance the relative voice of others is wholly foreign to the First Amendment, which was designed 'to secure the widest possible dissemination of information from diverse and antagonistic sources,' and 'to assure unfettered exchange of ideas for the bringing about of political and societal changes desired by the people' ''.

(23) Citizens who have an interest in issues about or related to veterans, military personnel, seniors, and their families have the Constitutional right to criticize or praise their elected officials individually or collectively as a group. Communications in the form of criticism or praise of elected officials is preciously protected as free speech under the First Amendment of the Constitution of the United States.

(24) This title contains restrictions on the rights of citizens, either individually or collectively, to communicate with or about their elected representatives and to the general public. Such restrictions would stifle and suppress individual and group advocacy pertaining to politics and government—the political expression at the core of the electoral process and of First Amendment freedoms—the very engine of democracy. Such restrictions also hinder citizens' ability to communicate their support or opposition on issues concerning veterans, military personnel, seniors, and their families to their elected officials and the general public.

(25) Candidate campaigns and issue campaigns are the primary vehicles for giving voice to popular grievances, raising issues and proposing solutions. An election, and the time leading up to it, is when political speech should be at its most robust and unfettered.

SEC. 222. EXEMPTION FOR COMMUNICATIONS PERTAINING TO VETERANS, MILITARY PERSONNEL, OR SENIORS.

None of the restrictions or requirements contained in this title or the amendments made by this title shall apply to any form or mode of communication to the public that consists of information or commentary regarding the statements, actions, positions, or voting records of any individual who holds congressional or other Federal office, or who is a candidate for congressional or other Federal office, on any matter pertaining to veterans, military personnel, or senior citizens, or to the immediate family members of veterans, military personnel, or senior citizens.

H.R. 2356

OFFERED BY: ____

[Ney Substitute]

AMENDMENT NO. 49: Amend section 402 to read as follows:

SEC. 402. EFFECTIVE DATE.

(a) IN GENERAL.—Except as otherwise provided in this Act, this Act and the amendments made by this Act shall take effect February 14, 2002.

(b) TRANSITION RULE FOR SPENDING OF FUNDS BY NATIONAL PARTIES.—If a national committee of a political party described in section 323(a)(1) of the Federal Election Campaign Act of 1971 (as added by section 101(a)), including any person who is subject to such section, has received funds described in such section prior to the effective date described in subsection (a) which remain unexpended as of such date, the committee shall return the funds on a pro rata basis to the persons who provided the funds to the committee.

H.R. 2356

OFFERED BY: ____

[Ney Substitute]

AMENDMENT NO. 50: Add at the end of title II the following new subtitle:

Subtitle C—Exemption of Communications Pertaining to Workers, Farmers, Families, and Individuals

SEC. 221. FINDINGS.

Congress finds the following:

(1) There are approximately 138 million people employed in the United States.

(2) Thousands of organizations and associations represent these employed persons and their employers in numerous forms and forums, not least of which is by participating in our electoral and political system in a number of ways, including informing citizens of key votes that affect their common interests, criticizing and praising elected officials for their position on issues, contributing to candidates and political parties, registering voters, and conducting get-out-the-vote activities.

(3) The rights of American workers to bargain collectively are protected by their First Amendment to the Constitution and by provisions in the National Labor Relations Act. Federal law guarantees the rights of workers to choose whether to bargain collectively through a union.

(4) Fourteen percent of the American workforce has chosen to affiliate with a labor union. Federal law allows workers and unions the opportunity to combine strength and to work together to seek to improve the lives of America's working families, bring fairness and dignity to the workplace and secure social and economic equity in our nation.

(5) Nearly three quarters of all United States business firms have no payroll. Most are self-employed persons operating unincorporated businesses, and may or may not be the owner's principal source of income.

(6) Minorities owned fewer than 7 percent of all United States firms, excluding C corporations, in 1982, but this share soared to about 15 percent by 1997. Minorities owned more than 3 million businesses in 1997, of which 615,222 had paid employees, generated more than $591 billion in revenues, created more than 4.5 million jobs, and provided about $96 billion in payroll to their workers.

(7) In 1999, women made up 46 percent of the labor force. The labor force participation rate of American women was the highest in the world.

(8) Labor/Worker unions represent 16 million working women and men of every race and ethnicity and from every walk of life.

(9) In recent years, union members and their families have mobilized in growing numbers. In the 2000 election, 26 percent of the nation's voters came from union households.

(10) According to the 2000 census, total United States families were totaled at over 105 million.

(11) In 2000, there were 8.7 million African American families.

(12) Asians have larger families than other groups. For example, the average Asian family size is 3.6 persons, as opposed to an average Caucasian family of 3.1 persons.

(13) American farmers, ranchers, and agricultural managers direct the activities of the world's largest and most productive agricultural sectors. They produce enough food and fiber to meet the needs of the United States and produce a surplus for export.

(14) About 17 percent of raw United States agricultural products are exported yearly, including 83 million metric tons of cereal grains, 1.6 billion pounds of poultry, and 1.4 million metric tons of fresh vegetables.

(15) One-fourth of the world's beef and nearly one-fifth of the world's grain, milk, and eggs are produced in the United States.

(16) With 96 percent of the world's population living outside our borders, the world's most productive farmers need access to international markets to compete.

(17) Every State benefits from the income generated from agricultural exports. 19 States have exports of $1 billion or more.

(18) America's total on United States exports is $49.1 billion and the number of imports is $37.5 billion.

(19) By itself, farming-production agriculture-contributed $60.4 billion toward the national GDP (Gross Domestic Product).

(20) Farmers and ranchers provide food and habitat for 75 percent of the Nation's wildlife.

(21) More than 23 million jobs—17 percent of the civilian workforce—are involved in some phase of growing and getting our food and clothing to us. America now has fewer farmers, but they are producing now more than ever before.

(22) Twenty-two million American workers process, sell, and trade the Nation's food and fiber. Farmers and ranchers work with the Department of Agriculture to produce healthy crops while caring for soil and water.

(23) By February 8, the 39th day of 2002, the average American has earned enough to pay for their family's food for the entire year. In 1970 it took 12 more days than it does now to earn a full food pantry for the year. Even in 1980 it took 10 more days—49 total days—of earning to put a year's supply of food on the table.

(24) Farmers are facing the 5th straight year of the lowest real net farm income since the Great Depression. Last October, prices farmers received made their sharpest drop since United States Department of Agriculture began keeping records 91 years ago. During this same period the cost of production has hit record highs.

(25) The First Amendment to the United States Constitution states that, ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or of the right of the people to peaceably assemble, and to petition the Government for a redress of grievances.''.

(26) The Supreme Court recognized and emphasized the importance of free speech rights in *Buckley v. Valeo*, where it stated, ''A restriction on the amount of money a person or group can spend on political communication during a campaign necessarily reduces the quantity of expression by restricting the number of issues discussed, the depth of their exploration, and the size of the audience reached. This is because virtually every means of communicating ideas in today's mass society requires the expenditure of money. The distribution of the humblest handbill or leaflet entails printing, paper, and circulation costs. Speeches and rallies generally necessitate hiring a hall and publicizing the event. The electorate's increasing dependence on television, radio, and other mass media for news and information has made these expensive modes of communication indispensable instruments of effective political speech.''.

(27) In response to the relentlessly repeated claim that campaign spending has skyrocketed and should be legislatively restrained, the *Buckley* Court stated that the First Amendment denied the government the power to make that determination: ''In the free society ordained by our Constitution, it

is not the government but the people—individually as citizens and candidates and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign.''.

(28) In *Buckley*, the Court also stated, ''The concept that government may restrict the speech of some elements of our society in order to enhance the relative voice of others is wholly foreign to the First Amendment, which was designed 'to secure the widest possible dissemination of information from diverse and antagonistic sources,' and 'to assure unfettered exchange of ideas for the bringing about of political and societal changes desired by the people' ''.

(29) Citizens who have an interest in issues about or related to their lives have the Constitutional right to criticize or praise their elected officials individually or collectively as a group. Communications in the form of criticism or praise of elected officials is preciously protected as free speech under the First Amendment of the Constitution of the United States.

(30) This title contains restrictions on the rights of citizens, either individually or collectively, to communicate with or about their elected representatives and to the general public. Such restrictions would stifle and suppress individual and group advocacy pertaining to politics and government—the political expression at the core of the electoral process and of First Amendment freedoms—the very engine of democracy.

(31) Candidate campaigns and issue campaigns are the primary vehicles for giving voice to popular grievances, raising issues and proposing solutions. An election, and the time leading up to it, is when political speech should be at its most robust and unfettered.

SEC. 222. EXEMPTION FOR COMMUNICATIONS PERTAINING TO WORKERS, FARMERS, FAMILIES, AND INDIVIDUALS.

None of the restrictions or requirements contained in this title or the amendments made by this title shall apply to any form or mode of communication to the public that consists of information or commentary regarding the statements, actions, positions, or voting records of any individual who holds congressional or other Federal office, or who is a candidate for congressional or other Federal office, on any matter pertaining to any individual.

H.R. 2356

OFFERED BY: ____

[Ney Substitute]

AMENDMENT NO. 51: Add at the end title II the following new subtitle:

Subtitle C—Exemption of Communications Pertaining to Civil Rights and Issues Affecting Minorities

SEC. 221. FINDINGS.

Congress finds the following:

(1) More than 70 million people in the United States belong to a minority race.

(2) More than 34 million people in the United States are African American, 35 million are Hispanic or Latino, 10 million are Asian, and 2 million are American Indian or Alaska Native.

(3) Minorities account for around 24 percent of the U.S. workforce.

(4) Minorities, who owned fewer than 7 percent of all U.S. firms in 1982, now own more than 15 percent. Minorities owned more than 3 million businesses in 1997, of which 615,222 had paid employees, generated more than $591 billion in revenues, created more than 4.5 million jobs, and provided about $96 billion in payroll to their workers.

(5) Self-employment as a share of each group's nonagricultural labor force (averaged over the 1991–1999 decade) was White, 9.7 percent; African American, 3.8 percent; American Indian, Eskimo, or Aleut, 6.4 percent; and Asian or Pacific Islander, 10.1 percent.

(6) Of U.S. businesses, 5.8 percent were owned by Hispanic Americans, 4.4 percent by Asian Americans, 4.0 percent by African Americans, and 0.9 percent by American Indians.

(7) Of the 4,514,699 jobs in minority-owned businesses in 1997, 48.8 percent were in Asian-owned firms, 30.8 percent in Hispanic-owned firms, 15.9 percent in African American-owned firms, and 6.6 percent in American Native-owned firms.

(8) Minority-owned firms had about $96 billion in payroll in 1997. The average payroll per employee was roughly $21,000 in the major minority groups and ranged from just under $15,000 to just over $27,000 in various subgroups of the minority population.

(9) African Americans were the only race or ethnic group to show an increase in voter participation in congressional elections, increasing their presence at the polls from 37 percent in 1994 to 40 percent in 1998. Nationwide, overall turnout by the voting-age population was down from 45 percent in 1994 to 42 percent in 1998.

(10) In 2000, there were 8.7 million African American families. The United States had 96,000 African American engineers, 41,000 African American physicians and 47,000 African American lawyers in 1999.

(11) The number of Asians and Pacific Islanders voting in congressional elections increased by 366,000 between 1994 and 1998.

(12) Businesses owned by Asians and Pacific Islanders made up 4 percent of the nation's 20.8 million nonfarm businesses.

(13) Asians tend to have larger families—the average family size is 3.6 persons, as opposed to an average Caucasian family of 3.1 persons.

(14) The First Amendment to the United States Constitution states that, ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or of the right of the people to peaceably assemble, and to petition the Government for a redress of grievances.''.

(15) The Supreme Court recognized and emphasized the importance of free speech rights in *Buckley v. Valeo*, where it stated, ''A restriction on the amount of money a person or group can spend on political communication during a campaign necessarily reduces the quantity of expression by restricting the number of issues discussed, the depth of their exploration, and the size of the audience reached. This is because virtually every means of communicating ideas in today's mass society requires the expenditure of money. The distribution of the humblest handbill or leaflet entails printing, paper, and circulation costs. Speeches and rallies generally necessitate hiring a hall and publicizing the event. The electorate's increasing dependence on television, radio, and other mass media for news and information has made these expensive modes of communication indispensable instruments of effective political speech.''.

(16) In response to the relentlessly repeated claim that campaign spending has skyrocketed and should be legislatively restrained, the *Buckley* Court stated that the First Amendment denied the government the power to make that determination: ''In the free society ordained by our Constitution, it is not the government but the people—individually as citizens and candidates and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign.''.

(17) In *Buckley*, the Court also stated, ''The concept that government may restrict the speech of some elements of our society in order to enhance the relative voice of others is wholly foreign to the First Amendment, which was designed 'to secure the widest possible dissemination of information from diverse and antagonistic sources,' and 'to assure unfettered exchange of ideas for the bringing about of political and societal changes desired by the people' ''.

(18) Citizens who have an interest in issues about or related to civil rights have the Constitutional right to criticize or praise their elected officials individually or collectively as a group. Communications in the form of criticism or praise of elected officials is preciously protected as free speech under the First Amendment of the Constitution of the United States.

(19) This title contains restrictions on the rights of citizens, either individually or collectively, to communicate with or about their elected representatives and to the general public. Such restrictions would stifle and suppress individual and group advocacy pertaining to politics and government—the political expression at the core of the electoral process and of First Amendment freedoms—the very engine of democracy. Such restrictions also hinder citizens' ability to communicate their support or opposition on issues concerning civil rights to their elected officials and the general public.

(20) Candidate campaigns and issue campaigns are the primary vehicles for giving voice to popular grievances, raising issues and proposing solutions. An election, and the time leading up to it, is when political speech should be at its most robust and unfettered.

SEC. 222. EXEMPTION FOR COMMUNICATIONS PERTAINING TO CIVIL RIGHTS AND ISSUES AFFECTING MINORITIES.

None of the restrictions or requirements contained in this title or the amendments made by this title shall apply to any form or mode of communication to the public that consists of information or commentary regarding the statements, actions, positions, or voting records of any individual who holds congressional or other Federal office, or who is a candidate for congressional or other Federal office, on any matter pertaining to civil rights and issues affecting minorities.

H.R. 2356

OFFERED BY: ____

[Ney Substitute]

AMENDMENT NO. 52: Add at the end the following title:

TITLE VI—NO RESTRICTIONS ON FIRST AMENDMENT RIGHTS

SEC. 601. FINDINGS.

Congress finds the following:

(1) The First Amendment to the United States Constitution states that, ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or of the right of the people to peaceably assemble, and to petition the Government for a redress of grievances.''

(2) The First Amendment affords the broadest protection to such political expression in order ''to assure [the] unfettered interchange of ideas for the bringing about of political and social changes desired by the people. *Roth v. United States*, 354 U.S. 476, 484 (1957).

(3) According to *Mills v. Alabama*, 384 U.S. 214, 218 (1966), there is practically universal agreement that a major purpose of that

Amendment was to protect the free discussion of governmental affairs, ''...of course including[ing] discussions of candidates...''.

(4) According to *New York Times Co. v. Sullivan*, 376 U.S. 254, 270 (1964), the First Amendment reflects our ''profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open''. In a republic where the people are sovereign, the ability of the citizenry to make informed choices among candidates for office is essential, for the identities of those who are elected will inevitably shape the course that we follow as a nation.

(5) The First Amendment protects political association as well as political expression. The constitutional right of association explicated in *NAACP v. Alabama*, 357 U.S. 449, 460 (1958), stemmed from the Court's recognition that ''[e]ffective advocacy of both public and private points of view, particularly controversial ones, is undeniably enhanced by group association.'' Subsequent decisions have made clear that the First and Fourteenth Amendments guarantee ''freedom to associate with others for the common advancement of political beliefs and ideas,'' a freedom that encompasses '''[t]he right to associate with the political party of one's choice.''' *Kusper v. Pontikes*, 414 U.S. 51, 56, 57, quoted in *Cousins v. Wigoda*, 419 U.S. 477, 487 (1975).

(6) In *Buckley v. Valeo*, the Supreme Court stated, ''A restriction on the amount of money a person or group can spend on political communication during a campaign necessarily reduces the quantity of expression by restricting the number of issues discussed, the depth of their exploration, and the size of the audience reached. This is because virtually every means of communicating ideas in today's mass society requires the expenditure of money. The distribution of the humblest handbill or leaflet entails printing, paper, and circulation costs. Speeches and rallies generally necessitate hiring a hall and publicizing the event. The electorate's increasing dependence on television, radio, and other mass media for news and information has made these expensive modes of communication indispensable instruments of effective political speech.''.

(7) In response to the relentlessly repeated claim that campaign spending has skyrocketed and should be legislatively restrained, the *Buckley* Court stated that the First Amendment denied the government the power to make that determination: ''In the free society ordained by our Constitution, it is not the government but the people—individually as citizens and candidates and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign.''.

(8) In *Buckley*, the Court also stated, ''The concept that government may restrict the speech of some elements of our society in order to enhance the relative voice of others is wholly foreign to the First Amendment, which was designed 'to secure the widest possible dissemination of information from diverse and antagonistic sources,' and 'to assure unfettered exchange of ideas for the bringing about of political and societal changes desired by the people' ''.

(9) The courts of the United States have consistently reaffirmed and applied the teachings of *Buckley*, striking down such government overreaching. The courts of the United States have consistently upheld the rights of the citizens of the United States, candidates for public office, political parties, corporations, labor unions, trade associations, non-profit entities, among others. Such decisions provide a very clear line as to what the government can and cannot do with respect to the regulation of campaigns. See *Federal Election Comm'n v. Massachusetts Citizens for Life, Inc.*, 479 U.S. 238 (1986); *Federal Election Comm'n v. National Conservative Political Action Comm.*, 470 U.S. 480 (1985); *California Medical Assn. V. Federal Election Comm'n*, 453 U.S. 182 (1981).

(10) The FEC has lost time and time again in court attempting to move away from the express advocacy bright line test of *Buckley v. Valeo*. In fact, in some cases, the FEC has had to pay fees and costs because the theory is frivolous. *See FEC v. Christian Action Network*, 110 F.3d 1049 (4th Cir. 1997), *aff'g* 894 F. Supp. 946 (W.D.Va. 1995); *Maine Right to Life Comm. v. FEC*, 914 F. Supp. 8 (D.Me. 1996), aff'd 98 F.3d 1 (1st Cir. 1996), *cert. denied*, 118 S. Ct. 52 (1997); *Clifton v. FEC*, 114 F.3d 1309 (1st Cir. 1997); *Faucher v. FEC*, 928 F.2d 468, 472 (1st Cir.), *cert. denied*, 502 U.S. 820 (1991); *FEC v. Colorado Republican Federal Campaign Comm.*, 839 F. Supp. 1448 (D. Co.), *rev'd on other grounds*, 59 F.3d 1015 (10th Cir.), vacated on other grounds, 116 S. Ct. 2309 (1996); *FEC v. Central Long Island Tax Reform Immediately Comm.*, 616 F.2d 45, 53 (2d Cir. 1980); *Minnesota Citizens Concerned for Life, Inc. v. FEC*, 936 F. Supp. 633 (D. Minn. 1996), *aff'd* 113 F.3d 129 (8th Cir. 1997), *reh'g. en banc denied*, 1997 U.S. App. LEXIS 17528; *West Virginians for Life, Inc. v. Smith*, 960 F. Supp. 1036, 1039 (S.D.W.Va. 1996); *FEC v. Survival Education Fund*, 1994 U.S. Dist. Lexis 210 (S.D.N.Y. 1994), *aff'd in part and rev'd in part*, 65 F.3d 285 (2nd Cir. 1995); *FEC v. National Organization for Women*, 713 F. Supp. 428, 433–34 (D.D.C. 1989); *FEC v. American Federation of State, County and Municipal Employees*, 471 F. Supp. 315, 316–17 (D.D.C. 1979). Even the FEC abandoned the ''electioneering communication'' standard soon after the 1996 election due to its vagueness.

(11) The courts have also repeatedly upheld the rights of political party committees. As Justice Kennedy noted: ''The central holding in *Buckley v. Valeo* is that spending money on one's own speech must be permitted, and that this is what political parties do when they make expenditures FECA restricts.'' *Colo. Republican Fed. Campaign Comm. v. Federal Election Comm'n*, 518 U.S. 604, 627 (1996) (J. Kennedy, concurring). Justice Thomas added: ''As applied in the specific context of campaign funding by political parties, the anticorruption rationale loses its force. See Nahra, *Political Parties and the Campaign Finance Laws: Dilemmas, Concerns and Opportunities*, 56 Ford L. Rev. 53, 105–106 (1987). What could it mean for a party to 'corrupt' its candidates or to exercise 'coercive' influence over him? The very aim of a political party is to influence its candidate's stance on issues and, if the candidate takes office or is reelected, his votes. When political parties achieve that aim, that achievement does not, in my view, constitute 'a subversion of the political process.' *Federal Election Comm'n v. NCPAC*, 470 U.S. at 497. For instance, if the Democratic Party spends large sums of money in support of a candidate who wins, takes office, and then implements the Party's platform, that is not corruption; that is successful advocacy of ideas in the political marketplace and representative government in a party system. To borrow a phrase from *Federal Election Comm'n v. NCPAC*, 'the fact that candidates and elected officials may alter or reaffirm their own positions on issues in response to political messages paid for by [political groups] can hardly be called corruption, for one of the essential features of democracy is the presentation of the electorate of varying points of view.' *Id.* at 498. Cf. *Federal Election Comm'n v. MCFL*, 479 U.S. at 263 (suggesting that '[v]oluntary political associations do not...present the specter of corruption').''. *Colo. Republican Fed. Campaign Comm. v. Federal Election Comm'n*, 518 U.S. 604, 647 (1996) (J. Thomas, concurring). Justice Thomas continued: ''The structure of political parties is such that the theoretical danger of those groups actually engaging in quid pro quos with candidates is significantly less than the threat of individuals or other groups doing so. See Nahra, *Political Parties and the Campaign Finance Laws: Dilemmas, Concerns and Opportunities*, 56 Ford L. Rev. 53, 97–98 (1987) (citing F. Sorauf, *Party Politics in America* 15–18 (5th ed. 1984)). American political parties, generally speaking, have numerous members with a wide variety of interests, features necessary for success in majoritarian elections. Consequently, the influence of any one person or the importance of any single issue within a political party is significantly diffused. For this reason, as the Party's amici argue, see Brief for Committee for Party Renewal et al. as Amicus Curiae 16, campaign funds donated by parties are considered to be some of 'the cleanest money in politics.' J. Bibby, *Campaign Finance Reform*, 6 Commonsense 1, 10 (Dec. 1983). And, as long as the Court continues to permit Congress to subject individuals to limits on the amount they can give to parties, and those limits are uniform as to all donors, *see* 2 U.S.C. section 441a(a)(1), there is little risk that an individual donor could use a party as a conduit for bribing candidates. *Id.*''.

(12) As recently as 2000, the Supreme Court reminded us once again of the vital role that political parties play on our democratic life, by serving as the primary vehicles for the political views and voices of millions and millions of Americans. ''Representative democracy in any populous unit of governance is unimaginable without the ability of citizens to band together in promoting the electoral candidates who espouse their political views. The formation of national political parties was almost concurrent with the formation of the Republic itself.'' *California Democratic Party v. Jones*, 530 U.S. 567 (2000). Moreover, just last year, a Federal court struck down a state law that included a so-called ''soft money ban,'' which in reality was a ban on corporate and union contributions to political parties—which as a factual matter is correct. The *Anchorage Daily News* reported:

(13) A Federal judge says corporations and unions have a constitutional right to give unlimited amounts of ''soft money'' to political parties, so long as none of the money is used to get specific candidates elected. In a decision dated June 11, U.S. District Judge James Singleton struck down a section of Alaska's 1997 political contributions law that barred corporations, unions and other businesses from contributing any money to political candidates or parties. The ban against corporate contributions to individual candidates is fine, Singleton said. Public concern about the corrupting influence or corporate contributions on a specific candidate is legitimate and important enough to somewhat limit freedom of speech and political association, the judge concluded. But contributions to the noncandidate work of a political party do not raise undue influence issues and therefore may not be restricted, the judge concluded.

(14) Sheila Toomey, *Anchorage Daily News* (June 14, 2001) (reporting on *Kenneth P. Jacobus, et al. vs. State of Alaska, et al.*, No. A97–0272 (D. Alaska filed June 11, 2001).

(15) Nor is speech any less protected by the First Amendment simply because the one making the speech contacted or communicated with others. For some time, the Federal Election Commission held the view that such ''coordination'' (an undefined term), even of communications that did not contain express advocacy, somehow was problematic, and subject to the limitations and prohibitions of the Act. This view has been rejected

by the courts. *Federal Election Commission v. Christian Coalition*, 52 F. Supp. 2d 45 (D.D.C. 1999). In fact, lower Federal courts have held that even political party committee limits on coordinated expenditures are an unconstitutional restriction on speech. *Federal Election Commission v. Colo. Republican Fed. Campaign Comm.*, 213 F.3d 1221 (10th Cir. 2000). Unless a party committee's expenditure is the functional equivalent of a contribution (and thus not ''coordinated''), it cannot be limited. See Federal Election Commission v. Colo. Republican Fed. Campaign Comm., 150 L.Ed.2d 461, nt. 17, nt. 2 (J. Thomas, dissenting) (2001). As a factual matter, many party committee ''coordinated'' expenditures are not the functional equivalent of contributions. *See* Amicus Curie Brief of the National Republican Congressional Committee, *Federal Election Commission v. Colo. Republican Fed. Campaign Comm.*, 150 L.Ed.2d 461 (2001).

(16) Commentators, legal experts and testimony in the record echoes the need to be mindful of the First Amendment. Whether it is the American Civil Liberties Union, see March 10, 2001 ACLU Letter to Senate (and all cases cited therein) & June 14, 2001 ACLU testimony before the House Administration Committee (and cases cited therein), or the counsel to the National Right to Life Committee and the Christian Coalition, see June 14, 2001 testimony of James Bopp before the House Administration Committee (and cases cited therein), experts across the political spectrum have thoughtfully explained the need to ensure the First Amendment rights of citizens of this country.

(17) Citizens who have an interest in issues have the Constitutional right to criticize or praise their elected officials individually or collectively as a group. Communication in the form of criticism or praise of elected officials is preciously protected as free speech under the First Amendment of the Constitution of the United States.

(18) This Act contains restrictions on the rights of citizens, either individually or collectively, to communicate with or about their elected representatives and to the general public. Such restrictions would stifle and suppress individual and group advocacy pertaining to politics and government—the political expression at the core of the electoral process and of First Amendment freedoms—the very engine of democracy. Such restrictions also hinder citizens' ability to communicate their support or opposition on issues to their elected officials and the general public.

(19) Candidate campaigns and issue campaigns are the primary vehicles for giving voice to popular grievances, raising issues and proposing solutions. An election, and the time leading up to it, is when political speech should be at its most robust and unfettered.

SEC. 602. NO RESTRICTIONS ON FIRST AMENDMENT RIGHTS.

Notwithstanding any provision of this Act, and in recognition of the First Amendment to the United States Constitution, nothing in this Act or in any amendment made by this Act may be construed to abridge those freedoms found in that Amendment, specifically the freedom of speech or of the press, or the right of people to peaceably assemble, and to petition the government for a redress of grievances, consistent with the rulings of the courts of the United States (as provided in section 601).

H.R. 2356

OFFERED BY: ____

[Ney Substitute]

AMENDMENT NO. 53: Amend section 323(b) of the Federal Election Campaign Act of 1971, as proposed to be added by section 101(a) of the bill, to read as follows:

''(b) STATE, DISTRICT, AND LOCAL COMMITTEES.—An amount that is expended or disbursed for Federal election activity 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), or by an association or similar group of candidates for State or local office or individuals holding State or local office, shall be made from funds subject to the limitations, prohibitions, and reporting requirements of this Act.

Amend section 323(e)(3) of the Federal Election Campaign Act of 1971, as proposed to be added by section 101(a) of the bill, to read as follows:

''(3) FUNDRAISING EVENTS.—Notwithstanding paragraph (1), a candidate or an individual holding Federal office may attend, speak, or be a featured guest at a fundraising event for a State, district, or local committee of a political party.

Amend section 304(e)(2) of the Federal Election Campaign Act of 1971, as proposed to be added by section 103(a) of the bill, to read as follows:

''(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) applies shall report all receipts and disbursements made for activities described in section 301(20)(A), unless the aggregate amount of such receipts and disbursements during the calendar year is less than $5,000.

H.R. 2356

OFFERED BY: ____

[Ney Substitute]

AMENDMENT NO. 54: Insert at the end of the Act:

STRENGTHENING FOREIGN MONEY BAN

SEC. ___. STRENGTHENING FOREIGN MONEY BAN.

(a) BANNING ALL DONATIONS TO CANDIDATES AND PARTIES; BANNING DISBURSEMENTS FOR CERTAIN COMMUNICATIONS.—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 contribution or donation of money or other thing of value, or to make an express or implied promise to make a contribution or donation, in connection with a Federal, State, or local election;

''(B) a contribution or donation to a committee of a political party; or

''(C) an expenditure, independent expenditure, or disbursement for a communication described in section 304(e)(3) or a targeted mass communication (as defined in section 304(f)(3)); or

''(2) a person to solicit, accept, or receive a contribution or donation described in subparagraph (A) or (B) of paragraph (1) from a foreign national.''.

(b) EXTENSION OF BAN IN FEDERAL ELECTIONS TO ALL NONCITIZENS.—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).''.