

Owens
Oxley
Pastor
Paul
Payne
Pelosi
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
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)
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
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
Stump
Sununu

Sweeney
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (PA)
Wexler
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wynn

NAYS—40

Aderholt
Borski
Brady (PA)
Capuano
Costello
Crane
DeFazio
English
Etheridge
Everett
Filner
Gutknecht
Hefley
Hilliard

Kennedy (MN)
Kucinich
Larsen (WA)
LoBiondo
McDermott
McNulty
Moore
Oberstar
Pallone
Pascrell
Peterson (MN)
Platts
Ramstad
Sabo

Sanchez
Schaffer
Strickland
Stupak
Taylor (MS)
Thompson (CA)
Thompson (MS)
Udall (NM)
Visclosky
Waters
Weller
Wicker

NOT VOTING—16

Callahan
Clay
Cubin
Ehrlich
Houghton
Lipinski

Meek (FL)
Weldon (FL)
Wu
Young (AK)
Young (FL)

□ 1027

Mrs. CAPPS changed her vote from "nay" to "yea."

So the Journal was approved.

The result of the vote was announced as above recorded.

MOTION TO ADJOURN

Mr. LEWIS. Mr. Speaker, I move that the House do now adjourn.

PARLIAMENTARY INQUIRY

Mr. FOLEY. Mr. Speaker, if this is the most important bill to be sent to the floor by discharge petition by the minority, then why is it they call for adjournment on the day of the bill's presentation on the floor?

The SPEAKER pro tempore (Mr. CULBERSON). The gentleman from Florida is recognized for a proper parliamentary inquiry. The gentleman will state his inquiry.

Mr. FOLEY. Mr. Speaker, does the bill, as presented under the rule, comply with the dictates of the discharge petition, or are we operating under a substitute version?

The SPEAKER pro tempore. The House is operating under the terms of House Resolution 344.

A motion to adjourn has been offered, and it is not debatable. The question is on the motion offered by the gentleman from Georgia (Mr. LEWIS).

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

RECORDED VOTE

Mr. LEWIS of Georgia. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 13, noes 405, not voting 16, as follows:

[Roll No. 18]

AYES—13

Cannon
Cummings
Flake
Gilman
Johnson, Sam

Jones (NC)
Kingston
Otter
Ryun (KS)
Sessions

Skeen
Tiahrt
Towns

NOES—405

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Army
Baca
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggart
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
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Collins
Combest

Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Culberson
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
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gonzalez
Goode
Goodlatte
Gordon

Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchev
Hinojosa
Hobson
Hoefel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kirk
Kleccka

Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
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
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
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
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
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

Sherwood
Shimkus
Shus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiberi
Tierney
Toomey
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn

NOT VOTING—16

Bachus
Bass
Callahan
Clay
Cubin
Ehrlich

Hunter
McCrery
Meek (FL)
Pickering
Riley
Schrock

Tancredo
Traficant
Young (AK)
Young (FL)

□ 1045

Mrs. JONES of Ohio changed her vote from "aye" to "no."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PLEDGE OF ALLEGIANCE

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

Mr. CANTOR 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.

GENERAL LEAVE

Mr. NEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2356.

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

There was no objection.

BIPARTISAN CAMPAIGN REFORM ACT OF 2001

The SPEAKER pro tempore. Pursuant to House Resolution 344, the House now resolves itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2356.

□ 1048

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2356) to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform, with Mr. LAHOOD in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER) each will control 30 minutes.

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

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

This is going to be a long debate today, and tonight, and I do believe that is good. The legislation we are debating is extremely important. The last time this Congress passed significant campaign finance reform legislation was 27 years ago. We could be living with the consequences of any bill we pass today for decades to come. That is important, I think, for the challengers across this Nation, the men and women who want to aspire to be able to speak on the floor of this House. So what we are doing is important for our energetic give and take of public debate.

Today, as in any debate, a lot of claims are going to be made about the various bills and amendments. I think right at the outset, before we get under way, we ought to define our terms. We are going to hear a lot tonight about a ban—let me repeat that, a ban—on soft money. According to Webster's dictionary, to ban means to prohibit the use, performance or distribution of. In politics, we often contort language, but I would like to make it plain and clear, the bill under consideration today,

H.R. 2356, the Shays-Meehan bill, does not ban soft money under any definition or under any stretch of the imagination. I am certain that we will hear otherwise from some of our colleagues today, but the fact is anyone who tells you that this version, I believe this is the fourth version of what I call an altered state of a piece of legislation, that this version of Shays-Meehan bans soft money is simply not telling you the truth and is not being accurate.

It could be argued that previous versions of Shays-Meehan did ban soft money. H.R. 380, the bill the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) introduced last January, and the versions of Shays-Meehan approved by this House in years past, did ban soft money donations to political parties. I would argue that even those bills were not real, true soft money bans because they did nothing to restrict how unions, corporations and wealthy individuals spent soft money. Those bills did ban soft money donations, but not soft money expenditures. So whether or not earlier Shays-Meehan bills really banned soft money could be debated.

What cannot be debated, however, is the simple fact that this newest version of Shays-Meehan fails to ban soft money, again under any definition. It cannot even be seriously argued that H.R. 2356 bans soft money. Anyone who claims that it does is either deliberately misrepresenting the facts, or they just do not know what is in this new piece of legislation.

The difference between H.R. 2356 and the previous versions of Shays-Meehan is that H.R. 2356 now permits political parties to accept soft money donations. Even if this bill were to be adopted today, unions, corporations and wealthy individuals could still donate massive amounts of soft money to State and local political parties. These donations are permitted up to \$10,000 and can be made to every State and local party in the country. With over 3,000 counties in the United States, this means that a corporation or a union, or Enron, because we have talked about that a lot in the last couple of weeks for emotional purposes, could donate up to \$30 million to one political party provided they spread it around the country. If somebody wanted to give to both parties, they could give up to \$60 million, provided they spread it around the country.

We are going to hear a lot of talk about Enron today and how the Enron debacle demonstrates the need for campaign finance reform. There are two things to say about that. Even if this bill had been law, it would not have prevented the Enron collapse. Unfortunately, I have had constituents that have called me up and said, is it true what I am hearing on TV, what is being insinuated, that people's money could have been saved from the terrible things that the corporate top of the ladder did to people? This bill, if passed, would not have changed that.

Let us not fool the American public to make them think that people could get their money back. All the money that Enron gave could still have been given even if this bill were law.

Some will say, well, they could not have given it to the national parties. Ask yourself, does it really matter? If a company wants to influence the political process by spreading a lot of money around, does it really matter if the money is given to a national party instead of a State party? Are we to believe that if a company was giving millions of dollars in contributions to a political party, its influence would somehow be diminished because it spread the money around to a lot of State parties instead of simply giving it to a national party? I do not think so. All this bill does is spread soft money around the country. It redirects it. It does not ban it.

This bill also imposes a number of serious restrictions of political speech. It prevents an organization from spending its own money promoting a message its members believe in if they happen to mention a candidate in the 60 days before an election. That is not America. That is not free speech. Whether it is the left, the middle or the right, people should not be gagged in this country, and they are gagged under this bill.

Supporters of the bill will argue that they do not restrict free speech at all, they simply require that it be funded with hard dollars. Let there be no mistake, this bill, the Shays-Meehan bill, burdens free expression and free speech. To claim that it is not a burden is to simply misrepresent the facts of this bill.

It has been said that to give people a right to unlimited freedom of expression while limiting the amount they can spend promoting their message is like telling someone they can drive as far as they want, but they can only spend a certain amount on gasoline to get them there. Well, telling people they can speak as much as they want so long as they use hard money is like telling people they can drive as far as they want, but they can only buy one gallon of gas at a time. Even worse, it is like telling them they cannot use their own money to buy the gas, but can only use money that they are able to raise from people they run into along the way. Could it really be argued that such burdens did not restrict travel? I do not think so. But proponents of the Shays-Meehan legislation want to put similar burdens on free speech and then claim they have not restricted free speech. It is obviously simply not accurate.

This is going to be a long debate today. I look forward to it. As we proceed, I hope Members will listen to the substance of the provisions being put forward. Shays-Meehan has retained the brand name, but the quality of the product has totally changed. Today we are going to have a good opportunity to debate and consider what this legislation would actually do. I look forward to that debate.