

losing their economic vitality. Yet you get a prairie dog problem in a picnic area, and the Federal Government mobilizes, and you have all these agencies all juiced up to do something. But what about the fact that the economy throughout the heartland of our country is in desperate trouble, and you can hardly get anybody's attention in government?

What Senator HAGEL and I are saying is, let's go at this just as we did with model cities or urban renewal, and decide that this is not only a North Dakota problem—although it is certainly ours—not only a Nebraska problem—although it is certainly theirs—but that it is a national problem. A century after we populated the middle part of our country through the Homestead Act, depopulation is a national problem.

What has happened to cause the movement of people away from the heartland? A shift of jobs from production of natural resources—farming, mining, and other industries—to work in service or technology-oriented industries that shifted the population in our country.

New industries do not necessarily need to be near the grain elevator or the mouth of a mine. New technologies allow us to make many products with far fewer people, and that includes agriculture.

Free trade agreements have made it cheaper to produce goods overseas. That, too, has shifted population.

What Senator HAGEL and I are talking about is choice, giving people a choice to be able to live in rural America if they choose to do that.

I recently gave a commencement speech to a large class at one of our colleges in North Dakota, and I know most of those students are going to leave the State following their graduation—not because they want to, but because they do not have any choice.

Those young men and women, who represent our best and brightest, are going to leave North Dakota. Many will leave Nebraska. They will end up on the west coast or the east coast or down south. And our States, in my judgment, be weakened because they left. Other States will be strengthened. We want to give them a choice to be able to stay if they would like to stay.

If we want to stop outmigration and try to bring opportunity back to the heartland, we need to do it as a nation, not just for the sake of the heartland States, but for the sake of all our country. By any measure, the rural towns and counties that suffer from outmigration and population loss are still in many respects among the strongest in our country. They have good schools, a high level of civic involvement, extremely low rates of crime, good neighbors, a good life, and are great places in which to raise children. Our Government spends a great deal of time and money trying to emulate these attributes in areas where they don't exist instead of trying to help

preserve them in areas where they do exist; namely, rural counties in small-town America.

I know some might say Senator HAGEL and I have this Norman Rockwell notion of small town in our minds, and that is just wonderful, but that it is more nostalgia than it is reality. But I don't agree. In my judgment, public policy has a lot to do with where people locate. We simply want to provide additional choices. Nebraska and North Dakota and many other States just don't have the opportunities that a California, Texas, Massachusetts, or New York has.

For instance, consider that the Federal Government is the largest researcher in the world. Where do most of our research dollars go? Not to Nebraska or North Dakota. The bulk of it goes to four States: California, New York, Massachusetts, Texas. That is where, with these centers of excellence in research serving as anchors, industries and jobs locate. Public policy has a lot to do with where people live.

All Senator HAGEL and I are saying is that we can sit around and wring our hands, gnash our teeth, wipe our brow, and worry about this forever or we can decide to put together an initiative that says, let's try to do something about this shrinkage and outmigration in some of these wonderful places. Let's give people more choices, especially young people, to stay in those areas where they grew up and where they want to live, and provide them with spirit, hope, and opportunity to make their future economy a good economy. We can do that.

That is the initiative we are proposing, one to provide tools and to offer choices to those who are working hard in a wonderful part of America. We introduced the legislation in December. It is S. 1860. It is bipartisan. We will work very hard in the Senate and around the country to see if we can't get America to do for the heartland what it once did for the cities, and to get people to see that something is happening in rural America and that it needs help now. Let's join together and do that.

I yield the floor.

The PRESIDING OFFICER (Mr. MILLER). The Senator from Florida.

Mr. NELSON of Florida. Mr. President, I understand we are in morning business.

The PRESIDING OFFICER. We are.

Mr. NELSON of Florida. May I be recognized?

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, the Senators who have just spoken make a most compelling case. I take very seriously my role as Senator, in which I have a responsibility to the rest of the Nation in addition to the wonderful State I have the privilege of representing. What I would like to do is come to their respective States and see these areas where there is outmigration. This is quite a contrast to what I

have experienced in the State of Florida which has been just exactly the opposite kind of experience.

As a matter of fact, my home county, Brevard County, in the early 1960s, because of the space race, when the Soviet Union surprised us with Sputnik and then surprised us by launching Yuri Gagarin, one orbit, before we could ever get to sub orbit with Alan Shepard, people were just pouring in, sleeping in cars.

As a result, a lot of development was done in a rush with tremendous mistakes, not attending to zoning and not attending to proper drainage, and so forth and so on. So the experience of Florida has been quite the opposite of their experience.

What I would like to do is to learn from them how I could help them because we are all citizens of the United States of America. I thank them for bringing this issue to the attention of the Senate. I look forward, maybe perhaps this summer, to visiting in their respective States of North Dakota and Nebraska.

CAMPAIGN FINANCE REFORM

Mr. NELSON of Florida. Mr. President, I rise to state that since the House of Representatives, at 3 in the morning, passed the campaign finance reform bill, I want to cast out some markers as the Senate will consider this legislation and no doubt will pass this legislation, my vote included. However, we have to be concerned about the flow of money in politics.

Campaign finance reform is an attempt to try to get soft money out of politics, but this campaign finance reform bill does not totally do that. It comes close.

Soft money, for those who would like a refresher, is campaign donations that are other than personal donations from individuals or from political action committees. For example, a corporate check would be an example of a soft money contribution to a candidate. Under the current law, soft money contributions can flow through the parties. That is where we have seen a great deal of abuse.

The campaign finance reform bill intends to constrict the use of that soft money. It does so by saying that it can't flow through the parties. It can't be coordinated by the campaigns or the campaign committees, such as our Democrat and Republican Senate campaign committees, but it can flow through independent groups with a message or with an issue advertisement which we know becomes just as effective for or against a candidate, almost, as a direct campaign ad that says vote for or vote against candidate A, B, or C.

However, there was an important limitation in this bill I supported vigorously. That was that soft money could not flow through independent groups for purposes of affecting an election through an issue ad 60 days

prior to a general election and 30 days prior to a primary election. That is an important reform.

The caveat is that we created a severability clause that says that if the courts strike any provision of the bill as unconstitutional, the whole bill does not fall. It leaves us with the possibility that the courts could strike the 60-day provision on independent groups.

I hope and pray that the courts will not, that they will see that this is delicately balanced to meet the constitutional test the courts have raised. But if they do, then what we are going to have is unlimited soft money in the future that is going to flow, not through the parties, as we presently have had under current law, but a proliferation of independent groups are going to arise, and campaign soft money affecting elections through the guise of issue ads is going to flow through those independent groups. And I continue to think many of us intend that to be the case. That is the caveat about which we must be concerned. Ultimately, what we should do is try to figure out how to lower the cost of elections.

The House of Representatives, unfortunately, struck the provision that the Senate had included, which said that television time for candidates has to be given at the lowest commercial rate—what is current law but which has not been obeyed. This was to enforce that provision. That was stricken last night as the House of Representatives considered campaign finance reform. That bill is going to be coming to us shortly. No doubt we are going to pass it.

I wanted to lay out these markers and these caveats as we look to a future of trying to clean up campaign finance with new campaign finance reform law.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, I commend our colleague from Florida, who has had a longstanding interest in the subject matter. He brings a wealth of knowledge about the intricacies of these laws. As the person who managed the campaign finance reform bill here on the floor of this body, along with the help of my colleague from Nevada, there is a sense of parochial pride in the House action last evening in that the major cosponsor of the legislation, CHRIS SHAYS, is a longstanding friend of mine, a member of the Connecticut delegation, a House member for some 15 years. He has been a dogged advocate of campaign finance reform. So there is a sense in those of us and the overwhelming majority of my constituents in Connecticut, as across the country, who support the notion of trying to get a handle on the issue of campaign financing, a sense of pride in the work of CHRIS SHAYS and the job he did on behalf of the entire country, not just Connecticut.

As was said by others, this is not an end-all, a piece of legislation that will

solve all the problems. I express my regret that what I thought may have been one of the most effective pieces of legislation, dealing with the cost of media, was struck from the bill last evening. For those of us in this Chamber who have to go out and raise money to engage in a campaign, the one single item that absolutely drives the cost of a campaign is the cost of media. About 80 cents on the dollar goes to TV and radio advertising, but most of it is TV advertising. There have been literally pioneers and visionaries in the media industry at a local level who have found it in their own business practices to open up their media outlets for an open debate and discussion.

I think, particularly, of a gentleman who owns TV stations in Minnesota, who is a very effective leader in the television industry but has, for years, made it possible for statewide candidates in that State to have some time around the news to express themselves on why they would like to be elected to the office they are seeking. My hope is that we would adopt provisions that would make it possible for candidates to have access.

The airwaves are public property. Maybe I am old school, but I was always raised to believe that. It was a privilege that we extended to people to use the public airwaves. So the idea that the public ought not to have the opportunity to listen to people who are going to represent them, whether a Governor, Congressman, or Senator, is something I find disturbing, that they would object to the notion of having opportunities. I am sorry that was stricken. It is a very good bill over all, and I commend the other body for their leadership, and particularly my friend from Connecticut. Congratulations to my colleague from Wisconsin as well.

Mr. REID. Mr. President, the hour of 10:15 having arrived, we are now to proceed to S. 565.

EQUAL PROTECTION OF VOTING RIGHTS ACT OF 2001

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 565, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 565) to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. REID. Is there an amendment pending?

The PRESIDING OFFICER. There is not.

Mr. REID. Mr. President, I am going to offer one shortly.

Mr. President, as Senator DODD mentioned, he managed the bill that allowed us to send the campaign finance reform bill to the other body. I spent a lot of time with him on the floor during that period of time. I have to say, as I said after that debate and vote took place, it was a masterful display of managing legislation.

As a result, a bill was sent over there that I think they had to accept. I say publicly that I look forward to the bill coming back over here. I know that with the guidance of the chairman of the Rules Committee, Senator DODD, we will pass the legislation. There may be some efforts to slow it down, but this is a steamroller.

I must say that that steam was generated over here in this Chamber. There were many efforts to weaken or kill this legislation. I have to give credit to Senator DODD for managing it at that time.

Also present today is the Senator from Wisconsin, my friend, someone who has lived campaign reform legislation. I can't say enough about the moral aspect of this legislation. I remind people here that, in 1998, Senator FEINGOLD was behind in his reelection efforts in Wisconsin. Everyone told him that he likely could win that election if he would allow the Democratic Senatorial Campaign Committee to come to the State of Wisconsin and put money in that State and spend money on soft money issue ads. Senator FEINGOLD is not an independently wealthy man. He, of course, is a fine lawyer, with a great educational background. But he had nothing else to fall back on. He could not just go to a bank account and write big checks. He stared his morality in the face during that short period of time and said, "No, I don't want that money. I would rather lose the election than depend on something that I don't believe in."

I say to the Senator from Wisconsin, not only did he not take the soft money, he won the election. Not only did he win the election, he came back with added vigor to work on this campaign finance bill. So I extend to the Senator the congratulations of the people of the State of Nevada, and the people of this country, for being a person who stands for what we all believe in, and that is good government. I think every person in the U.S. Senate believes in good government. But it is not often that a book is written that will stand the test of time in the sense of the morality the Senator lends to this issue. I am very grateful to the Senator from Wisconsin for what he has done on this legislation.

AMENDMENT NO. 2879

Mr. REID. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows: