

Meg is a 1978 political science/economics graduate from Chestnut Hill College in Philadelphia, PA.

She began her career with the United States House of Representatives in 1978 as a legislative information specialist.

In 1981 she became the Assistant Journal Clerk, helping to compile and publish this important publication.

In 1983 she became the House Reading Clerk.

Often seen and often heard, Meg is an active part of the backbone which helps make the institution of Congress function.

From her perch on the dias, she has had a ringside seat on the history of America.

I know that my colleagues join me in wishing Meg the best of luck in her future endeavors.

Ms. SLAUGHTER. Mr. Speaker, will the gentlewoman yield?

Mrs. ROUKEMA. I yield to the gentlewoman from New York.

Ms. SLAUGHTER. Mr. Speaker, I thank the gentlewoman for yielding. I feel, as I am sure everyone else in the House felt, that I had a very special relationship with Meg. When I first came here 12 years ago, I learned that one of the things that freshmen do is have the great honor of presiding over Special Orders. I took to that, it was a wonderful thing for me to be doing, and made so much easier because of Meg.

I always relished being able to do it early in the week, because Meg Goetz and Paul Hayes and I share a special passion that we have never discussed with anybody on the floor of the House. That is that we are totally devoted to the Sunday New York Times crossword puzzle. So even though the issue of the special order was sometimes grim, sometimes not, we always had a fallback position where we could say, "Did you get 22 across?"

Meg has been, as everyone said before me, a pillar of strength in this House, and the millions of people in this country who understand how this democracy works and the way she has always conducted herself, with extraordinary decorum and with extraordinarily good judgment, know that a lot of good things about this House are because of the dedication and work that Meg Goetz brought to it.

I envy the people that Meg is going to leave us to work for. They are getting a woman of great character and professionalism and ability, and I look forward to working with her in her new capacity.

But I do want her to know that coming here as a freshman, as everyone else can say, I am sure, as equally well as I, to have the friendship of Meg Goetz to help us over the intricacies and the tough problems, never, never losing patience, always explaining over and over again, if need be, but always there to help us to do the right thing, she was bringing, obviously, to her job the professionalism that she felt, working for the House of Representatives, the United States Congress deserved.

Meg, we shall miss you, and thank you for all of your friendship to me,

and thank you on behalf of all of the others here, because I know how much you have meant to each and every one of us. God bless.

Mrs. MORELLA. Mr. Speaker, will the gentlewoman yield?

Mrs. ROUKEMA. I yield to the gentlewoman from Maryland.

Mrs. MORELLA. Mr. Speaker, I just wanted to add my thanks, also, and appreciation for all that Meg has done for all of us. She has been a real pillar of perseverance, of patience, when she has been there to witness our deliberations. She has been a rock of stability, and yet always in her quiet, very professional way, has been there to help us in any way that we needed.

So I have always looked to Meg, as other colleagues have, as all my colleagues have, as somebody who is part of the institution and who has made it so very great.

My best wishes to you as you go forward and have a great adventure; and as Shakespeare would say, those about her from her shall learn the perfect ways of honor. Thank you, cheerio, and come back and see us.

Mrs. ROUKEMA. Meg, May I conclude by saying, God bless and Godspeed.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore (Mr. CALVERT). The Chair lays before the House a privileged Senate concurrent resolution (S. Con. Res. 98) providing for a conditional adjournment or recess of the Senate and the House of Representatives.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 98

Resolved by the Senate (the House of Representatives concurring), that when the Senate recesses or adjourns at the close of business on Thursday, May 21, 1998, Friday, May 22, 1998 Saturday May 23, 1998, or Sunday May 24, 1998, pursuant to motion made by the Majority Leader or his designee in accordance with this concurrent resolution, it stand recessed or adjourned until noon on "Monday, June 1, 1998, or until such time on that day as may be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first, and that when the House adjourns on the legislative day of Friday, May 22, 1998, or Saturday May 23, 1998 pursuant to a motion made by the Majority Leader or this designee in accordance with his concurrent resolution, it stand adjourned until 2:00 p.m. on Wednesday, June 3, 1998, or until noon on the second day after Members are notified to reassemble pursuant to sections of this concurrent resolution, whichever occurs first.

SEC 2. The Majority Leader of the Senate and the Speaker of the House, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

□ 1215

The SPEAKER pro tempore (Mr. CALVERT). Without objection, the Senate concurrent resolution is concurred in.

There was no objection.

A motion to reconsider was laid on the table.

BIPARTISAN CAMPAIGN INTEGRITY ACT OF 1997

The SPEAKER pro tempore. Pursuant to House Resolution 442 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2183.

□ 1215

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole on the State of the Union for the consideration of the bill (H.R. 2183) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes, with Mrs. EMERSON in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from California (Mr. THOMAS) and the gentleman from Connecticut (Mr. Gejdenson), each will control 1 hour.

The Chair recognizes the gentleman from California (Mr. THOMAS).

Mr. THOMAS. Madam Chairman, I yield myself 8 minutes.

Madam Chairman, as we observed under the rule that was passed, we are beginning a process which is one of the more open processes in the history of the House of Representatives. In the area of campaign reform, we have an underlying bill, and we have 10 substitutes that will be made in order.

In addition to that, there will be amendments that would be perfecting amendments that will be made in order to those substitutes. It begins to sound as though it could be a very confusing and difficult process.

What Members need to know is that we have already shrunk the potential amendments from almost 600 to closer to 300. Now, 300 is still a rather ominous sounding number and, as we begin to prepare and structure those amendments, I think we will find that they will shrink even more.

But to try to assist Members, "You do not know the players without a program," as they say in sports, The Congressional Research Service is in the final hours of preparing a document which I think will prove invaluable to Members. It will provide, for example, a quick glance, in terms of a checkoff procedure, indicating which general areas each particular substitute involves itself. For example, does it deal with spending or benefits limits, political action committees? What does it do with individuals, parties, candidates,

in-State contributions limits or not, independent expenditures, et cetera?

After it does the checkoff, so that you can do a quick analysis, it will go into more detailed tables taking those checks and turning them into statements as to what that particular bill does vis-a-vis the other bills. Then, finally, in the back as a constant resource it provides a summary of the amendments in chronological order so that Members can read in greater detail what each particular substitute would do.

What I want to do for just a couple of minutes at the beginning is to back away from any particular measures that we are looking at and get Members to focus on the fact that we have been here before. That is, in 1971, the Congress passed the Federal Election Campaign Act. It has had subsequent amendments, but the basic bill was subjected to a court review in 1976 called *Buckley v. Valeo*. Once again, rather than going into particular details, take a step back and focus on the basics that the court dealt with.

One of the basics that the court dealt with in *Buckley v. Valeo* that I think we should take into recognition as we examine the alternatives in front of us is that the court examined the various provisions of that legislation and said some were constitutional and some were unconstitutional.

For example, on the contribution limit area, they thought it was appropriate to have limits because corruption or the appearance of corruption was closely tied or at least the appearance was closely tied to money that was given to candidates. However, on the other end, the expenditure of those funds did not have that close tie to corruption or the appearance of corruption so the court struck the limits that had been placed in the legislation on expenditures. So the court went through and examined particular areas using its criteria and said, this is constitutional or this is not constitutional.

Now, the key to the court being able to do that was a severability clause in the legislation. What we wound up with was a crazy quilt that did not fit any kind of a structured pattern for orderly campaign reform. I would urge my colleagues, one of the things that they should do in examining the proposed alternatives is to take a look and see whether or not it has a severability clause.

We ought not go down the same road that we have been down. We should not have a comprehensive piece of legislation in which the court can examine it and say, this is constitutional but this is not. That is lined up with the crazy quilt pattern that does not make sense. We have lived with that procedure for the last 25 years.

I will provide for Members and remind them, as we go through this process, which of the basic substitutes have a severability clause and which do not. From my perspective, those substitutes

that do not have a severability clause are preferable. Why? Because if the Congress votes for a comprehensive reform and the court says a portion of it is unconstitutional, it allows the Congress to revisit the area and put together an overall comprehensive, coordinated plan. If one of the substitutes has a severability clause, we are right back into the crazy quilt, court-dictated this and that, when it does not fit.

The Shays-Meehan bill has a severability clause. The Farr proposal has a severability clause. The Tierney alternative has a severability clause. One of the major substitutes that does not have a severability clause is the Hutchinson Freshman bill.

The second provision that I think we have to examine is the criteria the court used to rule various provisions unconstitutional. It was primarily first amendment fundamental freedoms.

Six years ago, 10 years ago the primary threat to the American Republic were political action committees. If we did not do away with political action committees, the Republic was to be threatened. It is interesting how few of the major substitutes talk about doing away with political action committees.

The court said, people have a fundamental first amendment right to assembly.

Today we are talking about something called "soft money." The question is whether or not the court will continue to maintain its position as to whether or not people have a fundamental first amendment right to spend their own money as they see fit.

So when Members look at these various substitutes, look at, in the general sense, whether or not they contain provisions that in all likelihood will be struck down by the court under the argument of fundamental first amendment freedoms and if the same substitute has a severability clause, which means inevitably the court will strike a portion and other portions will remain. That is what we have been under through the last 25 years.

Please, do not subject us to that. Look at the substance. Does it clearly appear in the history of the court's decisionmaking around the first amendment to be a fundamental violation, notwithstanding your desire to do it? Then does it have a severability clause. These two tests, I think, will guide this House into making the best possible decision. If we want reform and we move reform, will that reform stick?

Madam Chairman, I reserve the balance of my time.

Mr. GEJDENSON. Madam Chairman, I yield myself 6 minutes.

Madam Chairman, we are here today and we are frankly surprised, some of my Democratic colleagues, because many of my Democratic colleagues said to me over and over again that this present leadership was shameless, that you could not shame them into doing the right thing. And here we are. We are wrong. At least we are having a debate.

It took us a number of attempts, the election of some Members in the middle of the session that finally brought the signatures with virtually every Democrat and about a handful of Republicans signing a petition to bring the bills to the floor directly that finally got the Republican leadership, with editorial after editorial condemning them, to at least give us a chance to debate.

In the theater they say, sometimes life imitates theater. Let us hope that this show, this attempt to appear to engage the campaign finance reform process, could lead to reality, because if we can pass a bill from this Chamber and send it back to the Senate, it may just put the pressure on the Senate to be able to break that filibuster.

We do have fundamental differences, our two parties. If you asked the Speaker of the House, the gentleman from Georgia (Mr. GINGRICH) about poor people, he would say, we are spending too much money on them. If he talks about education, he says, there is too much money being spent on it.

But, lo and behold, when it comes to campaigns, the Speaker of the House says, One of the great myths of modern politics is that campaigns are too expensive. The political process is in fact underfunded.

It is not overfunded.

I think he or one of his colleagues later said that all this money rushing into campaigns from every possible direction was a sign of political vigor. Well, let us see what the results are. Let us take a look at what has happened to American participation as the expenditures have exploded.

When we were spending the least, we had the highest percentage of votes. In the 1960s, we were getting as high as 63 percent of the American people participating in the political process. As we spend billions today, we are under 50 percent participation in this political process. It is just simply wrong to argue that increased funding has somehow invigorated this political process.

There is a difference between the two parties. I think the Republican history on this issue has been consistent with their fundamental beliefs. They have tried at every opportunity to rig this system so wealthy, powerful people in this country get additional advantage.

If you hear their debates, I followed two down the hall the other day where one said, Can we have real reform and increase the amount people can give? That sure helps the average citizen, being able to contribute more money. Fifty thousand is not enough. What do you want to raise it to?

I think the problem with the political system is these large dollars intimidate the average citizen and send them a message that they do not count in the political process and that is why they are not showing up at the polls.

What is the question here? The question is, what is reform? Sometimes I think we should, like the French, have

language police, although not striking words from other countries, prevent people from misusing or at least abusing the English language.

The other side would tell us that reform is increasing the amount of money that really rich people can give. If there is anybody in this Chamber who believes that the rich, the wealthy and the powerful do not have enough access to this institution, they have been on some other planet recently.

Our job here is to make sure that average citizens feel like this democracy is theirs. I would hope we can do better than even the bills before us, but the legislative process is about choices. McCain-Feingold in this House, under the leadership of the gentleman from Massachusetts (Mr. MEEHAN) and the gentleman from Connecticut (Mr. SHAYS) is the only bill that really sends that message, the only one that will put pressure on the Senate. It is not the bill I would choose in perfection, but that is the easy game politically.

You can walk in here and pick everything but the prayer and say, well, I liked it, but you know there is always something better out there. Let us try to do something better, but let us do this first.

Let me tell you where we are today. The Republicans' proposals send this great Nation in the wrong direction. We have taken a country based on the principles in the Magna Carta that gave power to nobility against the king. When our Founding Fathers founded this country, they gave power to white men who own property, not to women; blacks had to own twice as much property to be able to vote. Now we just want to make it the wealthy.

I love this institution. I do not like to see charges of corruption against it. I could read a list for an hour here about illegal contributions by the Republicans. The Republicans have spent all their time damning the President for the last campaign.

Let us stop the rhetoric. Let us do something about it. Vote for the proposal that will go to the Senate that already has a majority of the Senate votes behind it, and our vote here can push for those several votes we need to break the Senate filibuster. Let us pass McCain-Feingold here in the House. Let us pass that bill and begin the process of rebuilding confidence in the American political system.

□ 1230

Mr. THOMAS. Madam Chairman, I yield 2 minutes to the gentlewoman from Maryland (Mrs. MORELLA).

(Mrs. MORELLA asked and was given permission to revise and extend her remarks.)

Mrs. MORELLA. Madam Chairman, I want to thank the gentleman for yielding me this time.

Last evening we began one of the most important debates of this session. We often gather in this Chamber to promote democracy and free elections

around the world, yet our own constituents are very concerned about how democracy works in this country, and I share their concerns.

My work on the Committee on Government Reform and Oversight has further convinced me of the need for campaign finance reform. While many of the abuses we are investigating are illegal, many are legal because of the soft money loophole. We must enact reform to prevent such abuses in the future.

Attorney General Janet Reno's responses to my questions during a hearing on December 9, 1997, confirmed that the soft money loophole has weakened the campaign finance laws that prohibit contributions from business corporations and labor unions, prohibit contributions made by foreign nationals in connection with an election to any political office and that require disclosure.

At that hearing, the Attorney General expressed her desire to work with the Congress to reform campaign finance laws. It is past time to make that happen.

Campaign finance abuse is a bipartisan problem that requires a bipartisan solution. For reformers, getting to this point has been a victory in and of itself. We would not be here without the drive of the bipartisan group of pro-reform Members, the pleas of our constituents and the discharge petition.

But our work has just begun. Until we pass real reform to eliminate the scourge of unregulated soft money and the influence of special interests, our constituents will continue to believe that money has more influence on the electoral and legislative process than their own votes and views.

When I say we must pass real reform I am referring to the Shays-Meehan bill. I feel that the many substitutes before us will allow some Members to hide behind phony reforms. The Shays-Meehan bill is our best opportunity.

During the debate, we are going to hear many arguments for and against many bills, but to support true reform, I encourage all of us to stand up and be counted in support of Shays-Meehan.

Ms. KILPATRICK. Madam Chairman, I yield 2½ minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Madam Chairman, I thank the gentlewoman for yielding me this time, and I rise to some degree to lament and to another degree to urge us to come to grips with this issue.

I rise to lament this procedure which I think does not do what ultimately we must do. And what ultimately we must do is to restore the confidence of the American public in their system of electing public officials, whether at the Federal level, at the State level or at the local level.

Like some of my colleagues, I have been involved in politics for a long time, having first been elected to the Maryland State Senate in 1966. During that period of time that I served the

State Senate 12 years, I voted on a number of campaign finance reforms. I was not here in Congress in 1974 when we adopted the far-reaching campaign finance reform regime and which, as the gentleman from California said, essentially exists today.

I want to congratulate the gentleman from Arkansas, the gentleman from Massachusetts (Mr. MEEHAN), the gentleman from California (Mr. FARR), and the ranking member of our committee, the gentleman from Connecticut (Mr. GEJDENSON), for the untiring and long-term work that they have undertaken on behalf of campaign finance reform.

I also want to congratulate the gentleman from Kentucky (Mr. BAESLER) for his leadership on this issue. It was his focus, his discharge petition, and the disciplined approach that he took that, frankly, got us to this place.

I will make a much more detailed, expansive discussion of campaign finance reform and my views of the specifics of those reforms when we return. It is, however, my hope that we will not add to the cynicism of our citizens by the course of this debate. Because if we do so, we will have served them poorly.

If what we do is a political game, if what we do is beat our chests and say, on the one hand, the first amendment demands that we do not intrude in trying to make our elections more honest, more fair, more open, we will have not served the public well, nor will we have served our democracy well. If, on the other hand, what we do is play a political game where amendments fly across the field of battle and ultimately we pass no reform, we will have undermined the confidence of the public.

My colleagues on both sides of the aisle, let us be real, let us do our duty, and let us restore the confidence of the American public in their democracy.

Mr. THOMAS. Madam Chairman, I yield 4 minutes to the gentleman from California (Mr. DOOLITTLE), someone who has had a refreshing approach to campaign reform. And anyone who is concerned about foreign contributions, they know all we really need to do is enforce current law.

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

Mr. DOOLITTLE. Madam Chairman, make no mistake about it, at the heart of this debate on campaign reform is our right as American citizens to freely engage in political speech, a right which is guaranteed to us under the first amendment of the Constitution.

Throughout the course of this debate the big government campaign reformers will be trying to tell us that unconstitutional government regulations are needed because they believe money is evil and that it is corrupting our political system. These people look at America as a seething cauldron of unseemly interests who debate the political process.

Many colleagues, on the other hand, take the approach that James Madison

did. James Madison, the author of the first amendment, understood that America would be a cauldron of special interests, but special interests, in Madison's view, would be people who would be guaranteed a right to have some influence. Madison anticipated, expected and deemed it necessary that in a republic people must have influence.

The campaign finance regulators would like us to believe political giving is inherently corrupt. But, in fact, participating in the political process is not merely desirable, it is guaranteed by the Constitution. The Supreme Court has made it abundantly clear that the Constitution allows political parties or any group of Americans to spend unlimited amounts on political speech.

What the Court has said is that the constitutional right to free speech is moot unless we have the right to amplify our voice above the din, particularly in a country of 270 million people.

The Court correctly declared, in the landmark Buckley decision of 1976, that political spending is speech. Listen closely to the Court's words in Buckley:

The first amendment denies government the power to determine that spending to promote one's political views is wasteful, excessive or unwise. In a free society ordained by the 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.

This decision means that the first amendment does not allow the government through some statute we pass here to be put in charge of regulating either the quality or the quantity of political speech.

The Supreme Court made it clear that the government does not have the authority to decide between worthy and unworthy speech. The first amendment does not allow Congress the latitude to categorize certain kinds of speech as offensive and other kinds as laudable. That issue, Madam Chairman, is at the core of this debate.

Another Founding Father, Thomas Jefferson, understood that in a free society the people should be empowered to make decisions without interference from the State.

Madam Chairman, I believe we do need to change our flawed campaign finance laws. The problems we endure today are due primarily to government regulation of campaign financing. True campaign reform should honor the first amendment by expanding participation in our republic and by enhancing political discourse. Unfortunately, most of the measures we will be debating advocate greater government regulation which will continue to worsen the current problem.

Ms. KILPATRICK. Madam Chairman, I yield myself 2 minutes.

(Ms. KILPATRICK asked and was given permission to revise and extend her remarks.)

Ms. KILPATRICK. Madam Chairman, as a member of the committee, Madam Chairman, who heard much of the testimony on the campaign finance reform legislation we are discussing today, I am very happy that we have finally come to this point where we can have some debate and open the process so that everyone who feels very strongly about this topic can have their opportunity to speak.

Real campaign finance reform has to speak to the needs of the American citizens. What we have heard from some of our speakers already, and what we know from the tallies that have come in from across America, is that American citizens are not voting. And they are not voting for a number of reasons, one of which I contend is they feel their vote does not count; that there is too much money in the system, and that their \$20, \$30, \$50 donations will not be accepted in a way where their votes can be heard.

So I am happy today that we are discussing campaign finance reform and that real campaign finance reform has three elements: It bans soft money, it requires full disclosure from those who give money, and cleans up third-party expenditures so that special interest groups do not control the political process.

I hope as we continue this debate today that we will keep that in mind. American citizens want to participate in their government. It is our responsibility to see that we make it possible that they do that. Banning soft money, requiring full disclosure and cleaning up third-party interests that control and dominate our politics will make Americans feel that this government is theirs again.

The House Oversight Committee has heard testimony from over 40 members of Congress, and listened to over 20 hours of earnest, bipartisan testimony on an issue that affects all of us: campaign finance reform. While we might disagree over the shape, form, or function that much-needed campaign finance reform must take, we all agree that this effort should not be done in such a manner as to be unfair, unjust, or unwise. Along with a majority of my colleagues, we rejected earlier, bogus attempts that brought up this most worthy debate under the most unworthy of circumstances. While I am glad to say that we are having debate on campaign finance reform, it is still a skewed debate. We will not have any votes on campaign finance reform before the end of May, as the Speaker promised. We will debate eleven separate bills, all with amendments. This is onerous, burdensome and illogical, and is a significant and severe disservice to the American people.

As a Member of the House Oversight Committee, I specifically did not co-sponsor any campaign finance reform bill, with the exception of the bill that would establish a commission to decide what shape and form campaign finance reform should take. During this debate, it is vital that we remember one important aspect: we are considering campaign finance reform, not campaign reform. This debate should not denigrate into a discussion of non-germane or ballot integrity issues. We

dealt with many of these issues during the discussion of Congresswoman LORETTA SANCHEZ's election earlier this year.

Real campaign finance reform does three things: it bans soft money; it requires full disclosure of contributors, and it cleans up expenditures from special interest groups. We need to restore the faith of the American people in our system of government. We need to ensure the accountability of those who participate in and contribute to candidates. We need campaign finance reform. Real campaign finance reform limits the amount of money in elections. Real campaign finance reform reduces the role of special interests in campaigns. Real campaign finance reform restores the faith of the American people in our system of government.

Real campaign finance reform does not limit the rights of workers to participate in our political process. Real campaign finance reform does not limit the hard-won voting rights of minorities. Real campaign finance reform does not make it more difficult for citizens to register to vote, find out who is funding a campaign or cut fiscal support for the Federal Elections Commission.

Before I was elected to this august body, I served as a Michigan State Representative. As such, I fought, and still fight, for the right of everyday citizens, the disenfranchised, and the powerless to participate in our process of government. By limiting the ability of people, through fostering mistrust in our system of government, people will not vote. We hinder, not help, the Constitution that we have all sworn to defend and protect.

Madam Chairman, I reserve the balance of my time.

Mr. THOMAS. Madam Chairman, I yield 2 minutes to the gentleman from Iowa (Mr. LEACH), the chairman of the Committee on Banking and Financial Services.

Mr. LEACH. Madam Chairman, campaign reform is the most pressing democratic issue facing the Nation. In politics as in sports, how the game is played matters. A government of the people, by the people, and for the people cannot be a government where influence is disproportionately wrought by those with large campaign war chests.

Lord Acton once wrote that power corrupts and absolute power tends to corrupt absolutely. A fitting corollary to the Acton dictum is the precept that even more bedeviling than aspiring to power is fear of losing it.

The current system is an incumbent-based political monopoly that rewards those who accommodate rather than stand up to interest groups. Campaign reform is about empowering citizens rather than influence peddlers. It is the equivalent of applying the antitrust laws to the political parties. It should be advanced.

In this regard, there are a number of thoughtful approaches that will be brought to the floor in this debate. My preference is for the Shays-Meehan bill, but I acknowledge that it has flaws, the biggest of which is it does

not go far enough. I would have preferred it to be accompanied by spending limits and greater restraints on political action committees, the so-called PACs.

Nevertheless, I think Shays-Meehan is probably the most that can be achieved this year, and I am hopeful it, or something near it, will be the final product.

Ms. KILPATRICK. Madam Chairman, I yield 4 minutes to the gentleman from Kentucky (Mr. BAESLER).

Mr. BAESLER. Madam Chairman, I am pleased that the Blue Dog discharge petition had something to do with us getting to this point, and I am pleased we are now beginning to discuss campaign finance reform.

I think the debate boils down to a couple of things: Will we ban soft money? And will we make sure that everybody in America, and in all elections, know where all money involved in campaigns comes from?

□ 1245

I believe the soft money sets the agenda for Congress, and I think that is wrong. I believe when people participate in the election process by independent expenditures and other expenditures, it is important that everybody in the country involved knows where that money comes from. There is no justification for people participating in the election process with money and nobody knows who the source is or what they represent.

I am not the first Kentuckian to speak on this. In fact, the person who held my seat 150 years ago, Henry Clay, said, "Government is a trust, and the officers of the government are trustees."

By contrast, some of my Kentucky colleagues and other nonreformers believe they are trustees of the soft money system. They are using the tactics that we have seen all along: delay, distract, distort, and do little.

As a Kentuckian, I feel obliged to answer these distortions. First, the Kentucky anti-reformers claim a soft money ban violates the First Amendment and is unconstitutional. I urge them to reread *Buckley v. Valeo*, where the Supreme Court said, "... limiting corruption provides a constitutionally sufficient justification for contribution limits. The integrity of democracy is undermined to the extent that contributions are quid pro quos..."

They should also reread the Colorado decision, where the court said, "Congress might decide to change the contribution limits to parties if it concludes the potential for evasion of contribution limits was a serious matter." And I think we all know it is a serious matter.

The First Amendment protects speech. It does not protect corruption.

Next, the Kentucky anti-reformers say we do not need new laws, we just need to enforce the ones we have. But that ignores the fact there are no laws to enforce on illegal soft money here to

our parties. Soft money fund-raising by Democrats and by Republicans is legal. And soft money contributions, including the soft money contributions made by Loral Space Communications and others throughout the past several months, are legal. There are no laws on the books to enforce this.

The Kentucky anti-reformers will say that the Supreme Court says that money is speech, that that is their direct quote. I defy any anti-reformer to show me in *Buckley v. Valeo* where it says money is speech. They will not be able to because the Supreme Court never made that exact quote.

Next, the Kentucky anti-reformers will try to change the subject with non sequiturs like, "Americans spend more on junk food than they do on campaigns." That is ridiculous and totally irrelevant.

The point is that the President of any party, whoever might be President, the chairmen of the finance committees of both parties of the Senate and the House, congressional campaign committees and all ask for much money. And the question is, are there political favors given in return? If there are, it is wrong.

I do not think it is any coincidence that after we pass the telecommunications bill, hundreds of thousands of dollars are given to both parties by telecommunications folks. I do not think it is any coincidence that after we deregulate cable, hundreds of thousands of dollars are given to both parties by cable interests.

One Kentucky anti-reformer even said recently that soft money is not evil, to which I said, what about the tobacco-manufactured tax credit that slipped into the budget last year, the hue and cry that came, and we had to take it out? What did actually kill the drunk driving amendment?

We have to do something. To do nothing is irresponsible.

Mr. THOMAS. Madam Chairman, I yield 8 minutes to the gentleman from Arkansas (Mr. HUTCHINSON) who is one of the principal sponsors, along with a number of other freshmen, including the gentleman from Maine (Mr. ALLEN) of the underlying legislation upon which we will be conducting our examination of campaign reform.

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

Mr. HUTCHINSON. Madam Chairman, I want to thank the gentleman from California (Mr. THOMAS) for yielding me the time and for his outstanding leadership on this issue and also for his personal guidance to me as I have gone through this process.

Madam Chairman, campaign finance reform can be a complex and confusing issue. But the public always has a way of making common sense out of nonsense in Washington. To the public, this issue boils down to the meaning of democracy. To them, democracy is being changed in Washington from the people rule to big money governs.

Last night, and even earlier today, we heard from the gentleman from California that the First Amendment has something to do with this; and certainly it does. But the public can see through the misinformation campaign about the Constitution and the First Amendment.

Just a few moments ago the gentleman from California (Mr. DOOLITTLE) referred to the *Buckley v. Valeo* decision that provides that political spending is free speech. But that same decision says, by the United States Supreme Court, that contribution limits are in accordance with the First Amendment and do not violate the First Amendment.

By claiming to argue for free speech, the opponents of reform are cynically attempting to make sure that big money not only talks but it screams. The opponents pretend to use free speech to protect the millions of dollars in soft money that have become literally an addiction in Washington, and they wanted to give the multinational corporations a voice in our democracy that so dominates the political system that the individual voter is reduced to a lonely cry in the wilderness. What about their free speech?

Despite the smoke and mirrors, Madam Chairman, the debate today is a clear one. Are we in Congress going to represent individual Americans, or are we going to represent big money? Are we going to empower individuals and return politics to the people, or are we going to create more cynicism?

I believe that we should fight for the individual, and that is why I support the freshman bill. I believe the freshman bill empowers individuals so that their voices can be heard in Washington even above the din of special interests. And most importantly, the freshman bill protects the Constitution and free speech but it gives a greater voice to the individuals in our political process and it does this in three ways.

First of all, the freshman bill restrains the uncontrolled excesses of big-money interests and labor unions by banning soft money, the millions of dollars that flow from these groups into our national parties. As we can see from this chart, the 1996 election cycle, \$138 million, \$123 million in soft money going to our national parties, such a dramatic increase from what it was previously. And it will only go up.

Secondly, the bill strengthens individuals' voices by increasing the amount that individuals and PACs can give and by indexing contribution limits to inflation. Ours is the only bill that does that among all of them, that empowers the individuals in that way.

Thirdly, it provides information to the public by giving individuals and the media information about who is spending money and who is trying to influence the campaigns.

Madam Chairman, the freshman bill has been criticized by extremists on both sides of this debate. On the one hand, there are those who claim that

this bill goes too far and should not ban soft money. On the other hand, there are those who claim this bill does not go far enough and is not real reform.

I am not sure we could have asked for a better compliment. The opposition from both extremes suggests that the freshman task force has succeeded in producing a balanced and fair bill that does not tip the scales in favor of one faction or another or one party or another.

When the freshman task force got together 13 months ago at the beginning of this Congress, we laid out a few goals that we tried to stick with. First of all, we tried to remove the extremes, the poison pills from the bill so that we do not scuttle it. We wanted to have a rose garden strategy that legislation could actually get and be signed by the President.

After five months we came up with a proposal and we have stuck with it. Despite the pressure of special interest groups to change this bipartisan product, we have stuck with it. It has not been tinkered with by different factions that would destroy the balance in the bill. And it is growing.

As my colleagues can see, the campaign finance bill is the best, experts agree, because it does not violate the Constitution and it represents substantial reform. And that is what we need. We have 78 cosponsors from both sides of the aisle. It is truly bipartisan in nature, and it is growing.

Teddy Roosevelt, one of the great reform presidents in America, said that he would rather work with individuals who take two steps forward today rather than theorize about taking 200 steps forward in the indeterminate future. And he had a distinguished record of achieving reform. He had the right idea. And we have had more than 20 years of chest beating about campaign finance reform that has led nowhere, no real reform. We need a bill that can pass.

Besides having a strategy that the bill would pass, we also had a Supreme Court strategy. It is not good enough to get a bill passed by this House and signed by the President, it has got to survive constitutional scrutiny.

We set out with the express purpose of drafting a bill that would protect the First Amendment while empowering individuals. We consulted legal scholars and experts and other Members of Congress, and the result is a bill that will survive that scrutiny. It is constitutional. It is substantive. It is real reform. The freshman bill meets the concerns of constitutional scholars by avoiding the traps of other reform bills.

There are some groups out there, the third groups, that say that our bill does something harmful to keep third parties from getting their message out. We should be concerned about that. But let me tell my colleagues what our bill does and, more importantly, let me tell my colleagues what it does not.

Our bill does not restrict the amount of money that can be spent by third parties. It does not restrict the source of the money or require disclosure of individual donors. Is that not important? That sticks with the Constitution, and that is the freshman bill. It does not restrict the tradition of anonymous pamphleteering. It does federalize state elections. In short, it does not trample upon the Constitution.

The freshman bill is simple, and in this town, being simple and straightforward confuses a lot of people. But let me explain this bill bans soft money, it requires disclosure and information to the people, and it empowers individuals. That is simple but it is significant and it is substantial.

Finally, let my say to all my colleagues in Congress, the scripture says the sons of Samuel who governed Israel did not walk in their father's ways. But instead, they turned aside after money and in doing so perverted justice. And because they perverted justice in the name of money, the people of Israel looked for new leaders.

And clearly the American people perceive that justice and democracy in America is being perverted in the name of big money. If we do not change that system in this body, then the people will look for new leaders. Let us not fail the American people. Let us take advantage of this opportunity and pass the freshman bill, the bipartisan campaign integrity act.

Ms. KILPATRICK. Madam Chairman, I yield 12 minutes to the gentleman from Massachusetts (Mr. MEEHAN) who has one of the most popular bills and certainly a bipartisan bill.

Mr. MEEHAN. Madam Chairman, late last night the House embarked on what will prove to be a historic debate on campaign finance reform.

Over the next few weeks, we will have the opportunity to truly strengthen our democracy and respond to the 72 percent of Americans who say that there is too much money in American politics. Most importantly, this debate will clearly identify those Members who support real bipartisan reform by a vote for the Shays/Meehan bill from those who are tied to the status quo.

It is a fact that undisclosed money is overwhelming our current election system. The most effective way to solve the problem is to ban soft money, the huge sums given by corporations, interest groups and labor unions. These unregulated contributions are at the heart of nearly every single investigation that the majority party has focused on this year.

The other problem with our current system is the proliferation of campaign ads masquerading as issue ads in congressional races all across the country. According to a report published by the Annenberg Public Policy Center and the Pew Charitable Trust, more than two dozen organizations engaged in campaign advertising during the 1995-1996 election cycle, but because they called their campaign ads issue advo-

cacy, they did not play by our campaign rules. As a result, nearly \$150 million worth of these ads, a third of what all candidates nationwide spent themselves, went undisclosed. Nobody knew where the money came from.

The Shays/Meehan bill addresses both of these issues. Some of my colleagues have suggested that in order to pass campaign finance reform, that the gentleman from Connecticut (Mr. SHAYS) and I should modify our original legislation to garner additional support. However, it is important to remember that this legislation is already a product of compromise.

□ 1300

Unlike our original bill, H.R. 3526 does not have voluntary spending limits, nor does it include incentives to abide by such limits like low-cost TV time or free mailings. Moreover, it does not include any change in PAC limits.

At the same time, the bill does include new provisions to deal with the recent abuses of our campaign system, including a clarification of the law forbidding fund-raising on government property and a strengthened foreign money ban.

Our legislation has six primary components: first is a ban, a complete ban on soft money; second, a clarification of what constitutes campaign advertisement; third, increased disclosure and enforcement; fourth, a ban on all fund-raising on government property; fifth, a personal wealth option; sixth, codification of the Beck decision.

In short, the Shays-Meehan bill will end the soft money system, and address the growing problem of sham issue ads in Federal elections. It will increase disclosure of political contributions and expenditures, because, frankly, the public has a right to know.

Finally, our measure will give the Federal Election Commission the teeth it needs to enforce existing law.

In closing, I would like to take a moment to address the First Amendment implications of this legislation. In the coming weeks, I look forward to engaging in a constructive debate over the nature of the First Amendment doctrine in Federal election laws. Such a debate is important.

But there are some Members who raise this issue in good faith, but I want to warn the American people that there are Members who are falsely raising constitutional concerns, because they oppose reform and support the status quo.

The bottom line is clear, next month the Congress will have a historic opportunity to make a real difference in the way this institution is perceived by the people who have elected us. We will have a chance to take a step away from the well-heeled special interest and take a step towards restoring the one voice/one vote principle upon which this country was founded. I urge all of my colleagues to take a stand for reform and support the Shays-Meehan bill.

Let me address a couple of other issues, Madam Chairman, if I may. It has been raised that somehow this bill lacks the constitutional basis because there is spending limits. It does not include spending limits. There is some who say that we cannot outlaw PAC spending. It does not outlaw PAC spending. Shays-Meehan does not ban bundling. There is no free air time in this legislation. I think it is important as we discuss the facts to keep that in mind.

Madam Chairman, I yield 1½ minutes to the gentleman from Wisconsin (Mr. BARRETT), my colleague who has been fighting for reform since he arrived in this institution.

The CHAIRMAN. Without objection, the gentleman from Massachusetts (Mr. MEEHAN) will control the time.

There was no objection.

Mr. BARRETT of Wisconsin. Madam Chairman, I am proud to be a cosponsor of the Shays-Meehan bill, because I think it addresses one of the most important issues we face as a Nation and an issue that is important for the future of this Nation.

Each year, the Pew Research Center does an analysis and a survey of young people in our country, and it asks young people 18, 19 years old what they are interested in for their future. It talked about their job aspirations, their education aspirations, their dreams.

Each year, it has a question asking how interested they are in our political process and in government. Each year, we have seen different results. But this year, we have the lowest interest among 18 and 19-year-old people in this country in government, in politics, and in public policy than we have had in the last 30 years.

There is a reason for that. The reason for that is that young people, in particular, feel disconnected from the system. They feel that this is a pay-as-you-go system. Unless they have money to get involved in this political process, they cannot be part of it.

For a democracy, that is the worst possible thing that can happen. We have to have young people who believe in the system. If the young people in this country feel that the only people who can get involved in government are people who have a lot of money, that is bad for democracy. That is bad for this country.

This bill, although not perfect, tries to take a serious attempt at correcting some of the problems. It tries to get rid of the soft money. It tries to make sure that the issue advocacy ads that are so prevalent have at least some responsibility.

There has been a lot of talk in this Chamber the last couple of days about foreign influence, about money coming into this country. But one of the things that we have not heard is that this bill actually deals with that problem, because we cannot have foreign influence coming and buying issue advocacy ads under this bill. But under the current law, we can.

I think, if we are concerned about the integrity of the system, we have to ensure that we do not allow any type of foreign influence to come in and buy issue advocacy ads.

So I think that this bill is even more important today than it was 3 weeks ago. What we should be doing is we should be moving forward with this bill, not only for the people who vote now, but for the young people in this country.

Mr. MEEHAN. Madam Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Massachusetts (Mr. MEEHAN) has 4½ minutes remaining.

Mr. MEEHAN. Madam Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. WAMP), my colleague who has been our partner in this effort to find bipartisan, bicameral campaign finance reform.

Mr. WAMP. Madam Chairman, I thank the gentleman for yielding to me.

Madam Chairman, we have heard it said, the love of money is the root of evil. I will tell my colleagues what Tennesseans say to me when I go back home; and that is, the political parties seem to be addicted to money, both political parties. Too many mailings. Some constituents tell me they have five or six pieces of mail in a single day in their mailbox. They cannot even find the legitimate mail in all the solicitations. It is out of control. Too much money. Not that we can restrict it or that we should restrict it, but that they are too driven by the love of money, and money is power.

Unlimited, unregulated soft money must be contained. I particularly find egregious the influences of tobacco, alcohol, and gambling. Tobacco soft money, \$30 million over the last several years to the political parties, including \$100,000 this month in a single payment to one of the political parties.

Alcohol, \$26 million over the last several years to the political parties. We know what that money is for.

Gambling is the new kid on the block, but they are catching up quick. It is a growing industry. They are going to try to buy influence in the United States Congress.

I do not want my children's future to be dictated on the influences of alcohol, tobacco, and gambling soft money which is unregulated and unlimited to the political parties.

This open debate is good. I commend our leadership for bringing it up, for even extending the debate so that we can use this House to debate this issue. We are going to have two options, all the way from the proposal of the gentleman from California (Mr. DOOLITTLE) to go back to the way things were before Watergate, and, frankly, there is an intellectual argument that needs to be made about how much better things were before this system came into being, or we can try to fix this system, which I think is practical.

We have got some good options, the freshman bill, Shays-Meehan. But we

can fix this system, and I appreciate the debate.

Mr. MEEHAN. Madam Chairman, may I inquire how much time is remaining?

The CHAIRMAN. The gentleman from Massachusetts (Mr. MEEHAN) has 2½ minutes remaining.

Mr. MEEHAN. Madam Chairman, I yield 1½ minutes to the gentlewoman from California (Mrs. CAPPS), a new Member of this institution who took the House seat of her husband, who signed onto the Shays-Meehan bill as the first bill that she signed onto.

Mrs. CAPPS. Madam Chairman, I commend my colleagues in the freshman class, especially the gentleman from Maine (Mr. ALLEN) and the gentleman from Arkansas (Mr. HUTCHINSON), for their hard work on their bill.

My husband, Walter Capps, cosponsored this bill. Without the freshman effort, I do not believe we would be here today.

But I am fresh off the campaign trail, and I have seen how our elections today are being manipulated by outside groups who flood the airwaves with unregulated air ads that are clearly aimed at defeating or electing Federal candidates.

These ads feature a candidate's face, name, and record. They air just before the election. Who are we fooling? They are just like other campaign ads and should be funded with fully disclosed, limited contributions from legitimate sources.

These single issues are all across the political spectrum. They affect everyone in the contested race, Democrat and Republican.

I stand in strong support of the bipartisan Shays-Meehan bill because it contains the cornerstone of serious campaign reform. The bill will ensure that these phony issue ads are brought under the same restrictions as any other campaign ads.

Let us plug the giant issue advocacy loophole. Let us pay attention to our constituents who are frustrated and disillusioned by the onslaught of ads in our campaigns which are funded by outside interest groups, undisclosed, unlimited.

Pass real reform. Support the Shays-Meehan bill. It is in the interest of all of us, of everyone.

Mr. MEEHAN. Madam Chairman, I yield the balance of my time to the gentleman from Connecticut (Mr. SHAYS), who has been fighting for campaign finance reform over the last few years and has been a real leader in this institution in fighting for campaign finance reform.

Mr. THOMAS. Madam Chairman, how much time does the gentleman from Massachusetts (Mr. MEEHAN) have remaining?

The CHAIRMAN. The gentleman from Massachusetts (Mr. MEEHAN) has 1 minute remaining.

Mr. THOMAS. Madam Chairman, I yield an additional 2 minutes to the

gentleman from Connecticut (Mr. SHAYS).

The CHAIRMAN. The gentleman from Connecticut (Mr. SHAYS) is recognized for 3 minutes.

Mr. SHAYS. Madam Chairman, as I was listening to this debate and looking out and hearing the gentleman from Iowa (Mr. LEACH) speak about campaign finance reform, I think of how hard a leader he has been over so many years.

This is not a new issue. We have been debating it for a long time. I think of the gentleman from California (Mr. THOMAS) and what a leader he has been on campaign finance reform. So we have been fighting for reform on this side of the aisle.

I turn and think of all the people on the Democrat side of the aisle as well who have been fighting for campaign finance reform.

Together, we passed congressional accountability. We have gotten Congress under all the laws that we impose on the rest of the Nation. We did that together. Together we passed gift ban legislation, Republicans and Democrats. Together we passed lobby disclosure legislation. But we have left one act not taken care of, and that is dealing with campaign finance reform.

Fortunately, we have freshmen from both sides of the aisle who have worked hard to draft legislation that they feel will deal with this issue. I believe that they have made an important step, and I believe that they are truly for reform. I am hopeful, that at the end of the day, we can all come together.

I would argue to everyone in this Chamber that the legislation we need to pass is the Shays-Meehan bill. I believe that we need to pass this legislation because it deals with the important elements that none of the other proposals do.

We need to ban soft money; and with all due respect to other bills, we need to ban it on the State level as it relates to Federal elections. We need to recognize and have the courage to confront the sham issue ads by corporations, by labor unions, by other interest groups, and call them what they are, campaign ads.

Campaign ads come under the campaign laws. It would mean, and I say this particularly to my side of the aisle, that labor money cannot be used in sham issue ads, not the dues. We deal with it whether it is Republican money or Democrat money. I think we also need to codify Beck to let workers know that they have a right to not have their money used for campaign ads.

The bill also strengthens the Federal Election Commission. We have stronger enforcement, and we have stronger disclosure. We also make it very clear that foreign money cannot be used in campaigns, because, right now, soft money is not viewed as campaign money, and so it is legal. You can even make calls from the White House, because it is soft money. It is not campaign money.

My biggest complaint with my side of the aisle is they are willing to investigate corruption and not reform the system. With all due respect, on the other side of the aisle, they are willing to reform, but not expose wrongdoing. I think, when it needs to be.

We need to do both. We need to investigate wrongdoing and hold people accountable. We also need to reform the system.

I am so grateful to be part of this Congress today and in the weeks to come because we are debating an issue we feel strongly about on a bipartisan basis.

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Ms. KILPATRICK. Madam Chairman, I yield 10 minutes to the gentleman from Maine (Mr. ALLEN), one of the sponsors of the freshman bipartisan bill.

Mr. ALLEN. I thank the gentleman for yielding me this time.

Madam Chairman, last February, freshmen Democrats and freshmen Republicans agreed to create a task force on campaign finance reform. We were all veterans of targeted races in 1996. We saw firsthand the explosion of soft money in issue advocacy. We know that if soft money can be used for TV ads, and it can, the existing law on contribution limits has become a sham.

The gentleman from Arkansas (Mr. HUTCHINSON) and I cochaired that task force of six Democrats and six Republicans. H.R. 2183, the base bill for this debate, is the product of our freshman task force. It is substantial reform, it is bipartisan reform, and it ought to be passed.

Madam Chairman, I am now going to yield to members of the task force and members of the Democratic class officers.

Madam Chairman, I yield to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Madam Chairman, the current Congress can be broken into two groups: Those who think there is too much money in politics, and those who think there is not enough. I am of the former belief.

During the 1996 election cycle, candidates running for Federal office spent over \$1.6 billion to get elected. Whether we want to admit it or not, the fact is that our campaign finance system is jeopardizing our credibility. We should not fool ourselves into believing that the problem is only the illegal activities that occur during the campaigns.

Soft money is unregulated and is not subject to any of the contribution limits. Democrats and Republicans combined to raise more than \$260 million in soft money, a 206 percent increase, in 1992. If this trend is allowed to continue, we can expect the soft money figure to reach almost \$1 billion in the year 2000. It is the abuse of soft money that has so badly tainted our system. It is soft money abuses that are the source of the investigations of the 1996 campaign.

Mr. ALLEN. Madam Chairman, reclaiming my time, I yield to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Madam Chairman, it is time for Congress to get its head out of the sand. Just how out of touch is this place? Will we look real campaign finance reform right in the eye and blink? I hope not, because the American people have lost trust in the system. They firmly believe that elections are bought and sold.

We all know that soft, unregulated money plays an enormous role in this disillusionment of the problem. This campaign financial loophole allows virtually unlimited contributions from wealthy special interests, and almost every dollar garnered from this is raised at the Federal level.

Madam Chairman, let us be clear: Soft money can lead to the threat of corruption, the appearance of corruption, or real corruption. Let us ban it.

Mr. ALLEN. Madam Chairman, reclaiming my time, I yield to the gentleman from Arkansas (Mr. SNYDER).

Mr. SNYDER. Madam Chairman, from the most recent records of the FEC in the last few months, a \$200,000 donation from an individual impacting on the work of the Capitol; a \$250,000 donation from a construction company; a \$100,000 donation from a union; a total of \$650,000 in donations from a bank; and I could go on and on, \$100,000 from an individual; \$450,000 in donations from a tobacco company.

Madam Chairman, Lady Freedom is about to be covered up. As the debate was continuing last night, I was impressed with how much we were playing "gotcha" and how much we were playing politics. Let us go home on this recess, and come back prepared to deal with this problem. Before Lady Freedom gets completely covered up, let us recover our democracy.

Mr. ALLEN. Madam Chairman, reclaiming my time, I yield to the gentleman from Rhode Island (Mr. WEYGAND).

Mr. WEYGAND. Madam Chairman, the centerpiece of the freshman bill is a very strong ban on soft money. It prohibits national officeholders, candidates, their agents, from raising, directing and coordinating soft money. The freshman bipartisan Democratic-Republican bill incorporated the ideas of campaign finance experts; Thomas Mann of the Brookings Institute, Norm Ornstein of the American Enterprise Institute, Herb Alexander of the Citizens Research Foundation, we took their ideas and put it into the bill. This was not a partisan ship, this was an idea of experts.

But what does all this do? What is the real issue before us with soft money?

Soft money really restricts the average American from running for office. It puts tens of thousands, even millions of dollars, into campaigns, and forms great obstacles for the average American from running for office. Jefferson and Madison wanted this to be the

House of the people, not the House of the elite and the special interests. Soft money does that.

Let us renew those Founding Fathers' ideas. Let us renew the House of the people. Let us ban soft money. That is what the freshman bill does. I urge my colleagues to support it.

Mr. ALLEN. Madam Chairman, reclaiming my time, I yield to the gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Madam Chairman, I rise today also in support of the freshman bipartisan campaign finance reform bill. One of the issues that we address in our bill, as well as is addressed in the Meehan-Shays bill, is the third party ads that are typically run by groups outside of Congressional districts. Our bill provides if you are going to attempt to influence the outcome of an election, you have to associate yourself with that ad.

We have had groups here in Washington D.C. that have told us if you force us to put our names on our ads, we will not run them. They further said the courts have ruled they have a right to run anonymous political advertising.

This is crazy. What is at stake here is not a right like that; it is the right of the voters not to be deceived, but to be informed. One of the purposes of this provision is to stop the type of misleading and inflammatory ads that people will refuse to run when their names have to go on the ad.

We have carefully written this freshman bill in a way that is constitutional. It preserves the rights of groups to speak. But if you are going to stand up and say something about a candidate and attempt to influence the outcome of an election, you are going to put your name on the ad. That is going to assure that the rights that are really at stake here are protected, and that is the rights of the voters to make informed judgments and to understand who is trying to influence the outcome of the elections that determine their elected representatives.

Mr. ALLEN. Madam Chairman, reclaiming my time, I yield to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Madam Chairman, I am a proud member of the freshman bipartisan task force on finance reform. If we are truly interested in passing finance reform that is going to pass and withstand constitutional challenges, the freshman bill is the bill to support.

But the opponents of reform would have us believe that large money contributions are essential to freedom, liberty and free speech in this country. I do not know any rational person who believes the ability of a wealthy individual or organization to contribute hundreds of thousands of dollars, just as my friend the gentleman from Arkansas (Mr. SNYDER) so aptly demonstrated, is essential to freedom and liberty in this country. But that is exactly what is going on right now, and it is perfectly legal.

The freshman bill prohibits soft money contributions, and it will limit

the corruption and the appearance of corruption resulting from those large contributions.

We can prohibit the soft money contributions under current constitutional case law. So our soft money ban withstands any constitutional challenge, and, yes, it does uphold liberty and free speech in this country.

I urge my colleagues, if they are interested in true finance reform that upholds the tenets of our Constitution in this country, to support the freshman bill.

Mr. ALLEN. Madam Chairman, reclaiming my time, these freshmen Members of Congress have helped bring real campaign finance reform to the floor. H.R. 2183 should now be debated and passed in this Congress. But we are going to hear some objections. We are going to hear the phrase "big money." I ask you to remember it. We are going to hear the phrase "free speech." Because when some Members of Congress argue that campaign reform stifles free speech, they are really saying that it shuts down big money, and they like big money. They want to keep big money.

The Supreme Court has said preventing the appearance and reality of corruption justifies limits on contributions to candidates and parties. To be sure, the First Amendment is a factor. But a soft money ban is constitutional. Issue advocacy can be regulated.

Do not be fooled by those who use the rhetoric of free speech to keep campaigns fueled with big money from corporations, unions and wealthy individuals. Support the freshman bill.

Mr. THOMAS. Madam Chairman, it is a pleasure now to yield 3 minutes to the gentleman from New York (Mr. PAXON), a retiring Member of Congress, but someone who certainly is not himself retiring.

Mr. PAXON. Madam Chairman, for years the two-party system has served this Nation well and has helped to make America the strongest democracy in the history of the world.

Today we have really seen on this floor the beginning of a direct assault on the two-party system in the guise of so-called reform. I warn my colleagues, as you well know, because someone walks to the well of the House and says something is reform does not make it so.

As a matter of fact, I believe that if these measures pass, we can predict three things: First, the diminishing of our two-party system; secondly, a diminishing of the ability of candidates to be responsible for the messages in their campaigns to the electorate; and, third, because so-called reform will actually move dollars from the Federal system that we have today of disclosure, those dollars will end up in issue advocacy campaigns, and that will mean no disclosure of where the dollars come from, no disclosure of where the dollars are going to or being spent, and, undoubtedly, more of what we are seeing today, negative and attack com-

mercials that are not controlled by anyone.

Now, there is much talk though on this floor about controlling one thing, and that is these very issue advocacy campaigns. But that is a fantasy. The courts will not allow it, and that is clear.

What this talk is is a Trojan horse, good talk about controlling issue advocacy and all those negative campaigns, and, once the courts strip it away, we are only left with controls on the two-party system and controls on the candidates who are, therefore, not responsible to the electorate because of the kind of messages that will come out in those issue advocacy campaigns.

Therefore, the bottom line is simply this: The real question when it comes to campaign abuses is not about more laws. There are laws galore on the books. What we need is the real choice before us today: Will we enforce the laws that are on the books, or will we irreparably harm the two-party system and the ability of candidates to be responsible to the electorate and control their messages?

As this debate goes on in the coming weeks and months, I cannot help but come back to the adage that my dear grandmother gave me time and time and time again, and that is simply this: Be careful what you wish for; it might come true.

Mr. THOMAS. Madam Chairman, it is my pleasure to yield 2 minutes to the gentleman from Washington (Mr. WHITE), one of the authors of a major substitute that we will be looking at later in the process.

Mr. WHITE. Madam Chairman, we are embarking today on a long process to debate campaign finance reform. It is an open process, and that is a good thing. But it is also a process that, if we judge from the past, is likely to end in failure, in partisanship and in embarrassment to this House. Because the fact is if we look at what we have done in the past, we are likely to spend our time fighting with each other, arguing over our pet projects, and, ultimately, not getting anything done.

The fact is, we do not agree on the details, and what most of this campaign finance debate will turn out to be is one party trying to stick it to the other party and trying to see if they can do that in one way or another. The fact is, it is very likely that we will end up at the end of the day in a situation where no bill has the votes that is necessary to pass.

I would submit to you, Madam Chairman, if there is a lesson to be learned from the history we have seen, it is we cannot do this job ourselves. The last people in the world who should be making decisions on campaign finance reform are the people whose individual personal self-interest depends on campaign finance.

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That is all of us in this House.

So I would submit to my colleagues that there is really only one way to get

a neutral, good government campaign finance reform bill, and that is to appoint a group of neutral experts to come back to us with a proposal after debating for a period of time. That is the Commission bill.

It is one of the first bills we will be debating, and I would implore my colleagues to give it careful consideration. We will have plenty of time to debate the merits of it, to explain what the Commission is all about. But I would say to my colleagues, go ahead and have the fights, go ahead and try to stick it to the other party, go ahead and try to win on your terms, but do not forget to vote for the Commission bill, which is the one chance we really have for real, fair and neutral campaign finance reform.

Mr. THOMAS. Madam Chairman, I yield 2 minutes to the gentleman from Kentucky (Mr. WHITFIELD), a Member who has been involved in this for some time.

Mr. WHITFIELD. Madam Chairman, the Buckley decision was obviously the most important campaign finance decision made by the Supreme Court. Justice Thurgood Marshall in that opinion wrote, "One of the points on which all members of the Court agree is that money is essential for effective communication."

Now, in Federal campaigns we have two kinds of money. We have soft money, which is money spent by any organization, any individual, or a political party to talk about issues.

Now, in my campaign in 1996, the labor union spent \$866,000 against me in TV ads, and it said, paid for by the AFL-CIO. That is soft money. I did not like it, but I think they have the right to run them. The Supreme Court have repeatedly ruled they have that right.

Hard money is money spent by candidates for Federal office. It is used specifically to elect or defeat a candidate and is, therefore, regulated by the Federal Government.

Now, the Shays-Meehan bill, not only does it place a cap on the amount that a person can spend of their own money, but it also prohibits any organization, any individuals and political parties of any political philosophy from spending money to educate people about issues within 60 days of the election. So in Federal elections, where does that leave us? Those that spend hard money, the candidates, and then, of course, members of the news media will be able to express their views. They will be the only ones.

But individuals around the country, organizations around the country will not be able to spend any money. And I, for one, do not like to see the last 60 days of an election having the news media being the only ones that can talk about the candidates, because they are not regulated by anyone. So they will exercise their free speech, but the American people will not exercise their free speech.

Mr. THOMAS. Madam Chairman, I yield 2½ minutes to the gentleman

from Texas (Mr. BRADY), a member of the freshman bipartisan group.

Mr. BRADY of Texas. Madam Chairman, new campaign laws will not help if we do not first enforce the ones we have, and Congress must enforce and must ensure the free expression of speech, and that is why I am proud to be an original cosponsor of the freshman reform bill.

Each year, we seem to drift farther and farther away from the original intent of Congress as a citizen legislature, electing people from all walks of life and stations of life. A citizen Congress is disappearing in great part due to horribly expensive campaigns whose costs are out of control and getting worse.

Today, it takes about \$1 million. The average cost of winning a competitive seat in Congress is \$1 million. That means a lot of good people in our community will never raise their hands to run for Congress because they do not have \$1 million and they do not know how they would find it, and those costs are doubling every 4 years. For a Nation founded on representative government, that is alarming.

Madam Chairman, I love being part of a Republican Congress that is known for challenging business as usual in Washington. Now is the time and we are the ones who take on the difficult past of bringing some common sense to these campaigns. It will not be easy. Nothing important ever is. But it will be worth it to make sure that, someday, our children do not wake up in the future to find that our Congress is reserved for only the wealthy few.

When it comes to doing the right thing in America, money is not everything. Integrity is more important than a fat wallet. Character still counts. If we believe in the citizen Congress, we know that we have to make sure the doors are open to families and working Americans who are only rich in principle and wealthy in common sense.

The freshman bill is common sense. It is constitutional, it preserves free speech, it protects States' rights, and it avoids the extremes without giving advantage to either party.

As a Republican, I confess that the bills that give my party an advantage are awfully tempting. As a Republican and an American, I know that the principle of a citizen Congress is a higher principle. That is what America's founders envisioned, that is what generations of Americans have given their lives for, that is our challenge to preserve.

Ms. KILPATRICK. Madam Chairman, I yield 3 minutes to the gentleman from California (Mr. FARR), who has spent a lot of time on this issue and one of the sponsors of one of the bills we will be further debating.

Mr. FARR of California. Madam Chairman, I thank the gentlewoman for yielding me this time.

I am pleased that we finally have a chance to debate on 11 measures, sepa-

rate measures to discuss campaign reform, and I join this debate to fight for reform, real reform. Reform that stops the money chase, reform that restores the integrity to the election process, that allows candidates to discuss the issues, not sling mud.

I support the Shays-Meehan bill, but I also have a bill to be discussed in this debate, one that is more comprehensive than Shays-Meehan and actually is the basis from which Shays-Meehan originally developed.

But as good as Shays-Meehan is, it could be better. If the problem with campaign finance today is too much money in the system, then let us cap it. No one talks about spending limits anymore. But my bill has spending limits; none of the others do.

If we want to reduce money in the system, do not let it be spent. I cap it out at \$600,000, which is the average cost of a campaign in the United States in the last election.

No one talks about PAC contributions anymore, but I do. My bill reduces individual PAC contributions and caps them in the aggregate. Shays-Meehan does not. If we want to reduce special interest money in the system, reduce the flow of money, cap it. My bill and my amendment has PAC limits.

No one talks about wealthy candidates anymore, buying a seat in Congress, but I do. My bill limits how much personal money a candidate can spend on his or her campaign. Shays-Meehan and other bills do not.

What about bundling reform? What about access to broadcast time? Have we forgotten that there is more to campaign finance reform than only soft money?

We need reform. It needs to be bold. It needs to be comprehensive. Getting rid of soft money is a good start, but in itself is not enough. Getting tough on express advocacy is a good start, but in itself is not enough. Getting serious about disclosure is a good start, but it is not enough. Shays-Meehan is a good start, but it is not enough.

I will offer an amendment using the text of my bill, H.R. 600, that does that, and more. If we are going to go through the trouble of passing campaign finance reform, let us pass comprehensive reform. Let us show America we are serious about cleaning up the system. If we are truly determined to do something about campaigns that are financed in this country, we must attack it from all angles, not just one. Incremental reform is reform delayed, and reform delayed is not reform at all.

Mr. THOMAS. Madam Chairman, I yield myself 1 minute.

Madam Chairman, someone earlier made the statement that they saw an educational ad and it did not play by "our rules."

The gentleman from California (Mr. FARR), is obviously sincere in offering his package, and we will look at it in more detail later, and he is proud to say that it has spending limits in the bill.

If my colleagues will recall my opening comments about the concern that we have to have in passing legislation in which the Supreme Court has already rendered an opinion, my colleagues will recall that in *Buckley v. Valeo* the Court sustained contribution limits that were in the 1971 law, but it held unconstitutional the expenditure limits, and yet we still continue to try to go down that path.

The gentleman from California said that, in terms of millionaires spending their own money, we ought to tell them that they should not be able to do it. I remind my colleagues that the Court has said that that is supposed to be a fundamental first amendment right.

I will also remind my colleagues that the Farr bill has a severability clause. That means that if the Court rules one portion of it unconstitutional, the rest of it will stand. In other words, if he believes he has crafted a careful, comprehensive plan and the Court throws out a portion of it, what we wind up having is the same situation we are in today.

What the Congress wanted, if, in fact, that is what Congress wants, will be done only in piecemeal, hit-and-miss fashion. As we look at these various proposals, look to see whether they have severability. Look to see if they address what we should be doing under constitutional amendments in a statutory form when we are running directly into the face of the Supreme Court saying certain aspects of people involved in expressing their own positions politically have a guarantee under the first amendment.

Madam Chairman, I yield 3 minutes to the gentleman from Colorado (Mr. MCINNIS).

Mr. MCINNIS. Madam Chairman, I am sure that all of us are familiar from watching the movie *Gunsmoke* or some of the other westerns, or if we have ever studied western history, we have heard of something called snake oil. That is just about what is to be sold on this House floor, and it is called snake oil.

How does one sell snake oil? First of all, one goes out there and convinces the people, goes into town ahead of time and convinces everybody that they are deathly ill, that the consequences of not buying the snake oil will be devastating to the community as a whole.

That is exactly what they are trying to do on this floor. Then, after they have convinced them about these horrible consequences, you ride into town on a white horse and say, I have the snake oil. I have the cure. The solutions are heavenly. Everybody in the community will live happily ever after.

Well, what are we doing here on this so-called campaign finance reform? What does it mean? Well, of course, that is all in the eyes of the beholder, but let me go over a few buzzwords we have heard this morning.

Just a couple of minutes ago, I heard the good gentleman, a good friend of

mine, the gentleman from Arkansas, quoting the scriptures on campaign finance reform. Then we hear the word "reform;" now we hear the words "real reform;" then we hear about restoring public confidence. They are all buzzwords. Convince them there is an illness out there. Exaggerate the abuse that goes on out there. Talk about corruption. Describe the institution of Congress and what a horrible institution it is.

The previous speaker from California talks about buying a seat in the U.S. Congress: Make it corrupt. Make it sick. We have to be able to sell this snake oil.

Use the words, "special interest." Of course, we have to use the words "special interest," as if everybody in here does not have a special interest. Mine happens to be water, mine happens to be kids, abused children, mine happens to be the military, a strong defense. I do not deny having a special interest, and none of my colleagues should either.

Use the words "soft money" over and over and over again. If we are going to convince them of this disease, we better use the word "soft," "soft," "soft," like it is the word "cancer," "cancer," "cancer."

Talk about the horrors of the two-party system, how horrible, what bad shape this country is in because we have the Republican Party and the Democratic Party. Never once look back in history to see that history proves it is the most successful political system in the history of the world. No, no, no, we do not want to look at facts. Do not look at the bottom line, talk about how this empowers individuals. Then, after we have done all this, sell the snake oil.

That is about what is going to happen, folks. The average person out there is going to get sold some snake oil because, unfortunately, they are going to believe a lot of what we say. I hope the people listening to me today do something that they should do when the snake oil salesman rolls into town and that is, look at the bottom line. Do not buy it on what you hear, do not buy it on what you see, buy it on what you know to be true.

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Mr. KILDEE. Madam Chairman, I yield 2 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Madam Chairman, I thank the gentleman for yielding me the time.

First of all, I want to thank all of my colleagues on both sides of the aisle who signed the discharge petition that has brought campaign finance to the floor, particularly the Blue Dogs, who initiated the petition drive in support of campaign finance reform.

It has been a long time since the Speaker shook on it, and a great deal has happened since then. We have held hearing after hearing on alleged campaign finance abuses, but we have

taken no concrete action to repair the problem.

We have spent hundreds of taxpayers' dollars and hours of valuable time on hearings that have yielded nothing. So if we spend hours and days on this floor debating reform, as long as we end up with a strong law instead of the usual shell game, where we vote on a bill knowing that it will not be enacted into law, I do hope that the ultimate outcome will be passage of Shays-Meehan. It is bipartisan, it bans soft money, it mandates disclosure, it levels the playing field between challengers and incumbents, and it regulates independent third-party spending.

We need to hold elections, not auctions, to select our leaders. I hope we move forward as quickly as possible with reform, and that we all get behind Shays-Meehan.

Mr. THOMAS. Madam Chairman, I yield myself 1 minute.

Madam Chairman, I would announce that the Congressional Research Service document that I had mentioned at the beginning of the debate is now being made available.

For anyone who is going to be leaving for the break from the floor, we have them available. Obviously, they will be available in greater numbers as we move through the process, and Members can have them in their offices. But if Members want one now, they are beginning to arrive.

Madam Chairman, it is my pleasure to yield 3 minutes to the gentleman from California [Mr. CAMPBELL], an author of a major substitute who will be addressing us at length later.

Mr. CAMPBELL. Madam Chairman, I thank the chairman, my good friend and colleague, the gentleman from California, for yielding me the time. I want to commence by complimenting him. There is no more sincere friend of campaign finance reform than the gentleman from California [Mr. BILL THOMAS], and I applaud his work.

Madam Chairman, I would like to use the minutes I have to speak about the first amendment, about "Can't vote, can't contribute," and about paycheck protection.

On the first amendment, I have heard on the floor already expressed review that the first amendment will not tolerate any campaign finance reform. This is simply not true. First of all, the Constitution gives to the Congress and the States the obligation to control the time, places, and manner of elections.

Second, the Supreme Court of the United States has on at least 14 occasions decided what kind of speech can be restricted. We cannot advertise a dangerous product, we cannot announce prices and fix them with somebody else, we cannot speak if the speech would pose an imminent risk of great danger. All of these, one might say, are restrictions on speech under the first amendment, and yet they have been permitted by the Supreme Court. Why is this? Because they preserve the fundamentals of the First Amendment.

The same is true with campaign finance reform. The Supreme Court dealt with this most extensively in *Buckley versus Valeo*, and in subsequent opinions as well. What that case said was, if the purpose and the effect of the reform is to control the system from the abuses so that truly free speech, in honest, legitimate debate can come forward, then the reform is permissible. That, I think, fairly characterizes almost all of the alternatives we will be debating.

The alternative on which I have spent my time is called "Can't vote, can't contribute." It is exceptionally simple. If you cannot vote for me, you should not be contributing to me.

What my bill says is, a labor union cannot vote for me, so they cannot contribute; a company cannot vote for me, so they cannot contribute; citizens from the State of Missouri cannot vote for me, so they cannot contribute. (I represent the State of California).

I am saying, let us restrict the ability to give to the very people to whom you owe the highest responsibility, your constituents. That approach, it seems to me, would solve a huge amount of the problem. No PACs, no labor unions, no companies, just the people whom you represent, can contribute. "Can't vote, can't contribute."

I have to be a little bit more careful and say that, under Supreme Court law, we have to allow some small amount of giving by others, and so I have a small amount that can come from other sources, no more than \$100.

Lastly, my bill will have an expanded protection for those people who give their money to some entity, and that entity goes and uses it politically. We have heard how labor unions do this, but I think companies do it, too. What I propose is if you give your money to a company and the company decides to spend it politically, that company ought to get your approval up front. Then they can only spend as much money as has been approved by their shareholders. And similarly, if you are a member of a labor union, that union should not spend your money without getting your approval up front for the amount they wish to spend.

"Can't vote, can't contribute" is simple, and it is fair. Most importantly, though, it is consistent with the first amendment. I thank the leadership of the Republican Party for allowing this debate to take place.

Ms. KILPATRICK. Madam Chairman, I yield 2½ minutes to my colleague, the gentleman from Michigan [Mr. LEVIN].

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

Mr. LEVIN. Madam Chairman, I think this debate has been illuminating. The basic issue is really quite clear: Are we basically satisfied with the status quo, or are we not?

Yesterday the gentleman from Georgia (Mr. LINDER) said, in opening the discussion on the rule, I do not believe that major changes are necessary to

the existing campaign finance laws. Instead, he urged some kind of assurance that the current laws we have on the books are going to be honored.

All I can say to him and the gentleman from Colorado, who tried to minimize the present problems, is money is swamping democratic politics in America. I have been involved in the political process for a long time. I am proud of the two-party system. It is the two-party system that is being eroded by money.

The issue advocacy issue is not a Trojan horse for soft money. The point is, if we do not address not only soft money but so-called issue advocacy ads that are really campaign ads, we have not closed the circle and ended the loopholes.

I think the gentleman from California (Mr. CAMPBELL) is absolutely correct about the first amendment. I hope people will not use it as an excuse to do nothing. I want to read just a couple of lines from *Buckley* which indicates that the first amendment has to be looked at in the context of the political realities of 1976, in the case of *Buckley*, and 1998 today.

It says, "The increasing importance of the communications media and sophisticated mass-mailing and polling operations to effective campaigning make the raising of large sums of money an ever more essential ingredient of an effective candidacy. To the extent that large contributions are given to secure political quid pro quos from current and potential officeholders, the integrity of our system of representative democracy is undermined. . . ."

Then they go on to say, "Of almost equal concern as the danger of actual quid pro quo arrangements is the impact of the appearance of corruption stemming from public awareness of the opportunities for abuse inherent in a regime of large individual financial contributions."

What Shays-Meehan gets at is not only these huge financial contributions, but their unknown source and issue advocacy ads. If Members like the present system and they think the public does, go ahead and vote for essentially sham proposals. If Members want basic change, vote for Shays-Meehan.

Mr. THOMAS. Madam Chairman, it is my pleasure to yield 3 minutes to a freshman, the gentlewoman from Kentucky (Mrs. NORTHUP), someone who has just recently been on the front lines.

Mrs. NORTHUP. Madam Chairman, I thank the gentleman for yielding me the time.

In my government class in my junior year of high school, my teacher taught my class about civic duty. We studied the Constitution, and I learned then that that document represents a contract between the U.S. government and us, its citizens; and that as citizens, we are guaranteed certain inalienable rights. Those rights include our freedom of speech.

Today we have before us a number of proposals, all addressing the issue of campaign reform. The self-proclaimed reformers will talk about the problems of public cynicism, corruption in politics, and abuse of the system. Their proposed solutions will suggest everything from limiting when certain groups did disseminate their message to capping campaign spending and using tax dollars to fund campaigns.

The problem is that at the heart of each of these proposals is a muzzle on first amendment rights, the right to freedom of speech. Members may ask, what does campaign financing have to do with free speech? The answer is, absolutely everything.

In the landmark *Buckley versus Valeo* case, the Supreme Court ruled that being able to raise and spend money is necessary for speech. Restricting the amount of money a person or group can spend in campaigns reduces their ability to express themselves.

In today's society, every means of communicating ideas requires spending money. In fact, most campaign spending is used for the purpose of communicating with voters. Running an advertisement on television or the radio costs money. The ink and paper used in a mail piece costs money. An ad in a newspaper costs money.

While standing on a street corner screaming at the top of your lungs may be an exercise in free speech, it does little to disseminate your message. In order to share your views with others, whether you are a candidate running for office or a group of individuals concerned about the environment, you must have the funds and be able to buy air time or newspaper space to voice your opinion effectively.

While the authors of these reform proposals might say their ideas do not hamper free speech, most proposals do infringe on the first amendment, the right to free speech.

We must remember that election activity is a healthy sign of a vibrant democracy. Just as we encourage citizens to vote, we should encourage them to be involved in campaigns. The discussions that swirl around campaigns are part of engaging our citizens in campaigns and the issues that confront them.

Limiting our ability to discuss those issues violates our inalienable rights. Oppose limiting free speech. Oppose the Shays-Meehan and Hutchison bill.

Ms. KILPATRICK. Madam Chairman, I yield 1 minute and 15 seconds to the gentlewoman from Ohio (Ms. KAPTUR).

(Ms. KAPTUR asked and was given permission to revise and extend her remarks.)

Ms. KAPTUR. Madam Chairman, I rise in strong support of the Shays-Meehan proposal as the first important step towards reform, the first important step. I have listened to these arguments about free speech. Well, if money is now equated with free speech, then lack of money is equated with

lack of free speech. It makes sense to me. Let the American people be the judge.

What we really do need is a constitutional amendment that will overturn Buckley versus Valeo. It is outdated. Think about this. In 1994 the average Member sitting here had to spend nearly \$1 million when they were in competitive House races to hold onto their seats for a job that pays one-tenth as much. If they ran for the other body, the S-E-N-A-T-E, then they had to spend close to \$4.5 million for a job that pays about \$130,000 to \$136,000 a year. Let the American people be the judge.

In 1994, no House challenger won spending less than \$100,000 in this Chamber for a job that pays \$136,000. In 1996, the number of congressional candidates financing their campaigns with \$100,000 or more of their own money was over 109 candidates.

The American people are voting at all time lows. They know that the money changers are in the temple here. I would say to the people of New Hampshire and Iowa, they have enormous power to change this system. They should not let a single presidential candidate through their States until they are willing to agree to limits.

Mr. THOMAS. Madam Chairman, it is my pleasure to yield 2½ minutes to the gentleman from Missouri (Mr. HULSHOF), another one of those members of the freshman class.

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

Mr. HULSHOF. I thank the gentleman for yielding me the time, Madam Chairman.

Madam Chairman, I rise today in support of the freshman bill, the Bipartisan Campaign Integrity Act of 1997.

With great respect for the gentlewoman from Kentucky who just spoke recently, and another freshman Member, I am one of those self-proclaimed reformers. There has been a lot of discussion about the Shays-Meehan bill. One part that I happen to agree with the gentlewoman from Kentucky is that even with the motive, the good motive that I think is underlying the bill, I think it is unconstitutional.

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I think that it is an unconstitutional infringement upon the right of free speech. The freshman bill, I think, cuts a swath down the middle. As newly elected Members of Congress just off the 1996 campaign trail, our class is bringing a fresh look at reforming the way that Federal elections are financed in this country. Increasingly the American people are losing faith. They are losing confidence in the current system of campaign financing which reflects upon those of us who come here.

The freshman bill is truly a bipartisan bill. It was crafted to meet the needs of reform without unfairly impacting one side over the other. With all due respect, last night we had a

very passionate debate on the rule and the majority whip, right where I am standing, talked very passionately about the First Amendment. But with all due respect, there is no constitutional protection to soft money. There is nothing in the Constitution that says this unregulated, nondisclosed, big money in politics somehow enjoys the protections of the First Amendment of the United States Constitution. The freshman bill bans soft money.

The other area that I think that our bill is actually an improvement over other measures that will be fully debated after we get back from our recess is on the issue of issue advocacy. Where this bill is an improvement over the Shays-Meehan bill is simply we are asking for disclosure. It is interesting that when you have a broadcast commercial either on the radio or television, the FCC requires that the advertisement's sponsor must be disclosed. Should we not at least require some disclosure from the FEC when you are engaging in broadcast? We are not asking for disclosure of who has contributed to these particular third party groups. We simply are asking for full disclosure. That is why I think that this freshman bill is the best measure. I urge its support.

Madam Chairman, I thank the gentleman for yielding me the time.

Ms. KILPATRICK. Madam Chairman, I yield 1 minute to the gentleman from Illinois (Mr. POSHARD).

Mr. POSHARD. Madam Chairman, I speak to a lot of college students around the State of Illinois. Every time I stand in front of those students, they look me straight in the eye and they say to me, Congressman, we do not trust any of you guys anymore. You are all in it for yourselves. You are all in it for the special interests. No one is in it for us any longer.

When I inquire of those students as to why they do not trust their government, why they see their government as the enemy rather than their friend, they always look me straight in the eye and they say, Congressman, just follow the money, just follow the money. You will know why we do not trust you.

They are not wrong. Those students know that money in our government today leads to access, and access leads to influence, and influence leads to policymaking that is not always in the best interest of all of our people. Trust is the glue that holds our democratic system together. Without trust, it begins to unravel for all of us. If there is anything important in America, it is that every citizen ought to enjoy equal access to every door of representation in this government. That is our responsibility in this Chamber, to make that happen.

Madam Chairman, I am very pleased to have the opportunity to rise today and add my comments on an issue of deep concern to myself and many of my colleagues. At long last, this House is engaging in a meaningful debate

on one of the most significant, controversial and urgent issues facing our nation—the reform of our nation's campaign finance laws.

The overhaul of our campaign finance system is a goal I have supported for many years. I strongly believe that we must reduce the overwhelming influence of money and return our campaign system to its roots of citizen legislators who challenged each other on the issues and their vision of the future. During my service in the Illinois Legislature and in this body, I have witnessed first-hand the effect that special interest money can have on honest debate and the integrity of the legislative branch of government.

In the absence of meaningful progress on this issue on the national level, I have sought to reform the financing of my own campaigns by refusing all PAC donations and relying instead on small contributions from individuals. Although I have often hoped that in this way, a few of my colleagues and I were setting an example for others to follow, it is not at all difficult to understand why only a handful have done so. It is indeed a daunting task to run a campaign without the easy donations that flow from special interests. But I would rather rise to the challenge and struggle to overcome this obstacle freely and honestly than continue to work within a system that has become irreversibly corrupted by the influence of money.

There are those who will argue that the reforms we are seeking will place undue restrictions on the ability of interest groups to publicize their views. While I understand this concern, and I certainly do not support measures that infringe on First Amendment rights, I feel that the damage that money has inflicted on our political system can no longer be ignored. I am convinced that if reforms are enacted, sufficient opportunity will remain for groups and individuals to continue to make the opinions known in a meaningful and effective way.

The bill which has been brought to the floor today does not encompass my vision of campaign finance reform. However, I am grateful that the leadership has provided for consideration of many substitutes to this legislation, and I am hopeful that as this debate continues, my colleagues and the American people will join me in calling for a solution to this urgent problem. I believe that the Shays-Meehan bill represents the best vehicle for reform, and I will vote for its passage as a substitute to H.R. 2183. But regardless of the outcome of the votes we will cast as this process continues, the discussion itself marks a milestone in the House, and I strongly urge all members to take advantage of this historic opportunity to return politics to the American people, so that they can take pride in their government and in the role they play in the democratic process.

Ms. KILPATRICK. Madam Chairman, I yield 1 minute to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Madam Chairman, Americans want fundamental change or a complete overhaul of the campaign finance system. They want meaningful limits on the out-of-control money in politics, and they want it now. We need to end the abuses of the electoral process, ban soft money, rein in the exploitation of issue ads and bring elections back home to the American people.

During this debate the Republican leadership will try to change the topic

and, yes, to sell snake oil. It will try to turn attention away from all the good ideas that are out there to truly reform our elections and, instead, will try to focus debate on proposals specifically devised to bury elections deeper in the pockets of big money and of their special interests, to silence the voices of working men and women, and to kill reform.

Do not be fooled by the Republican leadership's all smoke and mirrors routine. Americans are tired of the games. We have the votes in this House to pass real reform. It is the Republican leadership that would thwart the will of this House and thwart the will of the American public.

Vote for Shays-Meehan, vote for a victory for the American people. Give their voices back to democracy.

Mr. THOMAS. Madam Chairman, I yield 2 minutes to the gentleman from Missouri (Mr. BLUNT), another member of the freshman class.

Mr. BLUNT. Madam Chairman, today we have really started what can be a great debate in this House. We are often frustrated by how long the Senate takes to talk about the ideas that they talk about. We are also often frustrated by the fact that we do not have the time to chase important ideas to an important conclusion.

The law of unintended consequences seems to particularly appeal every time we try to change our campaign finance laws. In fact, many of the things we will talk about in this debate will be why the reforms after Watergate have not worked. Many of the things we will talk about is why we cannot enforce the laws we have.

If there is a smoke and mirrors problem, like I just heard that term used, in our law today, the smoke and mirrors problem is why we cannot enforce the laws we have and how we turn that into a debate about why we need more laws. But we do have time for this debate. This is a debate that goes to the core of our process. It goes to the core of what the next generation of folks who run important public office are likely to deal with. We can take the time. We have the time. We are going to talk about important things.

I just heard a moment ago the need to rewrite the First Amendment. I am not opposed to revisiting the Constitution. In fact, I was for revisiting the Constitution recently when we talked about the need to have a balanced budget amendment in the Constitution. But many of my colleagues who now want to rewrite the First Amendment said, it is way too dangerous to talk about an amendment, a new amendment that would protect the way we spend taxpayers money, but we are going to have a debate on whether it is too dangerous or not to talk about the way we protect the speech of voters and citizens.

These are big issues. This is a debate that deserves the attention it is going to have. I am grateful that we have an opportunity in this debate that we sel-

dom have on this side of the Capitol to have a full and free exchange of ideas. I am pleased to see it start here today.

Ms. KILPATRICK. Madam Chairman, may I inquire as to the remaining time on both sides?

The CHAIRMAN. The gentlewoman from Michigan (Ms. KILPATRICK) has 13¾ minutes remaining, and the gentleman from California (Mr. THOMAS) has 11 minutes remaining.

Ms. KILPATRICK. Madam Chairman, I yield 1 minute to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Madam Chairman, I thank the gentlewoman for yielding me the time.

The most often asked question of me at home, especially with the young people that I represent in California's very distinguished 14th congressional district, is the following: What got you interested in politics, and why do you want to be in it? What do you want to get done?

I was attracted to public service at a very early age when I was in high school. We did not vote then. You had to be 21 years old to vote. And I became involved in the presidential campaign of John Fitzgerald Kennedy. When he won, I honestly felt that I had put him over the top with the work that I had done. It was a time when public service was celebrated. Today in 1998, 38 years later, I am sorry that we cannot report the same thing. Why? Because people do not believe that this place is on the level.

And they are right. Why? Because money influences everything that takes place here.

We must step up to the bar and encourage the American people that they can indeed have confidence in this institution and their representatives by reforming a broken congressional finance campaign system. Vote for the Meehan-Shays bill. It is the real one. We should pass it, and we should be judged as to whether we have voted for it or not.

Mr. THOMAS. Madam Chairman, I yield 2 minutes to the gentleman from Washington (Mr. METCALF), a member of the freshman class.

Mr. METCALF. Madam Chairman, I would like to thank the gentleman from California (Mr. THOMAS) for yielding me the time and congratulate the Speaker and the leadership for keeping their commitment and allowing this debate today.

Madam Chairman, I am one of the Members totally committed to a full debate on this issue. I would even have signed the discharge petition to force a full and open debate. I am gravely concerned about the present campaign system because the American people have lost faith in the way Congress is elected. It has to be changed. By reforming our campaign finance system, we are moving forward on a new course that will empower people's faith in the political process. I have looked forward to this debate and I sincerely hope that we will enact real and honest campaign finance reform.

Ms. KILPATRICK. Madam Chairman, I yield 1 minute to the gentleman from Texas (Mr. TURNER), the Lone Star State.

Mr. TURNER. Madam Chairman, I thank my fellow freshmen, Democrats and Republicans, who are fighting for campaign finance reform. I also thank my fellow blue dog Democrats who worked to bring this issue to the floor by pushing the discharge petition calling for a fair and open debate.

Why are we fighting so hard? Because we believe that big money has a corrupting influence upon politics. We want votes, not dollars, to count in these halls. We want the strength of one's argument, not the size of one's pocketbook, to determine public policy. And we want to ensure that this government is not for sale to the highest bidder.

The American people deserve to know that this Congress investigates every allegation of campaign finance abuse, not to secure partisan advantage but to restore public trust and confidence in government.

While we investigate allegations surrounding Johnny Chung and possible corporate influence on decisions to grant licenses to sell technology to China, let us not forget that at the end of the day it is about big money in the political process.

Ms. KILPATRICK. Madam Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Madam Chairman, I want to take a moment to thank the gentleman from Connecticut [Mr. SHAYS] and the gentleman from Massachusetts [Mr. MEEHAN] for including a variant of my "stand by your ad" proposal in their campaign finance reform substitute.

A little over a year ago, I introduced stand by your ad, based on a good North Carolina idea from Lt. Governor Dennis Wicker, to make a real change in campaign advertising.

Stand by your ad is a bipartisan proposal sponsored by the gentleman from California [Mr. HORN] and myself and 13 others. Our bill would require simply that candidates appear in their television ads and say that they sponsored the ads. It would require the same for radio advertisements. The disclaimer for print advertising would also be enhanced.

Our proposal will not dictate the content of ads. But it will make candidates think twice before running a distorted or a mud-slinging advertisement, for they will have to take responsibility for what they put on the air and the voters will be more likely to hold them accountable.

We must change our electoral system in a real and positive way. I believe the Shays-Meehan bill offers us the best opportunity we are likely to have to do that. I am grateful that the sponsors have included "stand by your ad" in their substitute, to strengthen the required disclaimer and thereby to improve the tone and content of campaign advertising.

This year we have a real opportunity to change the rules. We need to work across party lines to reform how we conduct campaigns. I urge my colleagues to join us and the other co-sponsors of the Shays-Meehan bill in supporting real campaign reform by voting for the Shays-Meehan substitute, including "stand by your ad."

Mr. THOMAS. Madam Chairman, I yield 4 minutes to the gentleman from Florida (Mr. MICA), a member of the Committee on House Oversight.

□ 1415

Mr. MICA. Madam Chairman, I thank the chairman of our Committee on House Oversight for yielding me this time and also for his distinguished leadership on this issue.

My colleagues, we have ourselves in a real pickle here. I have served on the Committee on House Oversight, and we have had to tangle with this dilemma in committee. The chairman has tried to act and Members have tried to act in a very responsible and responsive manner to the will of the House.

We sat for days and days in meeting after meeting. We heard at least 40 Members of the House with their various proposals as to how to revise our campaign laws. I sat through much of that testimony. And that is part of the problem.

No one is trying to deep six campaign reform, as we have heard some accounts in the media or some of my colleagues on the other side or this side say. I think people want meaningful campaign reform. And our committee tangled with this, and we brought out measures, and we gave the House an opportunity to vote on it. But now this House is going to suffer the same fate that our committee suffered.

I am not here to speak for or against one measure or the other, but I tell my colleagues that the reason we have 500 amendments and dozens of bills and proposals and differences of opinion is, in fact, we have 435 Members.

My colleague from California (Mr. HORN) summed it up so well when he said, we have 435 experts on this issue. And that is our problem.

But let me tell my colleagues what the American people want, and my colleagues have heard at this podium here all the condemnations. Actually, that is the side that controlled the White House, this House and the other body for several years and had complete power to change all the laws that they, in fact, passed and eliminate these abuses, but they did not.

So here we are in an open discussion, and we are going to have to sort through this, and we have a great difference of opinion on it because we are all experts.

We have all been abused by the system. I hate soft money. I was abused by it. I would love to ban it. The only problem is this little thing that gets in the way, the Constitution, which I carry around. And if my colleagues can find a way around the Constitution, then go at it.

But I want to tell my colleagues what the American people are upset about, and I am offended by some of the debate here today. The American people are disgusted because the laws on the books have been abused and misused. We have heard that we are going to investigate to the end, but we do not investigate to the end.

I sit also on the Committee on Government Reform and Oversight, where we have heard a parade of witnesses that go on and on about campaign abuses of existing laws. It is illegal for foreign governments to contribute. It is illegal for foreign citizens to contribute. It is illegal under the laws.

And I stacked one day in the hearing all the laws that had been violated, the statutes of the United States of America. Illegal conduit payments. That is illegal. And I heard it is illegal for conduit payments.

And then I heard the testimony and the tape of the President of the United States saying, we found a way to take amounts of money in 20s, 50s and hundred thousands, go get it, play it, to subvert the presidential election process that we put in place with some public money to avoid these abuses.

So, yes, the laws are on the books; but, yes, they have been violated. And people want, 74 percent of the American people, when polled, said their number one priority is enforcing the laws that are on the books.

So we face today this dilemma: Those who say we want to clean up and enact new laws; those who want to affront the Constitution. We will have to make the choice.

Ms. KILPATRICK. Madam Chairman, I yield 1 minute to the gentleman from Vermont (Mr. SANDERS).

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

Mr. SANDERS. Madam Chairman, if American citizens are concerned that Congress continues to represent the interests of the wealthy and the powerful at the expense of the middle-class and working families, then the American people must get involved in the fight for real campaign finance reform.

Our Republican friends want to investigate the role that campaign contributions might have played on President Clinton's China policy. Well, we should investigate that issue fully and fairly, but we should also investigate the role that campaign contributions play in our tobacco policy, our health care policy, our tax policy, our banking policy, and many other policies that we deal with.

Big money interests are pouring hundreds of millions of dollars into the political process, and the wealthiest 1/4 of 1 percent provide over 80 percent of campaign contributions. More and more millionaires are running for office while the middle class and working families are voting less and less and participating in lower numbers.

Let us have the guts to pass real campaign finance reform, and let us do it now.

Ms. KILPATRICK. Madam Chairman, I yield 1 minute to the gentlewoman from Michigan (Ms. RIVERS).

Ms. RIVERS. Madam Chairman, I took this picture off the wall of my office. I purchased it several years ago from a high school art competition in my district. It was produced by Jeff Vogelsberg, a student at that time in a high school in my district.

As my colleagues can see, or maybe they cannot see, it is a picture of a car made out of money that has lassoed and is taking away the Capitol of the United States.

We have a saying in our language, "out of the mouths of babes," which really speaks to the sort of pure and perfect insight of children, the ability to get to the nub of the issue. And, in fact, Madam Chairman, this is how our children see us. And it is, of course, these children who will grow up and write the history books of the future.

And what do my colleagues think they will have to say about us? How will we be portrayed? Will this Congress be portrayed as supporters of a system with integrity and honor, or one of money that is so powerful it can pull the Capitol of the United States from its very foundation?

Support Shays-Meehan.

Ms. KILPATRICK. Madam Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Chairman, I thank the gentlewoman for yielding me this time, and I want to say that, yes, we are beginning this debate on campaign finance reform, but we dare not close our eyes. We may not ever end it, and we may not get a chance to vote on real campaign finance reform, and that is the Meehan-Shays legislation.

I hope I can go home and tell the children in my district that they are the ones that control and direct our efforts up here in the United States Congress and not the special interests. But, my colleagues, I have some special insight. Because as we are going through the bankruptcy revisions, we now see the impact of special interests who want us to eliminate provisions that would allow hard-working Americans, who have come upon hard times, who have had catastrophic illnesses, to be able to go into bankruptcy court fairly and honestly and save themselves and their homes and their children's homes.

We need to realize that real campaign finance reform is to get rid of the special interests. And real campaign finance reform is to vote for the Meehan-Shays, and not for the nongermane amendments, 500 of them, maybe, that will come up when we come back so we never get a chance to vote for Meehan-Shays.

I hope that does not happen. Vote for Meehan-Shays for real campaign finance reform for our children.

Ms. KILPATRICK. Madam Chairman, I yield 1 minute to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Madam Chairman, I thank the gentlewoman for yielding me this time, and I rise in strong support of campaign finance reform.

I will vote for both the Shays-Meehan bill and the bipartisan freshman bill, because I think that those bills go a long, long way in helping to clear up the problems that we have, although I think we still have a long way to go.

The Buckley-Valeo decision by the Supreme Court, in my opinion, was one of the worst decisions that was ever put forth in the Supreme Court, equating free speech and money, saying that money, money and more money can be spent on campaigns. We have a situation where only millionaires can afford to run for office in this country. And that is the real threat to our democracy, when the average person can no longer run for office because it costs so much to run for office and the special interests so dominate it with money, money, and more money.

Public financing, in my opinion, is the way to go, because that would even the playing field and level the playing field. It is obvious we are not going to get that, so we need to have some kind of restrictions on the obscene amounts of money it takes to run for office in this country.

Are we saying that only wealthy people should serve in the United States Congress? We have more and more millionaires here. There is nothing wrong with millionaires, I wish I was one of them, but I do not think they are the only people that ought to serve in the U.S. Congress.

We need campaign finance reform, and we need it now. It is a threat to our democracy to do nothing. Let us move on this. Pass Shays-Meehan and the freshman bill.

Mr. THOMAS. Madam Chairman, I yield 2½ minutes to the gentleman from Michigan (Mr. UPTON), who has been involved extensively in the area of campaign finance reform.

Mr. UPTON. Madam Chairman, not too long ago I spent some time with one of the most distinguished journalists in this country, David Broeder. He made a very good point that the most popular thing that Americans watch and enjoy is probably NFL football or college football.

They do not focus on the missed pass patterns, the overthrown passes, the blocks that go awry. They look at the TDs, a Desmond Howard running back, a punt return, a Charles Woodson making a great defensive play in the end zone, a Brian Griese getting that touchdown pass in the Rose Bowl.

Sadly, our political system, indeed, focuses on the bad, the opposite, the negatives. So-and-so is against the elderly. They are a big spender. They are for higher taxes. They are for pornography, even kiddie porn. That is what we have come down to with these negatives.

And, sadly, those negatives are led not by the candidates. The candidates are not responsible for that kind of junk, but, instead, the independent interest groups that have taken over the system.

They have discovered a gigantic loophole. They have discovered that they can pour unlimited amounts of money into a campaign, hundreds of thousands, maybe even a million dollars. It is not reported, it is not disclosed, and, in fact, they have no direct responsibility.

Well, that buying of this House has got to end. It is time to return this House to the people's House.

I can remember not too long Speaker Foley did not really allow an open rule on campaign finance reform. A gentleman here by the name of Mike Synar, myself, and the gentleman from Louisiana (Mr. BOB LIVINGSTON) worked together on a bipartisan campaign plan, and it was a good one, and we were turned down by the Committee on Rules on a vote by just a handful of votes, 220 to 213.

I applaud our bill leadership, and I applaud the gentleman from California (Mr. BILL THOMAS) for working to construct the bipartisan vote that we had last night that is an open rule so that Members from every stripe in this Chamber can debate the issues for perhaps a couple of weeks based on the amendments that were filed, and we can sort this thing out and we can end some of these abuses and return this House to the people's House.

Madam Chairman, we need reform. The country wants reform. We want reform. Together, we can do it. Let us look at these issues. Let us look at all of the amendments and the substitutes. And, at the end of the day, let us not fall short and reject what comes out. Let us pass something and get it back to the Senate.

Ms. KILPATRICK. Madam Chairman, I yield 1 minute to the gentleman from Washington State (Mr. ADAM SMITH), someone who has been waiting a long time this afternoon.

Mr. ADAM SMITH of Washington. Madam Chairman, I rise in strong support of the Shays-Meehan bill.

Let me first say that I think it is good that people are interested enough in the process to contribute money to a candidate and get involved. The key is to have a reasonable contribution limit so that some people do not have so much more influence than other people that those other people are discouraged from participating. Unfortunately, that is the system we have right now.

Shays-Meehan does a very good job of fixing that problem by banning soft money, limiting issue advocacy, and beefing up the enforcement mechanisms the FEC has to enforce the existing laws. I think placing reasonable limits on contributions makes sense, and Shays-Meehan maintains those limits.

I do want to caution folks about going too far down the road about how

corrupt we are if we receive campaign money. I do not believe that to be the case. However, we do need to keep a ceiling on contributions so that certain individuals do not have undue influence. I think a limit of \$1,000 per individual, \$5,000 per PAC makes sense.

The problem is that between soft money and third-party expenditures, those limits have been rendered meaningless. Shays-Meehan takes a first step towards fixing that problem, and I urge my colleagues to support that bill.

□ 1430

Ms. KILPATRICK. Madam Chairman, I yield 1 minute to the gentlewoman from Michigan (Ms. STABENOW).

Ms. STABENOW. Madame Chairman, I rise today in strong support of the efforts to create real campaign finance reform. At the end of the day, it will not be what we said, what fingers we pointed at each other; it will be whether or not we actually got anything done. That is what people will judge us on.

I want to commend my colleagues in the freshman class who have worked so hard on both sides of the aisle to bring this issue forward and to put a bill in front of us that makes sense. Also, the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) who have worked so hard to put together a bipartisan bill.

We have two opportunities in front of us, either of which moves us in the right direction. And I would encourage us not to get bogged down in finger pointing, not to get bogged down in 11 substitutes, over 500 amendments, but to instead, when we have the opportunity to come back in another week to vote on whether or not we want less money in the system or more, that we vote for less; whether we want more accountability, whether we want folks to be able to make up names and run ads without any accountability for us or for our constituents to know who they are, or whether we want fairness, whether we want accountability.

Let us vote for accountability. Let us vote for real campaign finance reform now.

Ms. KILPATRICK. Madam Chairman, I yield 1 minute to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Madam Chairman, I thank the gentlewoman from Michigan for yielding me the time.

Literally, money talks; and when it speaks, it drowns out all other political discourse. Money has distorted, corrupted, and perverted our political system. It is time to get back to the basics of democracy. We are past the time for halfway and halfhearted patches on the system.

Belief that disclosure alone will remedy the problem is like belief in the tooth fairy. Solving the problem by just regulating soft money is about as likely to happen as expecting pigs to fly. I believe that the basic principles of campaign reform are these:

Take seriously some of the money out of the equation. Provide some public financing for all Federal campaigns. Set a limit on Federal candidates' use of private money. Provide voters with enough information, unfiltered, to make serious decisions. Create an independent agency that will report on the activities of all paid lobbyists, who and when they lobby.

It is only when we take the money out that democracy will come in.

The CHAIRMAN. The gentlewoman from Michigan (Ms. KILPATRICK) has 3¼ minutes remaining.

Ms. KILPATRICK. Madam Chairman, I yield 1 minute to the gentleman from Tennessee (Mr. FORD).

Mr. FORD. Madam Chairman, let me first say to my colleagues on the left and the right who seem so deeply concerned about the constitutional ramifications of a campaign finance package, I would remind them that next week when we return from our Memorial Day recess that one of our colleagues the gentleman from Oklahoma (Mr. ISTOOK) will bring a piece of legislation to the floor that seeks to rewrite the First Amendment in certainly more egregious ways than perhaps this campaign finance legislation will.

But I say to my colleagues on both sides of the aisle, what is it that we are afraid of when it relates to campaign finance reform? What is it that we are afraid of when we talk about taking less money? What is it that we are afraid of when we talk about less money in this entire political system?

This is the same body that had the courage to say to welfare recipients throughout this Nation, and I voted with them, we are going to place a 2-year time limit on them. We are going to limit the amount of funds. This is the same Congress that said to those in the Dakotas, when the floods ravaged those areas, we are going to make them wait for disaster aid relief.

What is it about campaign finance reform that irks and irritates so many in this Congress? I would hope that we can find the courage to reach down deep inside to find the courage that is needed to not only reform these laws and restore the integrity to this system but to do what is right for the future of this Nation and the next generation of Congresspeople that will occupy our seats.

Ms. KILPATRICK. Madam Chairman, I yield 1 minute to the gentleman from New York (Mr. SCHUMER).

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

Mr. SCHUMER. Madam Chairman, I thank the gentlewoman for yielding me the time.

Let me say this debate will test this House as it has not been tested in a decade. Admittedly, this is not the number one political issue on the minds of the public. Probably no one will lose their reelection because of it. But clearly, if we care about this Congress and care about this democracy,

this is the issue that is driving the Government further and further and further from the people. Reform it we must. Those who love this democracy, those who believe in what the Founding Fathers said, should be on the side of this issue.

And second, I have heard more crocodile tears shed over the First Amendment from the very same people who spend a career bashing the National Endowment for the Arts and everything else that I am just amazed. Methinks that there is too much protest here.

I do not think the issue is the First Amendment. No amendment is absolute. I do not think that these new-found converts to the First Amendment fear that that amendment will be infringed. They try to infringe on it every week on the floor of this House. I think they are afraid of reform, they are afraid of government coming clean.

The CHAIRMAN. The gentlewoman from Michigan (Ms. KILPATRICK) has 1¼ minutes remaining.

Mr. THOMAS. Madam Chairman, I yield 1½ minutes to the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Madam Chairman, if we like our legal system, after this debate on campaign finance reform, where we have 10 substitutes and over 300 amendments, we are going to love our campaign finance.

What we need to do is enforce the campaign finance laws that are on the books and work together to simplify so that the American people are being well-served. Now, a lot of people will say, well, this is a case of being able to have free speech. I think so. But simplicity is the path to strengthening our system and allowing Americans to finally trust their elected Federal officials.

We can gain a lot of credibility with the American people by actually investigating and enforcing the current laws. No one on this side of the aisle is talking about enforcing the current law, especially as it concerns fund-raising in churches, in Buddhist temples, campaign or other financial solicitation from executive office buildings, foreign contributions and other illegalities that occurred during the 1996 campaign cycle.

I believe we need to preserve the freedom of any individual or group to speak out on issues. Some of the proposals being offered clearly violate the First Amendment guarantee of free speech. Therefore, some of these proposals are clearly unconstitutional.

Let us pass sensible campaign finance reform that enjoys the widespread support of all the American people.

Ms. KILPATRICK. Madam Chairman, I yield 1¼ minutes to the gentleman from Connecticut (Mr. GEJDENSON).

Mr. GEJDENSON. Madam Chairman, the debate here is how to instill confidence in the voters of this country and their elected officials. There is no place on earth where the connection

between the elected and the electors is closer. But as the amounts of money rushing into campaigns through every possible back door and front door continue to grow, the American people's respect for this Government continues to diminish.

There is an advantage on the Republican side. I think their constituents are often less bothered by \$100,000 contributions. We tend to represent blue collar people that are astounded by those numbers.

The Democratic record is clear. In 1971, we started with the FEC and overrode President Nixon's veto. In 1974, we passed campaign finance reform. Yes, the court gutted it. But remember, the Supreme Court for 50 years said separate and equal are okay, until 1954 in *Brown v. Board of Education* when they reversed themselves.

In 1993, the House, under Democratic leadership, passed the campaign finance reform; and in 1994 we put it on George Bush's desk to see him veto it. When President Clinton got elected, we got legislation through both houses and it was filibustered to death in the Senate. Had that gotten past the Senate filibuster, this President would have signed it.

Let us pass MCCAIN/FEINGOLD in its form in the House, get it to the Senate, and get those couple more votes we need to break the filibuster. We have more than a majority for reform in the Senate, and this President will sign the beginning of real campaign finance reform with the leadership of the men and women in this House of Representatives.

Mr. THOMAS. Madam Chairman, I yield myself the remaining 2 minutes.

We have heard the general debate on campaign reform; and true to form, it is an attempt to move the discussion to class warfare and righteous indignation. I would like to bring some of the fundamentals in focus, if I might.

We have heard a piece of legislation referred to on our side of the aisle as Shays/Meehan. We have heard that same legislation referred to on the other side of the aisle as Meehan/Shays. I think that pretty well sums up how significant the substance is. These people are so desperate in terms of the need to package this in a way that, their reform, that they actually reverse the name of the legislation.

In that CRS booklet that I provided my colleagues, I do apologize to my colleagues on the other side of the aisle, it is listed as Shays. He is the principal author. It is Shays/Meehan. But we will hear them repeatedly say Meehan/Shays. So much for substance. This is all about style on their part. We are concerned about the First Amendment, and we guarantee it will be protected.

For those of my colleagues who do not have the CRS copy, I am pleased to announce that by the end of business today, for those on the web, the cite is www.house.gov/cho. That is www.house.gov/cho for the Internet

copy of the Congressional Research Service's factual analysis of the various substitutes that will be in front of us.

Madam Chairman, I look forward to a substantive debate over the specifics of these issues, especially in regard to the constitutionality of the measures that we will be looking at.

Mr. FORD. Madam Chairman, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Tennessee.

Mr. FORD. Madam Chairman, I have the greatest respect for the gentleman from California (Mr. THOMAS). But what difference does it make if it is called Meehan/Shays or Shays/Meehan?

Mr. THOMAS. Madam Chairman, reclaiming my time, if it does not make any difference, why not call it by its proper name, Shays/Meehan?

Mr. FORD. Madam Chairman, if the gentleman would further yield, vote for Shays/Meehan then.

Mr. SANDERS. Mr. Speaker, Some may think the discussion of campaign finance reform is esoteric—not related to the real day to day problems and concerns of ordinary people. Wrong. If we are concerned to know why this country has the most unfair distribution of wealth in the industrialized world, and why the richest person in this country owns more wealth than the bottom 40 percent of our population—then you are talking about campaign finance reform, and the role that big money plays in the political process.

If you want to know why last year Congress gave huge tax breaks for the rich and large Corporations, and then proceeded to cut Medicare by 115 billion dollars—then you are talking about campaign reform, and the role that big money plays in the political process.

If you want to know why this country spends more money per capita on health care than any other industrialized country, and why 40 million Americans have no health insurance at the same time as insurance companies and pharmaceutical companies make huge profits—then you are talking about campaign finance reform and the role that big money plays in the political process.

And on and on it goes. The rich get richer, the middle class shrinks and we have the highest rate of childhood poverty in the industrialized world—and big money plays a major role in determining the agenda of both political parties.

Mr. Speaker, the current campaign finance system is obscene and the situation is becoming worse and worse everyday.

Our republican friends have recently made allegations against President Clinton regarding the influence that campaign contributions might have had on the Presidents policy towards China and Chinese missiles. This is a very serious allegation that should be fully and fairly investigated, but so should the role that campaign contributions play in our tobacco policy, in our health care policy, in our banking policy, in our environmental policy, and in many other areas.

Since 1991 the pharmaceutical industry has given more than 18 million dollars in political contributions and today we have the highest cost of prescription drugs in the world. The oil gas and chemical industries have provided over 24 million dollars in campaign contribu-

tions, and they get away with murder in terms of environmental destruction.

Some in this body say that the problem is with labor unions and the big money that labor spends. In the 1995–1996 election cycle corporations and groups and individuals representing business interests out spent labor 12 to 1. In fact, the wealthiest one quarter of one percent provides 80 percent of the campaign contributions and it is incomprehensible that some want to relax restrictions and enable the rich to contribute even more.

Mr. Speaker, this congress must end the obscenity of the current system which allows big money to buy and sell politicians like we were just another commodity.

This congress can learn a lot from my own state of Vermont which has passes serious campaign finance reform which severely limits the power of big money over the political process. Ultimately, what this congress must do is eliminate soft money completely; limit the total amount of money that can be spent in a campaign by a candidate, and move us in the direction of matching public funding with small individual contributions.

The day must come when once more in this country democracy means one person one vote, and not the current obscenity in which multinational corporations and individuals control the process.

Mr. DELAY. Mr. Chairman, a diverse coalition of citizens groups ranging from the American Civil Liberties Union (ACLU) to the National Right to Life (NRLC) have demonstrated that the Shays/Meehan and the Hutchinson campaign reform bills are nothing short of attacks on freedom of speech.

I hope my colleagues will take some time to read the following analysis distributed by National Right to Life Committee. The NRLC correctly points out that these two bills contain patently unconstitutional government regulations that should not be supported by the House of Representatives.

THE SHAYS-MEEHAN BILL'S YEAR-ROUND RESTRICTIONS ON FIRST AMENDMENT RIGHTS

The most recent version of the Shays-Meehan bill (H.R. 3526) is taken from the September 29, 1997 version of the Senate McCain-Feingold bill. This bill contains multiple provisions that blatantly violate the Supreme Court's long-established First Amendment rulings. In *Buckley v. Valeo* (1976) and later cases, the Court has emphatically held that the government may not regulate commentary on politicians except for "express advocacy," a term that the Court has said must be confined to communications that use explicit words to expressly urge a vote for or against an identified candidate.

As the Court stated in *Buckley*, "So long as persons and groups eschew expenditures that in express terms advocate the election or defeat of a clearly identified candidate [i.e., "express advocacy"], they are free to spend as much as they want to promote the candidate and his views." Such constitutionally protected commentary on politicians' positions is referred to by the legal term of art issue advocacy. This memo summarizes multiple provisions of the Shays-Meehan bill that infringe on such constitutionally protected speech.¹

¹For a fuller analysis of this bill, see NRLC's memo, "An Analysis of the Speech-Restriction Provisions of the Shays-Meehan Bill (H.R. 3526)." For an examination of statements by advocates of the bill, and their implications, see "Do American Voters Need Speech Nannies?" by NRLC Legislative Director Douglas Johnson (Sept. 30, 1997), available at www.nrlc.org/dimwit.html.

YEAR-ROUND RESTRICTIONS ON CONSTITUTIONALLY PROTECTED SPEECH

1. The bill would redefine illegal corporate campaign activity so broadly that, at any time of any year, a non-PAC incorporated organization would risk being the target of a complaint to the Federal Election Commission (FEC), alleging illegal corporate campaign expenditures, and subsequent costly investigation and litigation, any time it issues a print, broadcast, or other type of communication to the public that mentions the name of a Member of Congress (or other candidate) with any sort of explicit or implicit viewpoint regarding the rightness or wrongness of that politician's position. This is because any such commentary could be viewed by some politician or regulator as constituting "unmistakable and unambiguous support for or opposition to" a candidate, which the bill would redefine as "express advocacy." (Section 201) For example, if NRLC distributed a brochure that contained a description of partial-birth abortion, followed by the simple statement, "On May 20, 1997, Senator Russ Feingold voted against banning the brutal partial-birth abortion procedure," NRLC would risk being subjected to investigation and prosecution for engaging in speech that expressed "unmistakable . . . opposition" to Senator Feingold.

2. Moreover, if a non-PAC organization is deemed to have established "coordination" with a lawmaker or other "candidate" (even by sharing a vendor—see #4 below), it would be banned (at any time of any year) from issuing any communication to the public that names that "candidate" and "is for the purpose of influencing a Federal election." This is an extremely vague and sweeping restriction that applies, as the bill says, "regardless of whether the communication is express advocacy." (See Section 201, definition of "expenditure.")

3. In addition, under Section 205, at any time of any year, a non-PAC incorporated citizen group, if it has established "coordination" (see #4 below), is prohibited from issuing any communication to the public that is "of value" to a candidate, "regardless of whether the value being provided is a communication that is express advocacy." Such a communication is prohibited, as an illegal campaign "contribution," even if the communication contains the name of no candidate. This could apply, for example, to an ad in a newspaper that mentions the name of no politician, but that calls for a ban on partial-birth abortions, if a politician complains that the ad was "of value" to a political opponent who opposes partial-birth abortion.

DEFINITION OF "COORDINATION" PLACES UNCONSTITUTIONAL RESTRICTIONS ON LOBBYING ACTIVITIES AND ISSUE ADVOCACY

4. The restrictions described in items #2 and #3 above apply to any group that is deemed to have established "coordination" with a candidate. The bill (Section 205) vastly expands the current definition of "coordination," in 10 separate clauses, so that an organization that communicates with members of Congress regarding public policy matters would be at constant risk of falling over these "coordination" tripwires. For example:

Many public policy organizations gather information on the positions of members of Congress on certain issues through use of a written questionnaire, and then disseminate that information in communications to the public. But the submission and return of such a questionnaire, with intent to publicize the information obtained, would fall under one of Section 205's multiple definitions of "coordination"—that is, a communication based on a "general or particular understanding with a candidate"—and therefore would be an illegal corporate campaign expenditure.

Another provision, declaring that an organization is "coordinated" if it has engaged in "policymaking discussions" with a "candidate's campaign," could apply to routine attempts by public policy groups to persuade lawmakers of the merits of the organization's positions (i.e., lobbying).

Another provision would define "coordination" as the mere sharing of a single professional vendor (a printer, artist, or pollster, for example), during a two-year period, with a congressional candidate.

THE FIRST AMENDMENT DOES NOT ALLOW LAWMAKERS TO PROHIBIT NON-PAC GROUPS FROM MENTIONING THEIR NAMES

5. In addition to the restrictions described above, within 60 days of a congressional primary election (which occur as early as March 1) or a general election, Section 201 places an absolute ban on any non-PAC group broadcasting a communication that even mentions the name of a "candidate," which includes all incumbent members of Congress. This provision does not only require "disclosure" of funding sources for such communications. Rather, it bans the naming of politicians in broadcast communications to the public, unless they are conducted under the entire panoply of restrictions that apply to PACs—in other words, only federal PACs are permitted to sponsor such "politician-mentioning" communications. This ban would apply even to ads alerting citizens to upcoming votes in Congress. [For further discussion of the implications of allowing only PACs to sponsor politician-mentioning communications, see the NRLC memorandum, "An Analysis of the Speech-Restrictive Provisions of the Shays-Meehan Bill (HR 3526)."]

THE FIRST AMENDMENT DOES NOT PERMIT LAWMAKERS TO DICTATE "SPEECH SPECIFICATIONS" FOR DISCUSSION OF THEIR VOTING RECORDS

6. Sponsors of the bill make much of a so-called "exception" (in Section 201) for printed material about voting records and positions. But legal analysis of the so-called "exception" reveals that it actually underscores the sweeping restrictions implicit in the underlying definitions. The "exception" would not allow, but rather effectively defines as illegal corporate campaign expenditures and thereby bans (to non-PACs), at any time of any year, any printed materials (such as typical "scorecards" and voter guides) that fail to conform to a series of "speech specifications."

For example, to qualify for the "exception" a publication must be confined "solely" to information regarding votes or positions, and must be presented "in an educational manner"—in other words, interpretation or commentary would be verboten. Even if these requirements are met, the "exception" explicitly excludes publications that discuss the position on only one "candidate"—for example, a newspaper ad that urges letters and calls to a single local congressman about an upcoming vote in Congress. But under the First Amendment, Congress has no authority whatever to impose such restrictions on the right of citizen groups to disseminate and comment on lawmakers' voting records or upcoming votes.

"SOFT MONEY" BAN UNCONSTITUTIONALLY NULLIFIES THE RIGHT OF POLITICAL PARTIES TO ENGAGE IN UNRATIONED ISSUE ADVOCACY

7. The bill (Section 101) completely prohibits organs of the national political parties from receiving so-called "soft money"—a term that really refers to all funds that are not rationed and controlled by the Federal Election Campaign Act (FECA). This is unconstitutional. Under rulings of the U.S. Supreme Court, the First Amendment protects

the right of political parties to sponsor communications that discuss issues, or the positions of officeholders or office-seekers on those issues ("issue advocacy"), without being subjected to the rationing laws that the FECA applies to communications that contain explicit endorsements of candidates ("express advocacy"). The bill would effectively nullify political parties' First Amendment right to engage in issue advocacy, by requiring that all party ads be conducted under the restrictions that currently apply only to express advocacy communications (since the parties would be prohibited from raising any money that did not conform to those restrictions). If "reform" advocates successfully obliterate the distinction between issue advocacy and express advocacy with respect to political parties, they will then redouble their attacks on issue advocacy by citizen groups such as NRLC. Those who support free speech about political figures should oppose all restrictions on issue advocacy, whether engaged in by political parties, citizen groups, or others.

THE HUTCHINSON "FRESHMAN" BILL (HR 2183) VIOLATES THE FIRST AMENDMENT RIGHTS OF CITIZEN GROUPS, POLITICAL PARTIES, AND MEMBERS OF CONGRESS

When the House of Representatives soon revisits the issue of "campaign finance reform," the "base bill" will be HR 2183, sponsored by Rep. Asa Hutchinson (R-Ark.), sometimes referred to as the "freshman" bill. NRLC strongly opposes the Hutchinson bill. This memo summarizes the most objectionable elements of the bill.

UNCONSTITUTIONAL REGULATION OF CITIZEN GROUPS' COMMUNICATIONS TO THE PUBLIC

HR 2183 attempts to assert congressional authority to monitor and regulate citizen groups' broadcast communications to the public, in any month of any year, merely on grounds that a communication mentions a member of Congress or other federal politician. The bill would require that sponsoring organizations report such communications to Congress. This proposed requirement violates both the general constitutional immunity of issue advocacy from governmental regulation, enforced in numerous court decisions, and the specific holdings of the Supreme Court in the 1995 case of *McIntyre v. Ohio Elections Commission*, a 7-2 affirmation of the First Amendment right to engage in anonymous issue advocacy.

The Hutchinson requirement would apply whenever a group spends in a year (1) \$25,000 on communications "relating to" (mentioning) a single politician, or (2) \$100,000 on all "politician-mentioning" communications nationally. Once a group has spent an aggregate total of \$100,000 on broadcast communications that name politicians—even if they pertain solely to upcoming votes on legislation—then EVERY such expenditure must be reported to Congress, even a \$100 radio ad.

UNCONSTITUTIONAL BAN ON "SOFT MONEY"

The bill completely prohibits organs of the national political parties from receiving so-called "soft money"—a term that really refers to all funds that are not rationed and controlled by the Federal Election Campaign Act (FECA). This is unconstitutional. Under rulings of the U.S. Supreme Court, the First Amendment protects the right of political parties to sponsor communications that discuss issues, or the positions of officeholders or office-seekers on those issues (called "issue advocacy"), without being subjected to the rationing laws that FECA applies to communications that contain explicit endorsements of candidates (called "express advocacy"). The bill would effectively nullify political parties' First Amendment right

to engage in issue advocacy, by requiring that all party ads be conducted under the restrictions that currently apply to express advocacy communications (since the parties would be prohibited from raising any money that did not conform to those restrictions).

If "reform" advocates successfully obliterate the distinction between issue advocacy and express advocacy with respect to political parties, they will then redouble their attacks on issue advocacy by citizen groups such as NRLC. Those who support free speech about political figures should oppose all restrictions on issue advocacy, whether engaged in by political parties, citizen groups, or others.

UNCONSTITUTIONAL BAN ON ENDORSEMENTS BY MEMBERS OF CONGRESS

The bill would make it unlawful for any Member of Congress to endorse the fundraising or membership-recruitment efforts of a citizen group, such as NRLC, which at any time of any year engages in "any communication which refers to a clearly identified candidate for election for Federal office," which includes all incumbents except those who have announced their retirement.

In other words, an organization becomes "tainted" if it issues any communication, at any time of the year, that so much as mentions the name of a member of Congress. For example, if an organization sponsors a single newspaper ad or sends out a single newsletter saying that a lawmaker will be voting or has already voted on a certain bill, this restriction would be triggered. Such a mettle-some organization would no longer be eligible to receive the endorsement of any member of Congress. Communications that mention the names of lawmakers are a pervasive ingredient in NRLC's overall pro-life advocacy, throughout the year, so the bill effectively prohibits lawmakers from endorsing NRLC's fundraising efforts, as Congressman Henry Hyde and others have done in the past.

The concept underlying this provision—that there is something "corrupting" about Members of Congress endorsing the work of issue-oriented organizations with which they agree—is very offensive. This provision in effect applies an unconstitutional penalty to NRLC for exercising its First Amendment right to engage in commentary on a federal politician, and also violates NRLC's constitutional right of association. Moreover, this proposed endorsement ban is an unconstitutional infringement on the rights of association and freedom of speech of each and every Member of Congress.

The CHAIRMAN. All time for general debate has expired.

Mr. THOMAS. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PEASE) having assumed the chair, Mrs. EMERSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2183) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes, had come to no resolution thereon.

CONFERENCE REPORT ON H.R. 2400, TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY

Mr. SHUSTER submitted the following conference report and statement on